amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2765. Mr. MARKEY (for himself, Mr. MERKLEY, Mrs. FEINSTEIN, Ms. WARREN, Ms. BALDWIN, Mr. LEAHY, Mr. SANDERS, Mr. WYDEN, Mrs. MURRAY, Mrs. GILLIBRAND, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2766. Mr. BOOKER (for himself, Mr. MENENDEZ, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2767. Mrs. MURRAY (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2768. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2769. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2770. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed by Mr. Durbin to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2771. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2772. Mr. DURBIN (for Ms. DUCKWORTH (for herself, Mr. DURBIN, Mrs. ERNST, and Mr. GRASSLEY)) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2773. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2774. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2775. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2776. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2777. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2778. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2779. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2780. Mr. BROWN (for himself, Mr. BLUMENTHAL, Ms. WARREN, Mrs. MURRAY, Mr. DURBIN, and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2781. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2782. Mr. RISCH (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2783. Mrs. ERNST (for herself, Ms. CANTWELL, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2579. Mr. RISCH 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 I of title VIII, add the following:

SEC. 896. DUTIES OF SMALL BUSINESS DEVELOPMENT CENTER COUNSELORS.

(a) CYBER TRAINING.—Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following:

''(o) CYBER STRATEGY TRAINING FOR SMALL BUSINESS DEVELOPMENT CENTERS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'cyber strategy' means resources and tactics to assist in planning for cybersecurity and defending against cyber risks and attacks; and

''(B) the term 'lead small business development center' means a small business development center that has received a grant from the Administration.

''(2) CERTIFICATION PROGRAM.—The Administrator shall establish a cyber counseling program, or designate an existing program, under which the Administrator may certify the employees of lead small business development centers in providing cyber planning assistance to small business concerns.

''(3) NUMBER OF CERTIFIED EMPLOYEES.—The Administrator shall ensure that the number of employees of each lead small business development center who are certified in providing cyber assistance is not less than the lesser of—

''(A) 5; or

''(B) 10 percent of the total number of employees of the lead small business development center.

''(4) CYBER STRATEGY.—In carrying out paragraph (2), the Administrator, to the extent practicable, shall consider any cyber strategy methods included in the Small Business Development Center Cyber Strategy developed under section 1841(a)(3)(B) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2662).

''(5) REIMBURSEMENT FOR CERTIFICATION.—

''(A) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall reimburse a lead small business development center for costs relating to the certification of an employee of the lead small business center in providing cyber planning assistance under the program established under paragraph (2).

''(B) LIMITATION.—The total amount reimbursed by the Administrator under subparagraph (A) may not exceed $350,000 in any fiscal year.''.

(b) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall implement paragraphs (2), (3), and (4) of section 21(o) of the Small Business Act, as added by subsection (a).

SA 2580. Mr. RISCH (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. SCORE PROGRAM.

(a) REAUTHORIZATION.—Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) by redesignating subsection (j) as subsection (f); and

(2) by adding at the end the following:

''(g) SCORE PROGRAM.—There are authorized to be appropriated to the Administrator to carry out the SCORE program authorized by section 8(b)(1) such sums as are necessary for the Administrator to make grants or enter into cooperative agreements in a total amount that does not exceed $13,500,000 in each of fiscal years 2019, 2020, and 2021.''.

(b) ADDITIONAL AMENDMENTS.—

(1) IN GENERAL.—Section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(A) in subsection (b)(1)(B), by striking ''a Service Corps of Retired Executives (SCORE)'' and inserting ''the SCORE program described in subsection (c)''; and

(B) by striking subsection (c) and inserting the following:

''(c) SCORE PROGRAM.—

''(1) DEFINITION.—In this subsection, the term 'SCORE program' means the SCORE program authorized by subsection (b)(1)(B).

''(2) VOLUNTEERS.—A volunteer participating in the SCORE program shall—

''(A) based on the business experience and knowledge of the volunteer—

''(i) provide at no cost to individuals who own, or aspire to own, small business concerns personal counseling, mentoring, and coaching relating to the process of starting, expanding, managing, buying, and selling a business; and

''(ii) facilitate low-cost education workshops for individuals who own, or aspire to own, small business concerns; and

''(B) as appropriate, use tools, resources, and expertise of other organizations to carry out the SCORE program.

''(3) PLANS AND GOALS.—The Administrator, in consultation with the SCORE Association, shall ensure that the SCORE program and each chapter of the SCORE program develop and implement plans and goals to more effectively and efficiently provide services to individuals in rural areas, economically disadvantaged communities, and other traditionally underserved communities, including plans for electronic initiatives, web-based initiatives, chapter expansion, partnerships, and the development of new skills by volunteers participating in the SCORE program.

''(4) ANNUAL REPORT.—The SCORE Association shall submit to the Administrator an annual report that contains—

''(A) the number of individuals counseled or trained under the SCORE program;

''(B) the number of hours of counseling provided under the SCORE program; and

''(C) to the extent possible—

''(i) the number of small business concerns formed with assistance from the SCORE program;

''(ii) the number of small business concerns expanded with assistance from the SCORE program; and

''(iii) the number of jobs created with assistance from the SCORE program.

''(5) PRIVACY REQUIREMENTS.—

''(A) IN GENERAL.—Neither the Administrator nor the SCORE Association may disclose the name, address, or telephone number of any individual or small business concern receiving assistance from the SCORE Association without the consent of such individual or small business concern, unless—

''(i) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

''(ii) the Administrator determines such a disclosure to be necessary for the purpose of conducting a financial audit of the SCORE program, in which case disclosure shall be limited to the information necessary for the audit.

''(B) ADMINISTRATOR USE OF INFORMATION.—This paragraph shall not—

''(i) restrict the access of the Administrator to program activity data; or

''(ii) prevent the Administrator from using client information to conduct client surveys.

''(C) REGULATIONS.—

''(i) IN GENERAL.—The Administrator shall issue regulations to establish standards for—

''(I) disclosures with respect to financial audits under subparagraph (A)(ii); and

''(II) conducting client surveys, including standards for oversight of the surveys and for dissemination and use of client information.

''(ii) MAXIMUM PRIVACY PROTECTION.—The regulations issued under this subparagraph shall, to the extent practicable, provide for the maximum amount of privacy protection.''.

(2) OFFSET.—In carrying out the Entrepreneurship Education Program during each of fiscal years 2019, 2020, and 2021, the Administrator of the Small Business Administration may not obligate more than $7,000,000.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(A) in section 7(m)(3)(A)(i)(VIII) (15 U.S.C. 636(m)(3)(A)(i)(VIII)), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(B) in section 22 (15 U.S.C. 649)—

(i) in subsection (b)—

(I) in paragraph (1), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(II) in paragraph (3), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(ii) in subsection (c)(12), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''.

(2) OTHER LAWS.—

(A) Section 621 of the Children's Health Insurance Program Reauthorization Act of 2009 (15 U.S.C. 657p) is amended—

(i) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) the term 'SCORE program' means the SCORE program authorized by section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B));''; and

(ii) in subsection (b)(4)(A)(iv), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''.

(B) Section 337(d)(2)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6307(d)(2)(A)) is amended by striking ''Service Corps of Retired Executives (SCORE)'' and inserting ''SCORE program''.

SA 2581. Mr. RISCH (for himself and Mrs. GILLIBRAND) 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 F of title X, add the following:

SEC. _____. PILOT EXTENSIONS AND REPORTING COMPLIANCE; PILOT PROGRAM.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (cc), 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)(1)—

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

(B) in subparagraph (I), by striking ''and'' at the end;

(C) in subparagraph (J), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(K) funding for improvements that increase commonality across data systems, reduce redundancy, and improve data oversight and accuracy.''; and

(5) by adding at the end the following:

''(tt) 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 Senate, the Committee on Small Business 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), (jj)(6), and (mm)(6); and

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

''(2) INFORMATION REQUIRED.—Not later than December 31, 2018, 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 2582. Mr. RISCH 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 I of title VIII, add the following:

SEC. 896. ENHANCED CYBERSECURITY ASSISTANCE AND PROTECTIONS FOR SMALL BUSINESSES.

Section 21(a) of the Small Business Act (15 U.S.C. 648(a)) is amended by adding at the end the following:

''(9) SMALL BUSINESS CYBERSECURITY ASSISTANCE AND PROTECTIONS.—

''(A) ESTABLISHMENT OF SMALL BUSINESS CYBERSECURITY ASSISTANCE UNITS.—The Administrator, in coordination with the Secretary of Commerce, and in consultation with the Secretary of Homeland Security and the Attorney General, shall establish—

''(i) in the Administration, a central small business cybersecurity assistance unit; and

''(ii) within each small business development center, a regional small business cybersecurity assistance unit.

''(B) DUTIES OF THE CENTRAL SMALL BUSINESS CYBERSECURITY ASSISTANCE UNIT.—

''(i) IN GENERAL.—The central small business cybersecurity assistance unit established under subparagraph (A)(i) shall serve as the primary interface for small business concerns to receive and share cyber threat indicators and defensive measures with the Federal Government.

''(ii) USE OF CAPABILITY AND PROCESS.—The central small business cybersecurity assistance unit shall use the capability and process certified pursuant to section 105(c)(2)(A) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1504(c)(2)(A)) to receive cyber threat indicators or defensive measures from small business concerns.

''(iii) APPLICATION OF CISA.—A small business concern that receives or shares cyber threat indicators and defensive measures with the Federal Government through the central small business cybersecurity assistance unit established under subparagraph (A)(i), or with any appropriate entity pursuant to section 104(c) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1503(c)), shall receive the protections and exemptions provided in such Act and this paragraph.

''(C) RELATION TO NCCIC.—

''(i) CENTRAL SMALL BUSINESS CYBERSECURITY ASSISTANCE UNIT.—The central small business cybersecurity assistance unit established under subparagraph (A)(i) shall be collocated with the national cybersecurity and communications integration center.

''(ii) ACCESS TO INFORMATION.—The national cybersecurity and communications integration center shall have access to all cyber threat indicators or defensive measures shared with the central small cybersecurity assistance unit established under subparagraph (A)(i) through the use of the capability and process described in subparagraph (B)(ii).

''(D) CYBERSECURITY ASSISTANCE FOR SMALL BUSINESSES.—The central small business cybersecurity assistance unit established under subparagraph (A)(i) shall—

''(i) work with each regional small business cybersecurity assistance unit established under subparagraph (A)(ii) to provide cybersecurity assistance to small business concerns;

''(ii) leverage resources from the Administration, the Department of Commerce, the Department of Homeland Security, the Department of Justice, the Department of the Treasury, the Department of State, and any other Federal department or agency the Administrator determines appropriate, in order to help improve the cybersecurity posture of small business concerns;

''(iii) coordinate with the Department of Homeland Security to identify and disseminate information to small business concerns in a form that is accessible and actionable by small business concerns;

''(iv) coordinate with the National Institute of Standards and Technology to identify and disseminate information to small business concerns on the most cost-effective methods for implementing elements of the cybersecurity framework of the National Institute of Standards and Technology applicable to improving the cybersecurity posture of small business concerns;

''(v) seek input from the Office of Advocacy of the Administration to ensure that any policies or procedures adopted by any department, agency, or instrumentality of the Federal Government do not unduly add regulatory burdens to small business concerns in a manner that will hamper the improvement of the cybersecurity posture of those small business concerns; and

''(vi) leverage resources and relationships with representatives and entities involved in the national cybersecurity and communications integration center to publicize the capacity of the Federal Government to assist small business concerns in improving cybersecurity practices.

''(E) ENHANCED CYBERSECURITY PROTECTIONS FOR SMALL BUSINESSES.—

''(i) IN GENERAL.—Notwithstanding any other provision of law, no cause of action shall lie or be maintained in any court against any small business concern, and such action shall be promptly dismissed, if such action is related to or arises out of—

''(I) any activity authorized under this paragraph or the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501 et seq.); or

''(II) any action or inaction in response to any cyber threat indicator, defensive measure, or other information shared or received pursuant to this paragraph or the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501 et seq.).

''(ii) APPLICATION.—The exception provided in section 105(d)(5)(D)(ii)(I) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1504(d)(5)(D)(ii)(I)) shall not apply to any cyber threat indicator or defensive measure shared or received by small business concerns pursuant to this paragraph or the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501 et seq.).

''(iii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to affect the applicability or merits of any defense, motion, or argument in any cause of action in a court brought against an entity that is not a small business concern.

''(F) DEFINITIONS.—In this paragraph:

''(i) CISA DEFINITIONS.—The terms 'cyber threat indicator' and 'defensive measure' have the meanings given those terms in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

''(ii) NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.—The term 'national cybersecurity and communications integration center' means the national cybersecurity and communications integration center established under section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148).''.

(a) PROHIBITION ON NEW APPROPRIATIONS.—

(1) IN GENERAL.—No additional funds are authorized to be appropriated to carry out this section and the amendments made by this section.

(2) EXISTING FUNDING.—This section and the amendments made by this section shall be carried out using amounts made available under section 21(a)(4)(C)(viii) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(viii)).

(3) TECHNICAL AND CONFORMING AMENDMENT.—Section 21(a)(4)(C)(viii) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(viii)) is amended to read as follows:

''(viii) LIMITATION.—

''(I) CYBERSECURITY ASSISTANCE.—From the funds appropriated pursuant to clause (vii), the Administration shall reserve not less than $1,000,000 in each fiscal year to develop cybersecurity assistance units at small business development centers under paragraph (9).

''(II) PORTABLE ASSISTANCE.—

''(aa) IN GENERAL.—Any funds appropriated pursuant to clause (vii) that are remaining after reserving amounts under subclause (I) may be used for portable assistance for start-up and sustainability non-matching grant programs to be conducted by eligible small business development centers in communities that are economically challenged as a result of a business or government facility down sizing or closing, which has resulted in the loss of jobs or small business instability.

''(bb) GRANT AMOUNT AND USE.—A non-matching grant under this clause shall not exceed $100,000, and shall be used for small business development center personnel expenses and related small business programs and services.''.

SA 2583. 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 end of subtitle F of title X, add the following:

SEC. _____. DISCLOSURE TO INVESTORS OF FAILURE OF ACCOUNTING FIRMS TO COMPLY WITH PCAOB REQUIREMENTS.

(a) DEFINITIONS.—In this section—

(1) the term ''Board'' means the Public Company Accounting Oversight Board established under section 101 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7211);

(2) the term ''Commission'' means the Securities and Exchange Commission;

(3) the term ''covered issuer'' means a foreign issuer that is listed on a national securities exchange;

(4) the term ''Form 10–K'' means the form described in section 249.310 of title 17, Code of Federal Regulations, or any successor regulation;

(5) the term ''Form 10–Q'' means the form described in section 249.308a of title 17, Code of Federal Regulations, or any successor regulation;

(6) the term ''Form 20–F'' means the form described in section 249.220f of title 17, Code of Federal Regulations, or any successor regulation;

(7) the term ''issuer'' has the meaning given the term in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)); and

(8) the term ''registered public accounting firm'' has the meaning given the term in section 2(a) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a)).

(b) DISCLOSURE REQUIREMENT.—

(1) IN GENERAL.—If a registered public accounting firm that prepares or issues an audit report for a covered issuer fails to provide the Board with any documentation requested by the Board with respect to that preparation or issuance, as applicable—

(A) the Board shall notify the Commission with respect to that failure of the registered public accounting firm;

(B) upon receipt of the notification from the Board under subparagraph (A), the Commission shall notify the covered issuer—

(i) with respect to that failure of the registered public accounting firm; and

(ii) subject to paragraph (2) and subsection (c), that the covered issuer shall, in any required public disclosure document, including Form 20–F, Form 10–K, any proxy materials, and Form 10–Q, notify investors regarding that failure of the registered public accounting firm; and

(C) after the date on which the registered public accounting firm provides the Board with the documentation requested by the Board—

(i) the Board shall notify the Commission that the registered public accounting firm has complied with the request of the Board; and

(ii) upon receipt of the notification from the Board under clause (i), the Commission shall notify the covered issuer that the registered public accounting firm has complied with the request of the Board.

(2) PERIOD OF APPLICABILITY.—The requirement under paragraph (1)(B)(ii) with respect to a covered issuer shall apply during the period beginning on the date on which the covered issuer receives notice from the Commission under paragraph (1)(B)(i) and ending on the date on which the covered issuer receives notice from the Commission under paragraph (1)(C)(ii).

(c) RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Commission, in consultation with the Board, shall promulgate a rule that, with respect to a covered issuer that is subject to the notification requirement under subsection (b)(1)(B)(ii), directs the covered issuer regarding—

(1) in which materials, in addition to the materials described in that subsection, the covered issuer is required to provide the notification; and

(2) the information that the covered issuer is required to provide with respect to each such notification.

SA 2584. Mr. MORAN 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 MODERNIZATION OF LIGHT INFANTRY COMBAT FORCES.

(a) REPORT REQUIRED.—Not later than January 31, 2019, the Secretary of the Army shall, in consultation with the Commandant of the Marine Corps, submit to the congressional defense committees a report on the

strategy of the Department of Defense for modernizing and upgrading weapon systems, armor, and equipment for light infantry combat forces.

(b) ELEMENTS.—The report under subsection (a) shall include description of the following in connection with the strategy described in that subsection:

(1) Investments to upgrade weapon systems designed to support light infantry combat units, including to reduce the weight of weapons, munitions, and ammunition carried by such forces.

(2) Initiatives to upgrade or improve equipment and armor technology for soldier systems, including to improve mobile power generation technologies.

(3) Initiatives to upgrade ground vehicle platforms designed to transport light infantry combat forces.

(c) STRATEGIC PLANNING.—The report under subsection (a) shall include strategic planning to do the following:

(1) Improve the lethality of light infantry combat units at the small unit level, focused on the current and potential threat environments as determined the Secretary.

(2) Invest in research, development, and prototyping of technologies designed to reduce the amount of time close combat infantry forces spend on non-combat related tasks while in a combat zone, including investments in technologies that aid units in reducing the time and personnel required to construct defensive positions.

(d) UNCLASSIFIED FORM.—The report under subsection (a) shall be submitted in unclassified form.

SA 2585. Mr. WICKER 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:

Strike section 111.

SA 2586. Mr. YOUNG 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 I, add the following:

SEC. 112. NATIONAL GUARD AND RESERVE COMPONENT EQUIPMENT REPORT.

(a) IN GENERAL.—Section 10541(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(10) An assessment by the Secretary of the Army, in coordination with the Chief of the National Guard Bureau, on the efforts of the Army to address any inventory or readiness shortfalls in the Army Reserve and the Army National Guard with respect to high priority items of equipment, including—

''(A) AH–64 Attack Helicopters;

''(B) UH–60 Black Hawk Utility Helicopters;

''(C) Abrams Main Battle Tanks;

''(D) Bradley Infantry Fighting Vehicles;

''(E) Stryker Combat Vehicles; and

''(F) any other items of equipment identified as high priority by the Chief of Staff of the Army or the Chief of the National Guard Bureau.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to reports required to be submitted under section 10541 of title 10, United States Code, after the date of the enactment of this Act.

SA 2587. Mr. ENZI (for himself, Mr. CARDIN, and 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 B of title VIII, add the following:

SEC. 823. PROMPT PAYMENTS OF SMALL BUSINESS CONTRACTORS OF THE DEPARTMENT OF DEFENSE.

Section 2307(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 (as defined in section 3 of the Small Business Act (15 U.S.C. 632)), the Secretary of Defense shall, to the fullest extent permitted by law, establish an accelerated payment date with a goal of 20 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 subcontracts with 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 20 days after receipt of a proper invoice for the amount due if—

''(i) a specific payment date is not established by contract; and

''(ii) the prime contractor agrees to make payments to the subcontractor in accordance with the accelerated payment date, to the maximum extent practicable, without any further consideration from or fees charged to the subcontractor.

''(C) For a prime contractor that subcontracts 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 2588. Mr. ENZI 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 XII, insert the following:

SEC. 2282. REPORT ON DEFENSE SECURITY COOPERATION AGENCY MANAGEMENT OF FOREIGN MILITARY SALES OVERHEAD ACCOUNTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Deputy Assistant Secretary of Defense for Security Cooperation shall submit to the appropriate congressional committees a report on Defense Security Cooperation Agency management of Foreign Military Sales (FMS) overhead accounts.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) An analysis of the appropriate upper limit for administrative and contract administration services (CAS) accounts.

(2) An assessment of the amounts available for transfer above the safety level in the administrative and CAS accounts.

(3) An assessment and prioritization of activities or programs that could improve the efficiency of the FMS process, including increased training for or expansion of the FMS workforce, using such funds available for transfer.

(4) A description of the total workforce requirements necessary to manage the Foreign Military Sales process, including Federal civilians, members of the Armed Forces, and contractor full time equivalents (FTEs).

(5) Information on how much each component costs per year, which shall be included in congressional budget justification documents.

(6) An examination of whether an increased diversity of FMS administrative and CAS fee type and size might better align with the preferences of different buyers.

(7) A comparison of how the analysis used to generate safety levels for the administrative and CAS accounts is different from best practices used to generate safety levels for other Federal trust funds of similar type and size.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations and the Committee on the Budget of the Senate; and

(3) the Committee on Foreign Affairs and the Committee on the Budget of the House of Representatives.

SA 2589. Mr. WICKER 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 I of title VIII, add the following:

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;

(3) the efficiencies and cost benefits provided by the capability to replicate advanced training tasks on a primary trainer;

(4) the safety, efficiency, and quality benefits of a training aircraft with flight and cockpit characteristics that are representative of the more complex fleet helicopters; and

(5) the trends and best practices learned by other United States and international military training programs.

SA 2590. Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. HATCH, Mr. PORTMAN, Mr. CRUZ, Mr. COONS, Mr. RUBIO, and 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 appropriate place, insert the following:

SEC. _____. REPORT ON AIRPORTS USED BY MAHAN AIR.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter through 2021, the Secretary of Homeland Security, in consultation with the Secretary of Transportation, the Secretary of State, the Secretary of the Treasury, and the Director of National Intelligence, shall submit to Congress a report that includes—

(1) a list of all airports at which aircraft owned or controlled by Mahan Air have landed during the 2 years preceding the submission of the report; and

(2) for each such airport—

(A) an assessment of whether aircraft owned or controlled by Mahan Air continue to conduct operations at that airport;

(B) an assessment of whether any of the landings of aircraft owned or controlled by Mahan Air were necessitated by an emergency situation;

(C) a determination regarding whether additional security measures should be imposed on flights to the United States that originate from that airport; and

(D) an explanation of the rationale for that determination.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) PUBLICATION OF LIST.—The list required by subsection (a)(1) shall be publicly and prominently posted on the website of the Department of Homeland Security on the date on which the report required by subsection (a) is submitted to Congress.

SA 2591. Mr. CORNYN 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. _____. ACADEMIC COUNTER EXPLOITATION WORKING GROUP.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense and the Director of the Federal Bureau of Investigation, in consultation with the Director of the Defense Security Service and the Secretary of Homeland Security, shall establish a working group to develop best practices and provide guidelines for tier I research institutions of higher education—

(A) to identify threats to sensitive research and technology from foreign nationals who study, research, or teach at such institutions;

(B) to limit or prohibit access to such research and technology by such foreign nationals; and

(C) to prevent the unlawful transfer of such research and technology to such foreign nationals.

(2) DESIGNATION.—The working group established under paragraph (1) shall be known as the "Academic Counter Exploitation Working Group" (in this section the "Working Group").

(b) COMPOSITION.—

(1) IN GENERAL.—The Working Group shall be composed of the following:

(A) The Secretary of Defense.

(B) The Director of the Federal Bureau of Investigation.

(C) The chief research security officers and chief information security officers from such tier I research institutions of higher learning as the Secretary of Defense, in consultation with the Secretary of Homeland Security, shall select for purposes of this section.

(2) REQUIREMENTS.—In selecting research institutions of higher education under this subsection, the Secretary of Defense and the Secretary of Homeland Security shall jointly select institutions of higher education that the Secretaries determine demonstrate a record of excellence in industrial security and counterintelligence in academia and in research and development.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Working Group shall submit to the appropriate committees of Congress a report on the activities of the Working Group.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the activities conducted and the progress made by the Working Group.

(B) The findings of the Working Group.

(C) Such recommendations as the Working Group may have for legislative or administrative action.

(D) Identification and discussion of the gaps in legal authorities that need to be improve to enhance the security of tier I research institutions of higher education.

(E) A description of the actions taken by such institutions to comply with the best practices and guidelines established by the Working Group.

(3) FORM.—The report submitted under paragraph (1) shall be submitted in classified form.

(d) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services, Permanent Select Committee on Intelligence, and the Committee on Homeland Security of the House of Representatives.

(2) The term "institution of higher education" has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(3) The term "tier I" with respect to an institution of higher education means the institution of higher education has the highest research activity, as defined by the Carnegie Classification of Institutions of Higher Education.

SA 2592. Mr. CORNYN 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. _____. INVESTMENT OF ASSETS OF JAMES MADISON MEMORIAL FELLOWSHIP TRUST FUND.

Subsection (b) of section 811 of the James Madison Memorial Fellowship Act (20 U.S.C. 4510) is amended to read as follows:

"(b)(1) It shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated to the fund.

"(2) Subject to paragraph (3), investments of amounts appropriated to the fund shall be made in public debt securities of the United States with maturities suitable to the fund. For such purpose, such obligations may be acquired (A) on original issue at the issue price, or (B) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under chapter 31 of title 31, United States Code, are hereby extended to authorize the issuance at par of special obligations exclusively to the fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt, except that where such average rate is not a multiple of ⅛ of 1 percent, the rate of interest of such special obligations shall be the multiple of ⅛ of 1 percent next lower than such average rate. Such special obligations shall be issued only if the Secretary determines that the purchases of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States or original issue or at the market price, is not in the public interest.

"(3)(A) Notwithstanding paragraph (2), upon receiving a determination of the Board described in subparagraph (B), the Secretary shall invest up to 40 percent of the fund's assets in securities other than public debt securities of the United States, provided that the securities are traded in established United States markets.

"(B) A determination described in this subparagraph is a determination by the Board that investments as described in subparagraph (A) are necessary to enable the Foundation to carry out the purposes of this title without any diminution of the number of fellowships provided under section 804.

"(C) Nothing in this paragraph shall be construed to limit the authority of the

Board to increase the number of fellowships provided under section 804, or to increase the amount of the fellowship authorized by section 809, as the Board considers appropriate and is otherwise consistent with the requirements of this title.''.

SA 2593. Mr. CORNYN (for himself and Ms. CORTEZ MASTO) 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 D of title III, add the following:

SEC. 340. AUTHORITY TO ENTER INTO A CONTRACT FOR CONTRACTED ADVERSARY AIR AND CONTRACTED CLOSE AIR SUPPORT.

In accordance with section 2401 of title 10, United States Code, the Secretaries of the military departments are authorized to enter into long-term contracts for contracted Adversary Air and Contracted Close Air Support to provide for the training of military personnel. The notification and certification requirements of subsection (b) of such section do not apply to contracted Adversary Air and Contracted Close Air Support training services authorized under this section. This section shall be effective beginning with fiscal year 2019.

SA 2594. Mr. CORNYN (for himself and Mr. KING) 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 X, add the following:

SEC. 1052. ANNUAL REPORTS ON DISPOSITION OF FELONY OFFENSES COMMITTED BY JUVENILES ON MILITARY INSTALLATIONS.

(a) ANNUAL REPORTS REQUIRED.—Not later than March 31 each year, each Secretary concerned shall submit to Congress a report on the disposition of alleged felony offenses committed by juveniles on military installations under the control of such Secretary, including installations in foreign countries, during the previous calendar year.

(b) ELEMENTS.—Each report under this section shall include, for the calendar year covered by such report, a list of the alleged felony offenses committed by juveniles on military installations under the control of the Secretary, aggregated by installation, and with the information for each alleged offense as follows:

(1) Nature of the alleged offense.

(2) Age and other appropriate data on the alleged offender, including the connection, if any, of the alleged offender to the Armed Forces.

(3) Age and other appropriate data on each victim, including the connection, if any, of such victim to the Armed Forces.

(4) Results of the investigation, if any, of the alleged offense by any military, Federal, State, or local law enforcement or criminal investigation organization.

(5) If as a result of an investigation as described in paragraph (4), a determination was made not to recommend the bringing of charges against the alleged offender, whether to a Federal prosecutor or the prosecutor of a State, Commonwealth, territory, or possession, the justification for such determination.

(6) If as a result of an investigation as described in paragraph (4), a determination was made to recommend the bringing of charges against the alleged offender to a prosecutor of a State, Commonwealth, territory, or possession, and such prosecutor declined to bring charges, the justification for lack of prosecution.

(7) If as a result of an investigation as described in paragraph (4), a determination was made to recommend the bringing of charges against the alleged offender to a Federal prosecutor, whether or not the prosecutor subsequently met with the victim or victims as provided for in section 3771 of title 18, United States Code.

(8) If a Federal prosecutor declined to bring charges against the alleged offender despite a recommendation for such charges as described in paragraph (7), the justification for lack of prosecution.

(c) COORDINATION WITH ATTORNEY GENERAL.—The Attorney General shall take appropriate actions to ensure that information on actions of Federal prosecutors that is required for purposes of paragraphs (7) and (8) of subsection (b) is submitted promptly to the Secretaries concerned for inclusion in the reports required by subsection (a).

(d) DEFINITIONS.—In this section:

(1) The term ''felony offense'' means an offense punishable by a maximum term of imprisonment of more than one year.

(2) The term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

SA 2595. Mr. CORNYN 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. ___. BARRING CITIZENS OF IRAN FROM SEEKING EDUCATION RELATING TO THE NUCLEAR AND ENERGY SECTORS.

(a) IN GENERAL.—Section 501(a) of the Iran Threat Reduction and Syrian Human Rights Act of 2012 (22 U.S.C. 8771(a)) is amended to read as follows:

''(a) IN GENERAL.—

''(1) VISA DENIAL.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien who is a citizen of Iran if the Secretary of State determines that such alien seeks to enter the United States to participate in coursework at an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) to prepare the alien for a career in—

''(A) the energy sector of Iran; or

''(B) nuclear science, nuclear engineering, or a related field in Iran.

''(2) STATUS TERMINATION.—The Secretary of Homeland Security shall terminate the status and work authorization, and revoke any petition of, any alien who is a citizen of Iran if the Secretary of Homeland Security determines such alien has changed his or her program or course of study after admission to the United States to a field that would prepare the alien for a career in the energy sector, nuclear science, nuclear engineering, or a related field in Iran. Any change, or attempted change, in a course of study prohibited under this paragraph constitutes a failure to maintain nonimmigrant status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to—

(1) all visa applications filed on or after the date of the enactment of this Act; and

(2) the status of any alien who has been admitted as a nonimmigrant academic, vocational, or exchange student under subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), before, on, or after the date of the enactment of this Act.

SA 2596. Mr. CORNYN (for himself and 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 F of title X, add the following:

SEC. 10_____. HISTORIC BATTLESHIP PRESERVATION GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) HISTORIC BATTLESHIP.—The term ''historic battleship'' means a battleship that is—

(A) not less than 75 and not more than 115 years old;

(B) listed on the National Register of Historic Places; and

(C) located in the State for which the battleship was named.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) ESTABLISHMENT.—There is established within the Department of the Interior a grant program for the preservation of historic battleships in the United States.

(c) USE OF GRANTS.—Amounts received through grants under this section shall be used for the preservation of historic battleships in a manner that is self-sustaining and has an educational component.

(d) CRITERIA FOR ELIGIBILITY.—To be eligible for a grant under this section, an entity shall—

(1) submit an application to the Secretary in accordance with procedures established by the Secretary;

(2) match the amount of the grant, on a 1-to-1 basis, with non-Federal assets from non-Federal sources, which may include cash or durable goods and materials fairly valued, as determined by the Secretary;

(3) maintain any records that may be reasonably necessary to fully disclose—

(A) the amount and the disposition of the proceeds of the grant;

(B) the total cost of the project for which the grant was made; and

(C) other records as may be required by the Secretary, including any records that would

facilitate an effective accounting for project funds; and

(4) provide access to the Secretary for the purposes of any required audit and examination of any books, documents, papers, and records of the entity.

(e) APPLICABLE LAW.—The authority granted by this section shall be in addition to, and shall not supersede or modify, the authority provided under division A of subtitle III of title 54, United States Code.

(f) PRIVATE PROPERTY PROTECTION.—

(1) IN GENERAL.—No Federal funds made available to carry out this section may be used to acquire any land or any interest in land without the written consent of any owners of the land or interest in land.

(2) NO DESIGNATION.—The authority granted by this section shall not constitute a Federal designation or have any effect on the ownership of private property.

(g) TERMINATION OF AUTHORITY.—The authority to make grants under this section expires on September 30, 2024.

SA 2597. 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. 12__. REPORT ON MILITARY INSTALLATION OF CHINA IN THE REPUBLIC OF DJIBOUTI.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report that includes the following:

(1) An assessment of the impact of the People's Republic of China's first overseas military installation in the Republic of Djibouti on the ability of the United States forces to operate in the region.

(2) An assessment of China's ability to obtain sensitive information and impact operations conducted from Camp Lemmonier in Djibouti, the largest United States military installation on the African continent.

(3) An assessment of the ability of the President of Djibouti to terminate by all methods, including by simple decree, the Department of Defense's lease agreement governing operation of Camp Lemmonier.

(4) An assessment of the impact of the Chinese base in Djibouti on security and safety of United States personnel in Djibouti.

(5) An assessment of the status of China's compliance with the Protocol on Blinding Laser Weapons, which forbids the use of laser weapons for the purpose of blinding.

(6) An assessment of the laser attack in Djibouti that injured United States airmen.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2598. 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 III, add the following:

SEC. 323. REPORT ON DEPOT-LEVEL MAINTENANCE AND REPAIR.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army, in consultation with the Chief of Staff of the Army, shall submit to the congressional defense committees a report on labor hours and depot maintenance.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) An estimate of the amount of public and private funding of depot-level maintenance and repair (as defined in section 2460 of title 10, United State Code) for the Department of the Army, and any other command identified by the Secretary, expressed by commodity group by percentage and actual numbers in terms of dollars and direct labor hours.

(2) Within each category of depot level maintenance and repair for each entities, the amount of the subset of depot maintenance workload that meets the description under section 2464 of title 10, United States Code, that is performed in the public and private sectors by direct labor hours and by dollars.

(3) Of the subset referred to in paragraph (2), the amount of depot maintenance workload performed in the public and private sector by direct labor hour and by dollars for each entity that would otherwise be considered core workload under section 2462 of title 10, United States Code, but is not considered core because a weapon system or equipment has not been declared a program of record.

(4) An identification and description of depot level maintenance and repair workload occurring at each installation that is outside of the scope of what has been identified by the Secretary of the Army as a Center of Industrial and Technical Excellence under section 2474 of title 10, United States Code, and an assessment whether that workload should be occurring at another installation under such section.

(5) The projections for the upcoming future years defense program.

(6) A business case analysis on incorporating the depot-level maintenance and repair requirements of the Department of Homeland Security and other Federal agencies into the organic industrial base.

SA 2599. Ms. MURKOWSKI 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 XI, add the following:

SEC. 1107. REPORT ON CURRENT AND ANTICIPATED VACANCIES IN CIVILIAN POSITIONS OF THE DEPARTMENT OF DEFENSE IN ALASKA.

(a) REPORT 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 the Army and the Secretary of the Air Force, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on current and anticipated vacancies in civilian positions of the Department of Defense in Alaska.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of current vacancies in civilian positions of the Department in Alaska, and an assessment of currently anticipated vacancies in such positions.

(2) An assessment of the current and anticipated timeliness and efficiency of the Department in filling vacancies in civilian positions of the Department in Alaska, including with respect to the following:

(A) Positions in connection with new missions in Alaska.

(B) Positions within components of the Defense Health Agency.

(3) A description of the authorities, if any, available to the Department to accelerate the recruitment, assessment, and employment of candidates in civilian positions of the Department in Alaska, including so-called ''direct hire authority''.

(4) A description and assessment of any impediments to the timely and efficient filling of vacancies in civilian positions of the Department in Alaska.

(5) Such recommendations as the Secretary of Defense considers appropriate for legislative or administrative action to improve the timely and efficient filling of vacancies in civilian positions of the Department in Alaska, including an expansion of so-called ''direct hire authority'' for that purpose.

SA 2600. Ms. MURKOWSKI 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. 558. REPORT ON SUICIDE PREVENTION PROGRAMS AND ACTIVITIES FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

(a) REPORT REQUIRED.—Not later than 240 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the programs and activities of the Department of Defense and the Armed Forces for the prevention of suicide among members of the Armed Forces (including the reserve components) and their families.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the current programs and activities of the Department and the Armed Forces for the prevention of suicide among members of the Armed Forces and their families.

(2) An assessment whether the programs and activities described pursuant to paragraph (1)—

(A) are evidence-based and incorporate best practices identified in peer-reviewed medical literature;

(B) are appropriately resourced; and

(C) deliver outcomes that are appropriate relative to peer activities and programs (including those undertaken in the civilian community and in military forces of other countries).

(3) A description and assessment of any impediments to the effectiveness of such programs and activities.

(4) Such recommendations as the Comptroller General considers appropriate for improvements to such programs and activities.

(5) Such recommendations as the Comptroller General considers appropriate for additional programs and activities for the prevention of suicide among members of the Armed Forces and their families.

SA 2601. Mr. INHOFE (for Mr. MCCAIN) 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:

Strike section 713.

Strike section 1123.

SA 2602. Ms. MURKOWSKI 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 THE SEARCH AND RESCUE CAPABILITIES OF THE ARMED FORCES IN THE ARCTIC REGION.

(a) REPORT REQUIRED.—Not later than 240 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the capabilities of the Armed Forces (including the Coast Guard) as follows:

(1) To conduct search and rescue activities in the Arctic Ocean, the Bering Sea, the Chukchi Sea, and the Beaufort Sea adjacent to the State of Alaska.

(2) To support search and rescue activities in other areas of the Arctic Region in which such support may be required.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description and assessment of the current capabilities of the Armed Forces as described in subsection (a).

(2) A description of current demand for search and rescue activities and support as described in subsection (a).

(3) An assessment of the likely increase in demand for search and rescue activities and support as described in subsection (a) as a result of increasing use of the waters of the Arctic Region for various activities, including shipping and tourism.

(4) A description and assessment of the extent to which the United States is prepared to rely upon partner nations to assist in conducting and supporting search and rescue activities in the Arctic Region.

(5) The adequacy of plans, personnel, equipment, and infrastructure of the Armed Forces to conduct search and rescue and provide support as described in subsection (a), including communications, vessels, rotary wing aircraft, fixed wing aircraft, training and equipment of personnel, and land support infrastructure.

(6) An assessment whether the current capabilities of the Armed Forces as described in subsection (a) are sufficient to meet present and anticipated demand for such capabilities, including demand that may result from one or more catastrophic incidents.

(7) A description and assessment of any impediments to the effectiveness of the capabilities of the Armed Forces as described in subsection (a).

(8) Such recommendations as the Comptroller General considers appropriate for the improvement or expansion of United States capacity to conduct and support search and rescue activities in the Arctic Region.

SA 2603. 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—South China Sea and East China Sea Sanctions Act of 2018

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''South China Sea and East China Sea Sanctions Act of 2018''.

SEC. 1282. FINDINGS.

Congress makes the following findings:

(1) According to the Asia-Pacific Maritime Security Strategy issued by the Department of Defense in August 2015, ''Although the United States takes no position on competing sovereignty claims to land features in the region, all such claims must be based upon land (which in the case of islands means naturally formed areas of land that are above water at high tide), and all maritime claims must derive from such land in accordance with international law.''.

(2) According to the annual report of the Department of Defense to Congress on the military power of the People's Republic of China submitted in April 2016, ''Throughout 2015, China continued to assert sovereignty claims over features in the East and South China Seas. In the East China Sea, China continued to use maritime law enforcement ships and aircraft to patrol near the Senkaku (Diaoyu) Islands in order to challenge Japan's claim. In the South China Sea, China paused its land reclamation effort in the Spratly Islands in late 2015 after adding more than 3,200 acres of land to the seven features it occupies in the archipelago. Although these artificial islands do not provide China with any additional territorial or maritime rights within the South China Sea, China will be able to use them as persistent civil-military bases to enhance its long-term presence in the South China Sea significantly.''.

(3) On May 30, 2015, at the Shangri-la Dialogue of the International Institute for Strategic Studies, Secretary of Defense Ashton Carter stated that ''with its actions in the South China Sea, China is out of step with both the international rules and norms that underscore the Asia-Pacific's security architecture, and the regional consensus that favors diplomacy and opposes coercion''.

(4) On July 24, 2015, Admiral Harry Harris, Jr., noted at a forum in Colorado that each year more than $5,300,000,000,000 in global sea-based trade passes through the South China Sea.

(5) On June 4, 2016, at the Shangri-la Dialogue, Secretary of Defense Ashton Carter stated: ''[T]he United States will stand with regional partners to uphold core principles, like freedom of navigation and overflight and the peaceful resolution of disputes through legal means and in accordance with international law. As I affirmed here last year, and America's Freedom of Navigation Operations in the South China Sea have demonstrated, the United States will continue to fly, sail and operate wherever international law allows, so that everyone in the region can do the same.''.

(6) On July 12, 2016, the Permanent Court of Arbitration's Tribunal organized pursuant to the United Nations Convention on the Law of the Sea issued its unanimous award in the arbitration instituted by Republic of the Philippines against the People's Republic of China. The Tribunal noted that its award is final and binding under that Convention.

(7) Also according to the award, the Tribunal ''concluded that, to the extent China had historical rights to resources in the waters of the South China Sea, such rights were extinguished to the extent they were incompatible with the exclusive economic zones provided for in the Convention. The Tribunal concluded that there was no legal basis for China to claim historic rights to resources within the sea areas falling within the 'nine-dash line'.''.

(8) Also according to the award, the Tribunal ''held that the Spratly Islands cannot generate maritime zones collectively as a unit. Having found that none of the features claimed by China was capable of generating an exclusive economic zone, the Tribunal found that it could—without delimiting a boundary—declare that certain sea areas are within the exclusive economic zone of the Philippines, because those areas are not overlapped by any possible entitlement of China.''.

(9) Also according to the award, the Tribunal ''found that China had violated the Philippines' sovereign rights in its exclusive economic zone by (a) interfering with Philippine fishing and petroleum exploration, (b) constructing artificial islands and (c) failing to prevent Chinese fishermen from fishing in the zone. The Tribunal also held that fishermen from the Philippines (like those from China) had traditional fishing rights at Scarborough Shoal and that China had interfered with these rights in restricting access. The Tribunal further held that Chinese law enforcement vessels had unlawfully created a serious risk of collision when they physically obstructed Philippine vessels.''.

(10) On July 12, 2016, the Ministry of Foreign Affairs of the People's Republic of China issued a statement that China ''declares that the [Tribunal] award is null and void and has no binding force. China neither accepts nor recognizes it. . . . China's territorial sovereignty and maritime rights and interests in the South China Sea shall under no circumstances be affected by those

awards. China opposes and will never accept any claim or action based on those awards.''.

(11) On July 12, 2016, the Government of the People's Republic of China issued the fifth statement in the name of that Government since 1979 that—

(A) stated that the People's Republic of China has sovereignty over the 4 rocks and shoals in the South China Sea;

(B) claims internal waters, territorial seas, contiguous zones, one or more exclusive economic zones, and a continental shelf based on that sovereignty claim; and

(C) continues to claim historic rights in the South China Sea.

(12) On July 12, 2016, Assistant Secretary of State and Department of State Spokesperson John Kirby noted that the ''United States strongly supports the rule of law. We support efforts to resolve territorial and maritime disputes in the South China Sea peacefully, including through arbitration. . . . we urge all claimants to avoid provocative statements or actions. This decision can and should serve as a new opportunity to renew efforts to address maritime disputes peacefully.''.

(13) On July 13, 2016, the Vice Foreign Minister of the People's Republic of China, Liu Zhenmin, said that declaring an air defense identification zone in the South China Sea would depend on the threat China faces and stated that ''[i]f our security is threatened, we of course have the right to set it up''.

(14) On July 18, 2016, the People's Liberation Army Air Force of the People's Republic of China stated that it had conducted a ''combat air patrol'' over the South China Sea and that it would become ''regular practice'' in the future. A spokesperson stated that the People's Liberation Army Air Force ''will firmly defend national sovereignty, security and maritime interests, safeguard regional peace and stability, and cope with various threats and challenges''.

(15) On August 2, 2016, the Supreme People's Court of the People's Republic of China issued a judicial interpretation that people caught illegally fishing in Chinese waters could be jailed for up to one year.

(16) In the Agreement concerning the Ryukyu Islands and the Daito Islands with Related Arrangements, signed at Washington and Tokyo June 17, 1971 (23 UST 446), between the United States and Japan (commonly referred to as the ''Okinawa Reversion Treaty''), the United States agreed to apply the Treaty of Mutual Cooperation and Security, with Agreed Minute and Exchanges of Notes (11 UST 1632), signed at Washington January 19, 1961, between the United States and Japan, to the area covered by the Okinawa Reversion Treaty, including the Senkaku Islands.

(17) In April 2014, President Barack Obama stated, ''The policy of the United States is clear—the Senkaku Islands are administered by Japan and therefore fall within the scope of Article 5 of the U.S.-Japan Treaty of Mutual Cooperation and Security. And we oppose any unilateral attempts to undermine Japan's administration of these islands.''.

(18) In February 2017, President Donald Trump and Japanese Prime Minister Shinzo Abe issued a joint statement that ''affirmed that Article V of the U.S.-Japan Treaty of Mutual Cooperation and Security covers the Senkaku Islands''.

SEC. 1283. 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) ALIEN.—The term ''alien'' has the meaning given that term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(4) CHINESE PERSON.—The term ''Chinese person'' means—

(A) an individual who is a citizen or national of the People's Republic of China; or

(B) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China.

(5) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

(6) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(7) 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.

(8) PERSON.—The term ''person'' means any individual or entity.

(9) 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.

SEC. 1284. POLICY OF THE UNITED STATES WITH RESPECT TO THE SOUTH CHINA SEA AND THE EAST CHINA SEA.

It is the policy of the United States—

(1) to support the principle that disputes between countries should be resolved peacefully consistent with international law;

(2) to reaffirm its unwavering commitment and support for allies and partners in the Asia-Pacific region, including longstanding United States policy—

(A) regarding Article V of the Mutual Defense Treaty, signed at Washington August 30, 1951 (3 UST 3947), between the United States and the Philippines; and

(B) that Article V of the Mutual Defense Assistance Agreement, with Annexes, signed at Tokyo March 8, 1954 (5 UST 661), between the United States and Japan, applies to the Senkaku Islands, which are administered by Japan; and

(3) to support the principle of freedom of navigation and overflight and to continue to use the sea and airspace wherever international law allows.

SEC. 1285. SENSE OF CONGRESS WITH RESPECT TO THE SOUTH CHINA SEA AND THE EAST CHINA SEA.

It is the sense of Congress that—

(1) the United States—

(A) opposes all claims in the maritime domains that impinges on the rights, freedoms, and lawful use of the seas that belong to all countries;

(B) opposes unilateral actions by the government of any country seeking to change the status quo in the South China Sea through the use of coercion, intimidation, or military force;

(C) opposes actions by the government of any country to interfere in any way in the free use of waters and airspace in the South China Sea or East China Sea;

(D) opposes actions by the government of any country to prevent any other country from exercising its sovereign rights to the resources of the exclusive economic zone and continental shelf by making claims that have no support in international law; and

(E) upholds the principle that territorial and maritime claims, including with respect to territorial waters or territorial seas, must be derived from land features and otherwise comport with international law;

(2) the People's Republic of China should not continue to pursue illegitimate claims and to militarize an area that is essential to global security;

(3) the United States should—

(A) continue and expand freedom of navigation operations and overflights;

(B) reconsider the traditional policy of not taking a position on individual claims; and

(C) respond to provocations by the People's Republic of China with commensurate actions that impose costs on any attempts to undermine security in the region;

(4) the Senkaku Islands are covered by Article V of the Mutual Defense Assistance Agreement, with Annexes, signed at Tokyo March 8, 1954 (5 UST 661), between the United States and Japan; and

(5) the United States should firmly oppose any unilateral actions by the People's Republic of China that seek to undermine Japan's control of the Senkaku Islands.

SEC. 1286. SANCTIONS WITH RESPECT TO CHINESE PERSONS RESPONSIBLE FOR CHINA'S ACTIVITIES IN THE SOUTH CHINA SEA AND THE EAST CHINA SEA.

(a) INITIAL IMPOSITION OF SANCTIONS.—On and after the date that is 60 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (b) with respect to—

(1) any Chinese person that contributes to construction or development projects, including land reclamation, island-making, lighthouse construction, building of base stations for mobile communications services, building of electricity and fuel supply facilities, or civil infrastructure projects, in areas of the South China Sea contested by one or more members of the Association of Southeast Asian Nations;

(2) any Chinese person that is responsible for or complicit in, or has engaged in, directly or indirectly, actions or policies that threaten the peace, security, or stability of areas of the South China Sea contested by one or more members of the Association of Southeast Asian Nations or areas of the East China Sea administered by Japan or the Republic of Korea, including through the use of vessels and aircraft to impose the sovereignty of the People's Republic of China in those areas;

(3) any Chinese person that engages, or attempts to engage, in an activity or transaction that materially contributes to, or poses a risk of materially contributing to, an activity described in paragraph (1) or (2); and

(4) any person that—

(A) is owned or controlled by a person described in paragraph (1), (2), or (3);

(B) is acting for or on behalf of such a person; or

(C) provides, or attempts to provide—

(i) financial, material, technological, or other support to a person described in paragraph (1), (2), or (3); or

(ii) goods or services in support of an activity described in paragraph (1), (2), or (3).

(b) SANCTIONS DESCRIBED.—

(1) BLOCKING OF PROPERTY.—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of any person subject to subsection (a) 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.

(2) EXCLUSION FROM UNITED STATES.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (a) that is an alien.

(3) CURRENT VISA REVOKED.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall revoke any visa or other entry documentation issued to any person subject to subsection (a) that is an alien, regardless of when issued. The revocation shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) EXCEPTIONS; PENALTIES.—

(1) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of subsection (b)(1).

(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Paragraphs (2) and (3) of subsection (b) shall not apply if admission to the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States.

(3) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under subsection (b)(1) to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(d) ADDITIONAL IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—The President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 60 days after the date of the enactment of this Act, conducts or facilitates a significant financial transaction for a person subject to subsection (a) if the Director of National Intelligence determines that the Government of the People's Republic of China has—

(A) declared an air defense identification zone over any part of the South China Sea;

(B) initiated reclamation work at another disputed location in the South China Sea, such as at Scarborough Shoal;

(C) seized control of Second Thomas Shoal;

(D) deployed surface-to-air missiles to any of the artificial islands the People's Republic of China has built in the Spratly Island chain, including Fiery Cross, Mischief, or Subi Reefs;

(E) established territorial baselines around the Spratly Island chain;

(F) increased harassment of Philippine vessels; or

(G) increased provocative actions against the Japanese Coast Guard or Maritime Self-Defense Force or United States forces in the East China Sea.

(2) REPORT.—

(A) IN GENERAL.—The determination of the Director of National Intelligence referred to in paragraph (1) shall be submitted in a report to the President and the appropriate congressional committees.

(B) FORM OF REPORT.—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1287. DETERMINATIONS AND REPORT ON CHINESE COMPANIES ACTIVE IN THE SOUTH CHINA SEA AND THE EAST CHINA SEA.

(a) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees a report that identifies each Chinese person the Secretary determines is engaged in the activities described in section 1286(a).

(b) CONSIDERATION.—In preparing the report required under subsection (a), the Secretary of State shall make specific findings with respect to whether each of the following persons is involved in the activities described in section 1286(a):

(1) CCCC Tianjin Dredging Co., Ltd.

(2) CCCC Dredging (Group) Company, Ltd.

(3) China Communications Construction Company (CCCC), Ltd.

(4) China Petroleum Corporation (Sinopec Group).

(5) China Mobile.

(6) China Telecom.

(7) China Southern Power Grid.

(8) CNFC Guangzhou Harbor Engineering Company.

(9) Zhanjiang South Project Construction Bureau.

(10) Hubei Jiangtian Construction Group.

(11) China Harbour Engineering Company (CHEC).

(12) Guangdong Navigation Group (GNG) Ocean Shipping.

(13) Shanghai Leading Energy Shipping.

(14) China National Offshore Oil Corporation (CNOOC).

(15) China Oilfield Services Limited (COSL).

(16) China Precision Machinery Import/Export Corporation (CPMIEC).

(17) China Aerospace Science and Industry Corporation (CASIC).

(18) Aviation Industry Corporation of China (AVIC).

(19) Shenyang Aircraft Corporation.

(20) Shaanxi Aircraft Corporation.

(21) China Ocean Shipping (Group) Company (COSCO).

(22) China Southern Airlines.

(23) Zhan Chaoying.

(24) Sany Group.

(25) Chinese persons affiliated with any of the entities specified in paragraphs (1) through (24).

(c) SUBMISSION AND FORM.—

(1) SUBMISSION.—The report required by subsection (a) shall be submitted not later than 60 days after the date of the enactment of this Act and every 180 days thereafter until the date that is 3 years after the date of the enactment of this Act.

(2) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex if the Secretary of State determines it is necessary for the national security interests of the United States to do so.

(3) PUBLIC AVAILABILITY.—The Secretary of State shall publish the unclassified part of the report required by subsection (a) on a publicly available website of the Department of State.

SEC. 1288. PROHIBITION AGAINST DOCUMENTS PORTRAYING THE SOUTH CHINA SEA OR THE EAST CHINA SEA AS PART OF CHINA.

The Government Publishing Office may not publish any map, document, record, electronic resource, or other paper of the United States (other than materials relating to hearings held by committees of Congress or internal work product of a Federal agency) portraying or otherwise indicating that it is the position of the United States that the territory or airspace in the South China Sea contested by one or more members of the Association of Southeast Asian Nations or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea is part of the territory or airspace of the People's Republic of China.

SEC. 1289. PROHIBITION ON FACILITATING CERTAIN INVESTMENTS IN THE SOUTH CHINA SEA OR THE EAST CHINA SEA.

(a) IN GENERAL.—No United States person may take any action to approve, facilitate, finance, or guarantee any investment, provide insurance, or underwriting in the South China Sea or the East China Sea that involves any person with respect to which sanctions are imposed under section 1286(a).

(b) ENFORCEMENT.—The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to take such actions, including the promulgation of such rules and regulations, as may be necessary to carry out the purposes of this section.

(c) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this section to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(d) EXCEPTION.—Subsection (a) shall not apply with respect to humanitarian assistance, disaster assistance, or emergency food assistance.

SEC. 1290. DEPARTMENT OF JUSTICE AFFIRMATION OF NON-RECOGNITION OF ANNEXATION.

In any matter before any United States court, upon request of the court or any party to the matter, the Attorney General shall affirm the United States policy of not recognizing the de jure or de facto sovereignty of the People's Republic of China over territory or airspace contested by one or more members of the Association of Southeast Asian Nations in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

SEC. 1291. NON-RECOGNITION OF CHINESE SOVEREIGNTY OVER THE SOUTH CHINA SEA OR THE EAST CHINA SEA.

(a) UNITED STATES ARMED FORCES.—The Secretary of Defense may not take any action, including any movement of aircraft or vessels that implies recognition of the sovereignty of the People's Republic of China over territory or airspace contested by one or more members of the Association of Southeast Asian Nations in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

(b) UNITED STATES FLAGGED VESSELS.—No vessel that is issued a certificate of documentation under chapter 121 of title 46, United States Code, may take any action that implies recognition of the sovereignty of the People's Republic of China over territory or airspace contested by one or more members of the Association of Southeast Asian Nations in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

(c) UNITED STATES AIRCRAFT.—No aircraft operated by an air carrier that holds an air carrier certificate issued under chapter 411 of title 49, United States Code, may take any action that implies recognition of the sovereignty of the People's Republic of China

over territory or airspace contested by one or more members of the Association of Southeast Asian Nations in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

SEC. 1292. PROHIBITION ON CERTAIN ASSISTANCE TO COUNTRIES THAT RECOGNIZE CHINESE SOVEREIGNTY OVER THE SOUTH CHINA SEA OR THE EAST CHINA SEA.

(a) PROHIBITION.—Except as provided by subsection (c) or (d), no amounts may be obligated or expended to provide foreign assistance to the government of any country identified in a report required by subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 3 years after such date of enactment, the Secretary of State shall submit to the appropriate congressional committees a report identifying each country that the Secretary determines recognizes, after the date of the enactment of this Act, the sovereignty of the People's Republic of China over territory or airspace contested by one or more members of the Association of Southeast Asian Nations in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex if the Secretary of State determines it is necessary for the national security interests of the United States to do so.

(3) PUBLIC AVAILABILITY.—The Secretary of State shall publish the unclassified part of the report required by paragraph (1) on a publicly available website of the Department of State.

(c) EXCEPTION.—This section shall not apply with respect to Taiwan, humanitarian assistance, disaster assistance, emergency food assistance, or the Peace Corps.

(d) WAIVER.—The President may waive the application of subsection (a) with respect to the government of a country if the President determines that the waiver is in the national interests of the United States.

SA 2604. 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 XII, add the following:

SEC. 1226. REPORT ON USE BY GOVERNMENT OF IRAN OF COMMERCIAL AIRCRAFT AND RELATED SERVICES FOR ILLICIT ACTIVITIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in consultation with the Secretary of Defense, the Secretary of State, and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on the use by the Government of Iran of commercial aircraft and related services for illicit activities.

(b) ELEMENTS OF REPORT.—The report required by subsection (a) shall include a description of the extent to which—

(1) the Government of Iran is using commercial aircraft, including aircraft of Iran Air, or related services to transport illicit cargo to or from Iran, including military goods, weapons, military personnel, military-related electronic parts and mechanical equipment, or rocket or missile components; and

(2) the commercial aviation sector of Iran, including Iran Air, is providing financial, material, or technological support to—

(A) the Islamic Revolutionary Guard Corps;

(B) Iran's Ministry of Defense and Armed Forces Logistics;

(C) the regime of Bashar al Assad in Syria;

(D) Hezbollah, Hamas, Kata'ib Hezbollah, or any other organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(E) any entity on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury.

(c) TERMINATION.—This section shall terminate on the date that is 30 days after the date on which the President certifies to Congress that the Government of Iran has ceased providing support for acts of international terrorism.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2605. 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:

On page 842, between lines 14, and 15, insert the following:

''(G) INVESTMENTS IN UNITED STATES BUSINESSES TARGETED BY MADE IN CHINA 2025 INITIATIVE.—

''(i) IN GENERAL.—In addition to any other transaction covered by this paragraph, the term 'covered investment' includes any investment (other than a passive investment) by any foreign person in a United States business that produces, designs, tests, manufactures, or develops one or more products described in clause (ii).

''(ii) PRODUCTS DESCRIBED.—A product is described in this clause if any of the following apply with respect to the product:

''(I) The Committee determines the product is comparable to a product—

''(aa) manufactured or produced in, or exported from, the People's Republic of China; and

''(bb) that receives support from the Government of the People's Republic of China pursuant to the Made in China 2025 industrial policy of that Government.

''(II) The product is specified in any of the following documents of the Government of the People's Republic of China:

''(aa) Notice on Issuing Made in China 2025.

''(bb) China Manufacturing 2025.

''(cc) Notice on Issuing the 13th Five-year National Strategic Emerging Industries Development Plan.

''(dd) Guiding Opinion on Promoting International Industrial Capacity and Equipment Manufacturing Cooperation.

''(ee) Any document relating to the 863 program or the State High-Tech Development Plan.

''(ff) Any other document that expresses a national strategy or stated goal in connection with the Made in China 2025 industrial policy set forth by the Government of the People's Republic of China, the Communist Party of China, or another entity or individual capable of impacting the national strategy of the People's Republic of China.

''(III) The Committee determines that the product receives support from the Government of the People's Republic of China and imports of that product into the United States have or will in the future displace net exports of comparable products by the United States.

''(IV) The Committee determines the product is produced by or used in any of the following industries:

''(aa) Civil aircraft.

''(bb) Motor car and vehicle.

''(cc) Advanced medical equipment.

''(dd) Advanced construction equipment.

''(ee) Agricultural machinery.

''(ff) Railway equipment.

''(gg) Diesel locomotive.

''(hh) Moving freight.

''(ii) Lithium battery manufacturing.

''(jj) Artificial intelligence.

''(kk) High-capacity computing.

''(ll) Quantum computing.

''(mm) Robotics.

''(nn) Biotechnology.

''(iii) RELATION TO DEFINITION OF PASSIVE INVESTMENT.—For purposes of subparagraph (D), any reference to a United States critical infrastructure company or United States critical technology company shall be deemed to include a reference to a United States business described in clause (i).

SA 2606. 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:

After section 1725, insert the following:

SEC. 1726. PROTECTION OF EMERGING AND FOUNDATIONAL TECHNOLOGIES.

(a) LIST REQUIRED.—The Secretary of Defense shall establish and maintain a list of emerging and foundational technologies that are necessary for maintaining the national security technological advantage of the United States over countries of special concern, as determined by the Secretary.

(b) TECHNOLOGY PROTECTION.—The Secretary shall use the list required by subsection (a) to inform activities carried out by the Secretary relating to technology protection, including under interagency processes carried out under section 1725 or any other provision of law.

(c) COUNTRY OF SPECIAL CONCERN.—In this section, the term ''country of special concern'' has the meaning given that term in section 721(a) of the Defense Production Act of 1950, as amended by section 1703.

SA 2607. 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 B of title X, add the following:

SEC. 1018. INCREASE IN NUMBER OF OPERATIONAL AIRCRAFT CARRIERS OF THE NAVY.

(a) FINDINGS.—Congress finds the following:

(1) The aircraft carrier can fulfill the Navy's core missions of forward presence, sea control, ensuring safe sea lanes, and power projection as well as providing flexibility and versatility to execute a wide range of additional missions.

(2) Forward airpower is integral to the security and joint forces operations of the United States. Carriers play a central role in delivering forward airpower from sovereign territory of the United States in both permissive and nonpermissive environments.

(3) Aircraft carriers provide our Nation the ability to rapidly and decisively respond to national threats, as well as conducting worldwide, on-station diplomacy and providing deterrence against threats to the United States allies, partners, and friends.

(4) Since the end of the cold war, aircraft carrier deployments have increased while the aircraft carrier force structure has declined.

(5) Considering the increased array of complex threats across the globe, the Navy aircraft carrier is operating at maximum capacity, increasing deployment lengths and decreasing maintenance periods in order to meet operational requirements.

(6) To meet global peacetime and wartime requirements, the Navy has indicated a requirement to maintain two aircraft carriers deployed overseas and have three additional aircraft carriers capable of deploying within 90 days. However, the Navy has indicated that the existing aircraft carrier force structure cannot support these military requirements.

(7) Despite the requirement to maintain an aircraft carrier strike group in both the United States Central Command and the United States Pacific Command, the Navy has been unable to generate sufficient capacity to support combatant commanders and has developed significant carrier gaps in these critical areas.

(8) Because of the continuing use of a diminished aircraft carrier force structure, extensive maintenance availabilities result which typically exceed program costs and increase time in shipyards. These expansive maintenance availabilities exacerbate existing carrier gaps.

(9) Developing an alternative design to the Ford-class aircraft carrier is not cost beneficial. A smaller design is projected to incur significant design and engineering cost while significantly reducing magazine size, carrier air wing size, sortie rate, and on-station effectiveness, among other vital factors, as compared to the Ford-class. Furthermore, a new design will delay the introduction of future aircraft carriers, exacerbating existing carrier gaps and threatening the national security of the United States.

(10) The 2016 Navy Force Structure Assessment states ''A minimum of 12 aircraft carriers are required to meet the increased warfighting response requirements of the Defense Planning Guidance Defeat/Deny force sizing direction.''.

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

(1) the United States should expedite delivery of 12 aircraft carriers; and

(2) an aircraft carrier should be authorized every three years.

(c) INCREASE IN NUMBER OF OPERATIONAL AIRCRAFT CARRIERS OF THE NAVY.—

(1) INCREASE.—Section 5062(b) of title 10, United States Code, is amended by striking ''11 operational aircraft carriers'' and inserting ''12 operational aircraft carriers''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on September 30, 2022.

SA 2608. 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 I, add the following:

SEC. 129. PROCUREMENT AUTHORITY FOR GERALD R. FORD CLASS AIRCRAFT CARRIER PROGRAM.

(a) CONTRACT AUTHORITY.—

(1) PROCUREMENT AUTHORIZED.—The Secretary of the Navy may enter into one or more contracts, beginning with the fiscal year 2019 program year, for the procurement of one Gerald R. Ford class aircraft carrier to be designated CVN–81.

(2) PROCUREMENT IN CONJUNCTION WITH CVN–80.—The aircraft carrier authorized to be procured under subsection (a) may be procured as an addition to the contract covering the Gerald R. Ford class aircraft carrier designated CVN–80 that is authorized to be constructed under section 121 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104).

(b) USE OF INCREMENTAL FUNDING.—With respect to a contract entered into under subsection (a), the Secretary of the Navy may use incremental funding to make payments under the contract.

(c) LIABILITY.—A contract entered into under subsection (a) shall provide that the total liability to the Government for termination of the contract entered into shall be limited to the total amount of funding obligated at the time of termination.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year is subject to the availability of appropriations for that purpose for such fiscal year.

SA 2609. 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 I, add the following new section:

SEC. 144. CONVERSION OF F–22 AIRCRAFT.

(a) CONTRACT AUTHORITY.—The Secretary of the Air Force may enter into one or more contracts, beginning with the fiscal year 2019 program year, to convert up to 34 F–22 aircraft of the Air Force from a Block 20 configuration to a Block 35 configuration.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(c) FUNDING.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4101 for procurement, as specified in the corresponding funding table in section 4101, for Aircraft Procurement, Air Force, is hereby increased by $98,000,000 (to be used to carry out subsection (a)).

SA 2610. 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 III, add the following:

SEC. 323. REPORTS ON MITIGATION OF PHYSIOLOGICAL EPISODES ASSOCIATED WITH AIRCRAFT.

(a) REPORT ON T–45 AIRCRAFT PHYSIOLOGICAL EPISODE MITIGATION ACTIONS.—

(1) REPORT REQUIRED.—Not later than March 1, 2019, the Secretary of the Navy shall submit to the congressional defense committees a report on modifications made to T–45 aircraft and associated ground equipment to mitigate the risk of physiological episodes among T–45 aircraft crewmembers.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) a list of all modifications to the T–45 aircraft and associated ground equipment carried out during fiscal years 2017 through 2019 to mitigate the risk of physiological episodes among T–45 crewmembers;

(B) the results achieved by such modifications as determined by relevant testing and operational activities;

(C) the cost of such modifications; and

(D) any plans of the Navy for future modifications.

(b) REPORT ON EFFORTS OF THE AIR FORCE TO MITIGATE PHYSIOLOGICAL EPISODES AFFECTING AIRCRAFT CREWMEMBERS.—

(1) REPORT REQUIRED.—Not later than March 1, 2019, the Secretary of the Air Force shall submit to the congressional defense committees a report on all efforts of the Air

Force to reduce the occurrence of, and mitigate the risk posed by, physiological episodes affecting crewmembers of covered aircraft.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) information on the rate of physiological episodes affecting crewmembers of covered aircraft;

(B) a description of the specific actions carried out by the Air Force to address such episodes, including a description of any upgrades or other modifications made to covered aircraft to address such episodes;

(C) schedules and cost estimates for any upgrades or modifications identified under subparagraph (B); and

(D) an explanation of any organizational or other changes to the Air Force carried out to address such physiological episodes.

(3) COVERED AIRCRAFT DEFINED.—In this subsection, the term ''covered aircraft'' means—

(A) F–35A aircraft of the Air Force;

(B) T–6A aircraft of the Air Force; and

(C) any other aircraft of the Air Force as determined by the Secretary of the Air Force.

(c) F–18 AIRCRAFT.—

(1) MODIFICATIONS REQUIRED.—The Secretary of the Navy shall modify the F/A-18 aircraft to reduce the occurrence of, and mitigate the risk posed by, physiological episodes affecting crewmembers of the aircraft. The modifications shall include, at minimum—

(A) replacement of the F/A–18 cockpit altimeter;

(B) upgrade of the F/A–18 onboard oxygen generation system;

(C) redesign of the F/A–18 aircraft life support systems required to meet onboard oxygen generation system input specifications;

(D) installation of equipment associated with improved F/A–18 physiological monitoring and alert systems; and

(E) installation of an automatic ground collision avoidance system.

(2) REPORT REQUIRED.—Not later than February 1, 2019, and annually thereafter through February 1, 2021, the Secretary of the Navy shall submit to the congressional defense committees a written update on the status of all modifications to the F/A–18 aircraft carried out by the Secretary pursuant to paragraph (1).

(3) WAIVER.—The Secretary of the Navy may waive the requirement to make a modification under paragraph (1) if the Secretary certifies to the congressional defense committees that the specific modification is inadvisable and provides a detailed justification for excluding the modification from the Navy's planned upgrades for the F/A–18 aircraft.

(d) CERTIFICATION ON INCLUSION OF TECHNOLOGY TO MINIMIZE PHYSIOLOGICAL EPISODES IN CERTAIN AIRCRAFT.—

(1) CERTIFICATION REQUIRED.—Not later than 15 days before entering into a contract for the procurement of a covered aircraft, the Secretary concerned shall submit to the congressional defense committees a written statement certifying that the aircraft to be procured under the contract will include the most recent technological advancements necessary to minimize the impact of physiological episodes on aircraft crewmembers.

(2) WAIVER.—The Secretary concerned may waive the requirement of paragraph (1) if the Secretary—

(A) determines the waiver is required in the interest of national security; and

(B) not later than 15 days before entering into a contract for the procurement of a covered aircraft, notifies the congressional defense committees of the rationale for the waiver.

(3) TERMINATION.—The requirement to submit a certification under paragraph (1) shall terminate on September 30, 2021.

(4) DEFINITIONS.—In this subsection:

(A) The term ''covered aircraft'' means a fighter aircraft, an attack aircraft, or a fixed wing trainer aircraft.

(B) The term ''Secretary concerned'' means—

(i) the Secretary of the Navy, with respect to covered aircraft of the Navy; and

(ii) the Secretary of the Air Force, with respect to covered aircraft of the Air Force.

SA 2611. 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 E of title V, add the following:

SEC. 558. INFORMATION ON APPRENTICESHIP PROGRAMS AS PART OF TRANSITION COUNSELING PROVIDED TO MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall ensure that the transition counseling provided by the Department of Defense to members of the Armed Forces who are in the process of separating from the Armed Forces (including the reserve components) includes the provision of information to such members on the following:

(1) The potential benefits of apprenticeship programs.

(2) The appropriate use of educational assistance for veterans to pay for apprenticeship programs.

(3) The availability of veteran-focused, nonprofit apprenticeship programs.

SA 2612. Mr. BLUMENTHAL (for himself and Mr. WICKER) 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. _____. COST-EFFECTIVENESS ANALYSIS OF EQUIPMENT RENTAL.

(a) COST-EFFECTIVENESS ANALYSIS OF EQUIPMENT RENTAL.—

(1) IN GENERAL.—With respect to any cost-effectiveness analysis for equipment acquisition conducted on or after the date that is 180 days after the date of the enactment of this Act, the head of each executive agency shall consider equipment rental in such cost-effectiveness analysis.

(2) FEDERAL ACQUISITION REGULATION.—The Federal Acquisition Regulation shall be revised to implement the requirement under paragraph (1).

(b) STUDY OF COST-EFFECTIVENESS ANALYSIS.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a comprehensive report on the decisions made by the executive agencies with the highest levels of acquisition spending, and a sample of executive agencies with lower levels of acquisition spending, to acquire high-value equipment by lease, rental, or purchase pursuant to subpart 7.4 of the Federal Acquisition Regulation.

(c) DEFINITIONS.—In this section:

(1) EQUIPMENT RENTAL.—The term ''equipment rental'' means the acquisition of equipment by contract from a commercial source for a temporary period of use with no fixed duration.

(2) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given that term in section 102 of title 40, United States Code.

SA 2613. 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 B of title VIII, add the following:

SEC. 823. ENHANCEMENT OF MONITORING AND INVESTIGATION OF TRAFFICKING IN PERSONS.

Section 1704 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 7104b) is amended by adding at the end the following new subsection:

''(e) SUPPLY CHAIN TRANSPARENCY.—

''(1) IN GENERAL.—To facilitate monitoring and investigation of human trafficking, the Office of Management and Budget shall ensure that the searchable public website established pursuant to the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282) includes the following information on Federal awards at each tier to both domestic and foreign awardees:

''(A) The location of the entity receiving the award and the location of performance and production facilities under the award, including the name of a facility, street address, city, State if applicable, congressional district if applicable, and country.

''(B) Notice of whether a contractor must provide a compliance plan to prevent human trafficking under section 1703 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 1704a).

''(C) Notice of whether the location of performance or production facilities is within a country ranked at tier 2 or tier 3 in the most recent Human Trafficking Report of the Department of State.

''(D) Additional information that facilitates monitoring and investigation of human trafficking.

''(2) PHASE-IN PERIOD FOR REPORTING SUBCONTRACTS AND SUBGRANTS.—Pursuant to paragraph (1), the Director of the Office of Management and Budget shall—

''(A) issue a time-bound plan to phase in the new reporting not later than January 1, 2020;

''(B) require reporting of subcontract and subgrant data at tier one not later than January 1, 2020;

''(C) require reporting of subcontract and subgrant data at tier two not later than January 1, 2022; and

''(D) include in the annual report required by section 2(g) of the Federal Funding Accountability and Transparency Act (Public Law 109–282; 31 U.S.C. 6101 note), progress on these stages and options for transparency at lower stages starting in fiscal year 2023.

''(3) EXCEPTIONS.—

''(A) MINIMUM THRESHOLD.—Consistent with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282; 31 U.S.C. 6101 note), executive agencies need not disclose contracts, subcontracts, grants, subgrants, or cooperative agreements less than $25,000 or contractors with gross income less than $300,000 in the previous tax year.

''(B) SECURITY RISKS.—An awarding agency need not disclose the identity of a foreign awardee if the awarding agency certifies that disclosure of the contractor's identity would pose a security risk to the contractor or its contractual mission.

''(C) WAIVERS.—

''(i) GUIDANCE.—Not later than one year after the date of enactment of this subsection, the Office of Management and Budget shall issue guidance to establish a process by which a contractor, subcontractor, grantee, subgrantee, or parties to cooperative agreements may request a waiver from any of the requirements set forth in the section.

''(ii) CRITERIA.—To receive a waiver, the contractor, subcontractor, grantee, subgrantee, or party to a cooperative agreement must demonstrate why it cannot currently meet the requirements and must explain the steps it will take to meet the requirements once the waiver expires.

''(iii) EXPIRATION.—This waiver option will expire on January 1, 2021.

''(iv) WAIVER LIST.—The Office of Management and Budget shall maintain a public list of all contractors, subcontractors, grantees, subgrantees, or parties to cooperative agreements that have received a waiver.

''(4) SCOPE.—For purposes of this section—

''(A) awards include contracts and subcontracts, grants and subgrants, and cooperative agreements; and

''(B) subcontracts include—

''(i) all tiers of the supply chain, not just those to which the prime contractor is a party; and

''(ii) supplier agreements with vendors, such as long-term arrangements for materials or supplies that benefit multiple contracts or with respect to which costs are normally applied to a contractor's general and administrative expenses or indirect costs.''.

SA 2614. 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 I of title VIII, add the following:

SEC. 896. ANNUAL REPORT ON ADVERTISING SPENDING ON SOCIALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONTRACTORS.

Not later than 90 days 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 estimating the portion of the of the Department of Defense's advertising budget that is spent on advertising and public relations contracts with socially and economically disadvantaged small businesses and women, low-income, veteran (as that term is defined in section 3(q) of the Small Business Act (15 U.S.C. 632(q)), and minority entrepreneurs and business owners at the prime and subcontracting levels.

SA 2615. 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. _____. SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES FOR CERTAIN RESIDENTS OF THE ISLAND OF VIEQUES PUERTO RICO AND THE MUNICIPALITY OF VIEQUES.

(a) IN GENERAL.—An individual shall be awarded monetary compensation for a claim made under this section if such individual—

(1) can demonstrate that he or she was a resident on the island of Vieques, Puerto Rico, during or after the use by the United States Government of the island for military readiness;

(2) files a claim not later than 30 days after the date of the enactment of this Act against the United States Government for personal injury, including illness or death arising from use by the United States Government of the island of Vieques for military readiness; and

(3) submits to the court written medical documentation that the individual contracted a chronic, life threatening, or heavy metal disease or illness, including cancer, hypertension, cirrhosis, and diabetes while the United States Government used the island of Vieques, Puerto Rico for military readiness.

(b) APPOINTMENT OF SPECIAL MASTER.—

(1) IN GENERAL.—The Secretary of the Treasury shall appoint a Special Master to consider claims described in paragraph (2).

(2) AMOUNTS OF AWARD.—The amounts described in this paragraph are as follows:

(A) $50,000 for 1 disease described in paragraph (1)(B);

(B) $80,000 for 2 diseases described in paragraph (1)(B); and

(C) $110,000 for 3 or more diseases described in paragraph (1)(B).

(c) AWARD AMOUNTS RELATED TO CLAIMS BY THE MUNICIPALITY OF VIEQUES.—

(1) AWARD.—The Special Master shall provide to the Municipality of Vieques the following for a claim described in subsection (b)(2):

(A) An academic partner, with appropriate experience and an established relationship with the Municipality of Vieques, which shall—

(i) lead a research and outreach endeavor on behalf of the Municipality of Vieques;

(ii) select the appropriate scientific expertise and administer defined studies, conducting testing and evaluation of the soils, seas, plant and animal food sources and human health situation;

(iii) determine the most efficient and effective way to reduce the environmental toxins to a level sufficient to return the soils, seas, food sources and health circumstances to a level that reduces the diseases on Vieques to the average in the United States.

(B) The past research from universities, colleges, scientists, and doctors who have tested and evaluated the prevalence of toxic substances in the soil, food sources, and human populations.

(C) A medical coordinator and staff to upgrade the medical facility and its equipment to a level to treat life threatening, chronic, and heavy metal diseases, including cancer, hypertension, cirrhosis, diabetes.

(D) Compensation to create and fund a medical home to provide medical care for pediatric and adult patients, allowing the patients to be referred for tertiary and quaternary health care facilities when necessary, and providing the transportation and medical costs when traveling off the island of Vieques, until such time as the disease levels are reduced to the average in the United States.

(E) Amounts necessary for the academic partner and medical coordinator to carry out the duties described in subparagraphs (A) through (D).

(F) Amounts necessary to compensate the Municipality of Vieques for—

(i) contractual procurement obligations and additional expenses incurred by the Municipality as a result of the enactment of this section; and

(ii) any other damages and costs to be incurred by the Municipality, if the Special Master determines that it is necessary to carry out the purpose of this section.

(2) SOURCE.—Amounts awarded under this subsection shall be made from amounts appropriated under section 1304 of title 31, United States Code.

(3) DETERMINATION AND PAYMENT OF CLAIMS.—

(A) ESTABLISHMENT OF FILING PROCEDURES.—The Secretary of the Treasury shall establish procedures whereby individuals may submit claims for payments under this section to the Special Master.

(B) DETERMINATION OF CLAIMS.—The Special Master shall, in accordance with this subsection, determine whether each claim meets the requirements of this section. Claims already disposed of by a court under chapter 171 of title 28, United States Code, shall be treated as if they are currently filed.

(d) ACTION ON CLAIMS.—The Special Master shall complete a determination on any claim filed under the procedures established under this section not later than 150 days after the date on which the claim is filed.

(e) PAYMENT IN FULL SETTLEMENT OF CLAIMS BY INDIVIDUALS AND THE MUNICIPALITY OF VIEQUES AGAINST THE UNITED STATES.—The acceptance by an individual or the Municipality of Vieques a payment of an award under this section shall—

(1) be final and conclusive;

(2) be deemed to be in full satisfaction of the claim described in subsection (a)(2); and

(3) constitute a complete release by the individual of such claim against the United States and against any employee of the United States acting in the scope of employment who is involved in the matter giving rise to the claim.

(f) ADMINISTRATIVE COSTS.—No costs incurred by the Secretary of the Treasury, or a designee of the Secretary, not including attorney's fees, in carrying out this section shall be paid from amounts appropriated under section 1304 of title 31, United States Code, or set off against, or otherwise deducted from, any payment under this section to any individual.

(g) CERTIFICATION OF TREATMENT OF PAYMENTS UNDER OTHER LAWS.—Amounts paid to an individual under this section—

(1) shall be treated for purposes of the laws of the United States as damages for human suffering; and

(2) shall not be included as income or resources for purposes of determining eligibility to receive benefits described in section 3803(c)(2)(C) of title 31, United States Code, or the amount of such benefits.

(h) NONASSIGNABILITY OF CLAIMS.—No claim cognizable under this section shall be assignable or transferable.

(i) LIMITATION.—A claim to which this section applies shall be barred unless the claim is filed within 20 years after the date of the enactment of this Act.

(j) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Treasury may promulgated regulations to carry out this section.

(k) USE OF EXISTING RESOURCES.—The Secretary of the Treasury should use funds or resources available to the Secretary to carry out the functions under this section.

SA 2616. 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. _____. CREDIT MONITORING.

Section 605A(k) of the Fair Credit Reporting Act (15 U.S.C. 1681c–1(k)) is amended by striking paragraph (4).

SA 2617. Mr. BENNET 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:

On page 79, strike lines 6 through 15 and insert the following:

the Department, other Federal agencies, academia, nongovernmental organizations, and the commercial sector, as the Secretary considers appropriate.

(3) ELEMENTS.—The study required by paragraph (1)(A) shall include the following:

(A) A comprehensive and national-level review of advances in artificial intelligence and machine learning, and associated technologies relevant to the needs of the Department and the Armed Forces.

(B) An assessment of global trends of state and non-state actor development and use of artificial intelligence technologies in security.

(C) An assessment of the implications of incorporating artificial intelligence into existing and future Department of Defense weapons, operational, and non-operational systems.

(D) An assessment of the implications of the proliferation of the use artificial intelligence in national security to foreign state and non-state actors, including potential proliferation to adversaries.

(E) An assessment of opportunities to establish international cooperation on the use of artificial intelligence technologies by the Department of Defense.

(F) Recommendations for addressing workforce development requirements for the Department of Defense associated with the use of artificial intelligence by the Department of Defense.

(G) Recommendations for the use of artificial intelligence by the Department of Defense for non-operational uses, including the use of artificial intelligence, to enhance the efficiency of personnel management and procurement processes.

(H) Recommendations for engagement by the Department with relevant agencies that will be involved with artificial intelligence in the future.

SA 2618. 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. _____. 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 out a program to provide for the award of one or more medals or other commendations to handlers of military working dogs under the jurisdiction of such Secretary to recognize valor or meritorious achievement by such handlers and dogs.

(b) MEDAL AND COMMENDATIONS.—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 2619. 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 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. IMPLEMENTATION OF PLUTONIUM STRATEGY.

(a) FINDINGS.—Congress finds the following:

(1) The National Nuclear Security Administration recommended a plutonium pit production strategy to the congressional defense committees in a letter dated May 10, 2018.

(2) The Chairperson of the Nuclear Weapons Council established under section 179 of title 10, United States Code, certified the letter described in paragraph (1) to the congressional defense committees in a letter dated May 4, 2018, pursuant to section 3141 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(b) ANNUAL CERTIFICATION.—Not later than April 1, 2019, and annually thereafter through 2025, the Chairperson of the Nuclear Weapons Council shall submit to the Secretary of Defense, the Administrator for Nuclear Security, and the congressional defense committees a written certification that the plutonium pit production strategy described in subsection (a)(1) is on track to meet—

(1) the requirement to begin production of 30 war reserve pits per year at Los Alamos National Laboratory, Los Alamos, New Mexico, by 2026; and

(2) the timelines for demonstrating a capability to produce an additional 50 war reserve plutonium pits per year, as required by section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a).

(c) BRIEFING.—Not later than March 1, 2019, the Chairperson of the Nuclear Weapons Council and the Administrator for Nuclear Security shall jointly provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, and to any other congressional defense committee upon request, a briefing detailing the implementation of the plutonium strategy described in subsection (a)(1), including—

(1) milestones;

(2) accountable personnel for such milestones; and

(3) mechanisms for ensuring transparency with respect to the progress of the strategy for the Department of Defense and the congressional defense committees.

SA 2620. 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) SENSE OF CONGRESS.—It is the sense of Congress that the STARBASE program should continue to be funded by the Department of Defense.

(b) 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 Department of Defense 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 Operating Forces for Enterprise Information (Line 300).

SA 2621. Mr. SCHATZ 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 V, add the following:

SEC. 537. REVIEW OF DISCHARGE CHARACTERIZATION.

(a) IN GENERAL.—In accordance with this section, the appropriate discharge boards—

(1) shall review the discharge characterization of covered members at the request of the covered member; and

(2) if such characterization is any characterization except honorable, may change such characterization to honorable.

(b) CRITERIA.—In changing the discharge characterization of a covered member to honorable under subsection (a)(2), the Secretary of Defense shall ensure that such changes are carried out consistently and uniformly across the military departments using the following criteria:

(1) The original discharge must be based on Don't Ask Don't Tell (in this Act referred to as ''DADT'') or a similar policy in place prior to the enactment of DADT.

(2) Such discharge characterization shall be so changed if, with respect to the original discharge, there were no aggravating circumstances, such as misconduct, that would have independently led to a discharge characterization that was any characterization except honorable. For purposes of this paragraph, such aggravating circumstances may not include—

(A) an offense under section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice), committed by a covered member against a person of the same sex with the consent of such person; or

(B) statements, consensual sexual conduct, or consensual acts relating to sexual orientation or identity, or the disclosure of such statements, conduct, or acts, that were prohibited at the time of discharge but after the date of such discharge became permitted.

(3) When requesting a review, a covered member, or the member's representative, shall be required to provide either—

(A) documents consisting of—

(i) a copy of the DD–214 form of the member;

(ii) a personal affidavit of the circumstances surrounding the discharge; and

(iii) any relevant records pertaining to the discharge; or

(B) an affidavit certifying that the member, or the member's representative, does not have the documents specified in subparagraph (A).

(4) If a covered member provides an affidavit described in subparagraph (B) of paragraph (3)—

(A) the appropriate discharge board shall make every effort to locate the documents specified in subparagraph (A) of such paragraph within the records of the Department of Defense; and

(B) the absence of such documents may not be considered a reason to deny a change of the discharge characterization under subsection (a)(2).

(c) REQUEST FOR REVIEW.—The appropriate discharge board shall ensure the mechanism by which covered members, or their representative, may request to have the discharge characterization of the covered member reviewed under this section is simple and straightforward.

(d) REVIEW.—

(1) IN GENERAL.—After a request described in subsection (c) has been made, the appropriate discharge board shall review all relevant laws, records of oral testimony previously taken, service records, or any other relevant information regarding the discharge characterization of the covered member.

(2) ADDITIONAL MATERIALS.—If additional materials are necessary for the review, the appropriate discharge board—

(A) may request additional information from the covered member or the member's representative, in writing, and specifically detailing what is being requested; and

(B) shall be responsible for obtaining a copy of the necessary files of the covered member from the member, or when applicable, from the Department of Defense.

(e) CHANGE OF CHARACTERIZATION.—The appropriate discharge board shall change the discharge characterization of a covered member to honorable if such change is determined to be appropriate after a review is conducted under subsection (d) pursuant to the criteria under subsection (b). A covered member, or the member's representative, may appeal a decision by the appropriate discharge board to not change the discharge characterization by using the regular appeals process of the board.

(f) CHANGE OF RECORDS.—For each covered member whose discharge characterization is changed under subsection (e), or for each covered member who was honorably discharged but whose DD–214 form reflects the sexual orientation of the member, the Secretary of Defense shall reissue to the member or the member's representative a revised DD–214 form that reflects the following:

(1) For each covered member discharged, the Separation Code, Reentry Code, Narrative Code, and Separation Authority shall not reflect the sexual orientation of the member and shall be placed under secretarial authority. Any other similar indication of the sexual orientation or reason for discharge shall be removed or changed accordingly to be consistent with this paragraph.

(2) For each covered member whose discharge occurred prior to the creation of general secretarial authority, the sections of the DD–214 form referred to paragraph (1) shall be changed to similarly reflect a universal authority with codes, authorities, and language applicable at the time of discharge.

(g) STATUS.—

(1) IN GENERAL.—Each covered member whose discharge characterization is changed under subsection (e) shall be treated without regard to the original discharge characterization of the member, including for purposes of—

(A) benefits provided by the Federal Government to an individual by reason of service in the Armed Forces; and

(B) all recognitions and honors that the Secretary of Defense provides to members of the Armed Forces.

(2) REINSTATEMENT.—In carrying out paragraph (1)(B), the Secretary shall reinstate all recognitions and honors of a covered member whose discharge characterization is changed under subsection (e) that the Secretary withheld because of the original discharge characterization of the member.

(h) DEFINITIONS.—In this section:

(1) The term ''appropriate discharge board'' means the boards for correction of military records under section 1552 of title 10, United States Code, or the discharge review boards under section 1553 of such title, as the case may be.

(2) The term ''covered member'' means any former member of the Armed Forces who was discharged from the Armed Forces because of the sexual orientation of the member.

(3) The term ''discharge characterization'' means the characterization under which a member of the Armed Forces is discharged or released, including ''dishonorable'', ''general'', ''other than honorable'', and ''honorable''.

(4) The term ''Don't Ask Don't Tell'' means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111–321).

(5) The term ''representative'' means the surviving spouse, next of kin, or legal representative of a covered member.

(i) REPORTS.—

(1) REVIEW.—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted under subsections (a) through (g).

(2) REPORTS.—Not later than 270 days after the date of the enactment of this Act, and each year thereafter for a four-year period, the Secretary shall submit to Congress a report on the reviews under paragraph (1). Such reports shall include any comments or recommendations for continued actions.

(j) HISTORICAL REVIEW.—The Secretary of each military department shall ensure that oral historians of the department—

(1) review the facts and circumstances surrounding the estimated 100,000 members of the Armed Forces discharged from the Armed Forces between World War II and September 2011 because of the sexual orientation of the member; and

(2) receive oral testimony of individuals who personally experienced discrimination and discharge because of the actual or perceived sexual orientation of the individual so that such testimony may serve as an official record of these discriminatory policies and their impact on American lives.

SA 2622. Mr. SCHATZ (for himself and Mr. BOOZMAN) 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 D of title VI, add the following:

SEC. 633. EXTENSION OF CERTAIN MORALE, WELFARE, AND RECREATION PRIVILEGES TO CERTAIN VETERANS AND THEIR CAREGIVERS.

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

(1) In 2017, the Secretary of Defense determined that the addition of new patron categories to the commissary and exchange systems would support the growth of a robust customer base and help ensure the ability of both systems to provide benefits to members of the Armed Forces and their families.

(2) The Secretary previously opposed extending commissary and exchange privileges to large patron groups such as disabled veterans.

(3) In January 2017, the Secretary of Defense approved limited online exchange shopping privileges for all veterans, effective November 11, 2017.

(4) The Secretary determined that current patrons of exchanges did not perceive the extension of such privileges as diluting the benefit for members of the Armed Forces.

(5) The Purple Heart is the oldest military decoration, awarded to members of the Armed Forces who have been wounded or died in combat, fighting for the United States. Since the modern incarnation of the award was established in 1932, approximately 1,800,000 members of the Armed Forces have been awarded the Purple Heart.

(b) COMMISSARY STORES AND MWR FACILITIES PRIVILEGES FOR CERTAIN VETERANS AND VETERAN CAREGIVERS.—

(1) EXTENSION OF PRIVILEGES.—Chapter 54 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1065. Use of commissary stores and MWR facilities: certain veterans and caregivers for veterans

''(a) ELIGIBILITY OF VETERANS WHO ARE MEDAL OF HONOR RECIPIENTS.—A veteran who is a Medal of Honor recipient shall be permitted to use commissary stores and MWR facilities on the same basis as a member of the armed forces entitled to retired or retainer pay.

''(b) ELIGIBILITY OF VETERANS AWARDED THE PURPLE HEART.—A veteran who was awarded the Purple Heart shall be permitted to use commissary stores and MWR facilities on the same basis as a member of the armed forces entitled to retired or retainer pay.

''(c) ELIGIBILITY OF VETERANS WHO ARE FORMER PRISONERS OF WAR.—A veteran who is a former prisoner of war shall be permitted to use commissary stores and MWR facilities on the same basis as a member of the armed forces entitled to retired or retainer pay.

''(d) ELIGIBILITY OF VETERANS WITH SERVICE-CONNECTED DISABILITIES.—A veteran with a service-connected disability shall be permitted to use commissary stores and MWR facilities on the same basis as a member of the armed forces entitled to retired or retainer pay.

''(e) ELIGIBILITY OF CAREGIVERS FOR VETERANS.—A caregiver or family caregiver shall be permitted to use commissary stores and MWR facilities on the same basis as a member of the armed forces entitled to retired or retainer pay.

''(f) USER FEE AUTHORITY.—(1) The Secretary of Defense shall prescribe regulations that impose a user fee on individuals who are eligible solely under this section to purchase merchandise at a commissary store or MWR retail facility.

''(2) The Secretary shall set the user fee under this subsection at a rate that the Secretary determines will offset any increase in expenses arising from this section borne by the Department of the Treasury on behalf of commissary stores associated with the use of credit or debit cards for customer purchases, including expenses related to card network use and related transaction processing fees.

''(3) The Secretary shall deposit funds collected pursuant to a user fee under this subsection in the General Fund of the Treasury.

''(4) Any fee under this subsection is in addition to the uniform surcharge under section 2484(d) of this title.

''(g) DEFINITIONS.—In this section:

''(1) The term 'MWR facilities' includes—

''(A) MWR retail facilities, as that term is defined in section 1063(e) of this title; and

''(B) military lodging operated by the Department of Defense for the morale, welfare, and recreation of members of the armed forces.

''(2) The term 'Medal of Honor recipient' has the meaning given that term in section 1074h(c) of this title.

''(3) The terms 'veteran', 'former prisoner of war', and 'service-connected' have the meanings given those terms in section 101 of title 38.

''(4) The terms 'caregiver' and 'family caregiver' have the meanings given those terms in section in section 1720G(d) of title 38.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 54 of such title is amended by adding at the end the following new item:

''1065. Use of commissary stores and MWR facilities: certain veterans and caregivers for veterans.''.

(3) EFFECTIVE DATE.—Section 1065 of title 10, United States Code, as added by paragraph (1), shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS FOR UPDATING EPACS FOR MILITARY COMMISSARIES.—There is hereby authorized to be appropriated for fiscal year 2019 for the Department of Defense, $500,000 for updating the electronic physical access control system used by military commissaries and exchanges so that the system may recognize and accept veteran health identification cards.

(d) SENSE OF CONGRESS ON INDIVIDUALS AWARDED THE PURPLE HEART.—It is the sense of Congress that the Secretary of Defense, in coordination with the Secretary of Veterans Affairs, should maintain a list of all individuals awarded the Purple Heart.

SA 2623. 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 C of title II, add the following:

SEC. _____. INDEPENDENT STUDY ON ADVANCED TECHNOLOGIES AND MATERIALS FOR MILITARY SHELTER APPLICATIONS.

(a) STUDY REQUIRED.—The Secretary of Defense shall seek to enter into a contract or other agreement with the National Academy of Sciences to perform the services covered by this section.

(b) INDEPENDENT STUDY.—Under a contract or other agreement between the Secretary and the National Academy of Sciences under this section, the National Academy of Sciences shall conduct a study on the use of advanced technologies and materials (including composite materials) for military shelters and other infrastructure applications. Such study shall include examination of the effectiveness of such technologies and materials to enhance concealment, camouflage, deception, shielding, and secure communications of a command post or other infrastructure.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall ensure that the study conducted under this section is completed and submit to the congressional defense committees a report on the findings of the Secretary with respect to such study.

(d) ALTERNATIVE CONTRACT SCIENTIFIC ORGANIZATION.—

(1) IN GENERAL.—If the Secretary is unable to enter into a contract or other agreement described in subsection (a) with the National Academy of Sciences on terms acceptable to the Secretary, the Secretary shall seek to enter into such contract or other agreement with another appropriate scientific organization that—

(A) is not part of the Federal Government; and

(B) has expertise and objectivity comparable to that of the National Academy of Sciences.

(2) TREATMENT.—If the Secretary enters into an agreement with another organization as described in paragraph (1), any reference in this section to the National Academy of Sciences shall be treated as a reference to the other organization.

SA 2624. Mr. BENNET (for himself and 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 subtitle F of title X, add the following:

SEC. 10____. INCREASING EMPLOYMENT FOR MEMBERS OF ARMED FORCES IN EMERGING INDUSTRIES.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of Energy, shall evaluate the military installations at which it would be cost-effective to establish a partnership with community colleges and the private sector to train veterans and members of the Armed Forces transitioning to civilian life to enter the cybersecurity, clean energy, and artificial intelligence workforces.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees and make publicly available a report describing the results of the evaluation conducted under subsection (a).

SA 2625. Mr. SCHATZ 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 X, add the following:

SEC. 1052. REPORT ON IMPACTS OF EMERGING TECHNOLOGIES USED BY THE DEPARTMENT OF DEFENSE FALLING INTO THE POSSESSION OF ADVERSARIES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall, in coordination with the Under Secretary of Defense for Intelligence, submit to the Committees on

Armed Services of the Senate and the House of Representatives a report setting forth an assessment of the potential impacts of emerging technologies being used in the Department of Defense falling into the possession of adversaries of the United States.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description and assessment of current potential threats that emerging technologies being used in the Department could fall into the possession of adversaries of the United States, and of the possession of such technologies by such adversaries.

(2) A description and assessment of the ethical, legal, and societal implications of such technologies falling into the possession of such adversaries.

(3) A description of the actions being taken by the Department to prevent such adversaries from coning into possession of such technologies.

SA 2626. 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 Eof title V, add the following:

SEC. 558. IMPLEMENTATION OF STUDENT LOAN BORROWER BENEFITS FOR MEMBERS OF THE ARMED FORCES SERVING IN CONFLICT.

(a) AGREEMENTS.—The Secretary of Defense shall enter into any necessary agreements, including agreements with the Internal Revenue Service and the Secretary of Education, to carry out the activities described in this section.

(b) NO ACCRUAL OF INTEREST.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that student loan interest does not accrue for eligible Federal Direct Loans of eligible military borrowers, in accordance with the Federal prohibition on interest accrual for eligible military borrowers under section 455(o) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)).

(2) ELIGIBLE FEDERAL DIRECT LOAN.—In this section, the term eligible Federal Direct Loan means a loan made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) for which the first disbursement is made on or after October 1, 2008.

(c) COMPENSATION.—The Secretary of Defense shall ensure that an eligible military borrower who qualified for the no accrual of interest benefit under such section 455(o) during any period beginning on or after October 1, 2008, and did not receive the full benefit under such section for which the borrower qualified, is provided compensation in an amount equal to the amount of interest paid by the borrower that would have been subject to that benefit.

(d) BORROWER REQUEST NOT REQUIRED.—The Secretary of Defense shall obtain or provide any information necessary to implement the activities described in this section without requiring a request from a borrower.

SA 2627. 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 H of title V, add the following:

SEC. 598. REPORT ON WAGE DETERMINATION FOR CERTAIN PROGRAMS.

(a) WAGE DETERMINATION.—The Secretary of Defense, acting through the National Guard Bureau, shall coordinate with the Secretary of Labor to obtain a wage determination under section 6703(1) of title 41, United States Code, for all contract workers under the following programs:

(1) Family Assistance Centers.

(2) Family Readiness and Support.

(3) Yellow Ribbon Reintegration Program.

(4) Recruit Sustainment Program.

(b) REPORT.—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 on the wage determinations described in subsection (a). The report shall include a cost estimate of transferring all of the programs specified in subsection (a) to direct Federal management.

SA 2628. 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 Eof title V, add the following:

SEC. 558. IMPLEMENTATION OF STUDENT LOAN BORROWER BENEFITS FOR MEMBERS OF THE ARMED FORCES SERVING IN CONFLICT.

(a) AGREEMENTS.—The Secretary of Defense shall enter into any necessary agreements, including agreements with the Internal Revenue Service and the Secretary of Education, to carry out the activities described in this section.

(b) NO ACCRUAL OF INTEREST.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that student loan interest does not accrue for eligible Federal Direct Loans of eligible military borrowers, in accordance with the Federal prohibition on interest accrual for eligible military borrowers under section 455(o) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)).

(2) ELIGIBLE FEDERAL DIRECT LOAN.—In this section, the term eligible Federal Direct Loan means a loan made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) for which the first disbursement is made on or after October 1, 2008.

(c) COMPENSATION.—The Secretary of Defense shall ensure that an eligible military borrower who qualified for the no accrual of interest benefit under such section 455(o) during any period beginning on or after October 1, 2008, and did not receive the full benefit under such section for which the borrower qualified, is provided compensation in an amount equal to the amount of interest paid by the borrower that would have been subject to that benefit.

(d) BORROWER REQUEST NOT REQUIRED.—The Secretary of Defense shall obtain or provide any information necessary to implement the activities described in this section without requiring a request from a borrower.

SA 2629. Mr. BLUMENTHAL (for himself and 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:

In the funding table in section 4101, in the item relating to UH–60 BLACKHAWK M MODEL (MYP), strike the amount in the Senate Authorized column and insert ''1,073,810''.

In the funding table in section 4101, in the item relating to UH–60 BLACKHAWK M MODEL (MYP) AP, strike the amount in the Senate Authorized column and insert ''[85,000]''.

In the funding table in section 4101, in the item relating to TOTAL AIRCRAFT PROCUREMENT, ARMY, strike the amount in the Senate Authorized column and insert ''3,867,558''.

In the funding table in section 4101, in the first item relating to BASE MAINTENANCE SUPPORT VEHICLES, strike the amount in the Senate Authorized column and insert ''52,923''.

In the funding table in section 4101, below the item relating to BASE MAINTENANCE SUPPORT VEHICLES, insert a line relating to ''Forward financed in the FY18 omnibus'' with an amount in the Senate Authorized column of [−52,000].

In the funding table in section 4101, in the first item relating to AIR TRAFFIC CONTROL & LANDING SYS, strike the amount in the Senate Authorized column and insert ''24,937''.

In the funding table in section 4101, below the first item relating to AIR TRAFFIC CONTROL & LANDING SYS, insert a line relating to ''D-RAPCON cost growth'' with an amount in the Senate Authorized column of [−33,000].

In the funding table in section 4101, in the item relating to TOTAL OTHER PROCUREMENT, AIR FORCE, strike the amount in the Senate Authorized column and insert ''20,883,260''.

SA 2630. Mr. BLUMENTHAL (for himself, Mr. MURPHY, 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:

In the funding table in section 4101, in the first item relating to JOINT STRIKE

FIGHTER CV, strike the amount in the Senate Authorized column and insert ''1,144,958''.

In the funding table in section 4101, below the item relating to JOINT STRIKE FIGHTER CV—

(1) strike ''Program Realignment'' and insert ''Procurement of JSF CV Aircraft''; and

(2) strike the amount in the Senate Authorized column and insert ''[121,000]''.

In the funding table in section 4101, strike the item relating to ''UAV'' and the item below such item relating to ''Procurement of UAV''.

In the funding table in section 4101, in the item relating to TOTAL AIRCRAFT PROCUREMENT NAVY, strike the amount in the Senate Authorized column and insert ''19,238,199''.

In the funding table in section 4101, in the first item relating to F–35 strike the amount in the Senate Authorized column and insert ''4,286,021''.

In the funding table in section 4101, below the item relating to F–35—

(1) strike ''Program Realignment'' and insert ''Procurement of F–35 Aircraft''; and

(2) strike the amount in the Senate Authorized column and insert ''[92,500]''.

In the funding table in section 4101, in the second item relating to O/A-X LIGHT ATTACK AIRCRAFT, strike the amount in the Senate Authorized column and insert ''236,500''.

In the funding table in section 4101, below the second item relating to O/A-X LIGHT ATTACK AIRCRAFT that relates to ''Procurement of OA-X aircraft and long lead materials'', strike the amount in the Senate Authorized column and insert ''[236,500]''.

In the funding table in section 4101, in the item relating to TOTAL AIRCRAFT PROCUREMENT AIR FORCE, strike the amount in the Senate Authorized column and insert ''16,599,737''.

SA 2631. Mr. BLUMENTHAL (for himself and 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:

In the funding table in section 4101, in the first item relating to Virginia Class Submarine Advance Procurement, strike the amount in the Senate Authorized column and insert ''3,796,401''.

In the funding table in section 4101, in the second item relating to Virginia Class Submarine Advance Procurement, strike the amount in the Senate Authorized column and insert ''[1,000,000]''.

In the funding table in section 4101, in the item relating to Total Shipbuilding and Conversion, Navy, strike the amount in the Senate Authorized column and insert ''23,876,937''.

In the funding table in section 4101, in the first item relating to INDIRECT FIRE PROTECTION CAPABILITY INC 2–I, strike the amount in the Senate Authorized column and insert ''145,636''.

In the funding table in section 4101, below the item relating to INDIRECT FIRE PROTECTION CAPABILITY INC 2–I, strike the item relating to ''Acceleration of cruise missile defense''.

In the funding table in section 4101, in the item relating to TOTAL MISSILE PROCUREMENT ARMY, strike the amount in the Senate Authorized column and insert ''3,275,777''.

In the funding table in section 4101, strike the first item relating to ''O/A-X LIGHT ATTACK AIRCRAFT''.

In the funding table in section 4101, in the item relating to TOTAL AIRCRAFT PROCUREMENT NAVY, strike the amount in the Senate Authorized column and insert ''19,117,199''.

In the funding table in section 4101, in the second item relating to O/A-X LIGHT ATTACK AIRCRAFT, strike the amount in the Senate Authorized column and insert ''200,000''.

In the funding table in section 4101, below the second item relating to O/A-X LIGHT ATTACK AIRCRAFT that relates to ''Procurement of OA-X aircraft and long lead materials'', strike the amount in the Senate Authorized column and insert ''[200,000]''.

In the funding table in section 4101, in the item relating to TOTAL AIRCRAFT PROCUREMENT AIR FORCE, strike the amount in the Senate Authorized column and insert ''16,470,737''.

SA 2632. Mr. BENNET (for himself and 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 subtitle F of title X, add the following:

SEC. 10___. INCREASING EMPLOYMENT FOR MEMBERS OF ARMED FORCES IN EMERGING INDUSTRIES.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of Energy, shall evaluate the military installations at which it would be cost-effective to establish a partnership with community colleges and the private sector to train veterans and members of the Armed Forces transitioning to civilian life to enter the cybersecurity, clean energy, and artificial intelligence workforces.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary of Defense shall submit to the Committees on Veterans' Affairs and Energy and Natural Resources of the Senate and the Committees on Veterans' Affairs and Energy and Commerce of the House of Representatives a report describing the results of the evaluation conducted under subsection (a).

SA 2633. Mr. REED 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:

On page 423, strike line 8 and insert the following:

SEC. 937. JOHN S. MCCAIN STRATEGIC DEFENSE FELLOWS PROGRAM.

On page 423, line 18, insert ''John S. McCain'' before ''Strategic Defense Fellows''.

SA 2634. Mr. COONS (for himself and Mr. MORAN) 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:

On page 62, between lines 6 and 7, insert the following:

(2) Section 225 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), relating to support for national security innovation and entrepreneurial education.

SA 2635. 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 C of title X, add the following:

SEC. 1026. POLICY GUIDANCE ON REVIEWING AND APPROVING OPERATIONS TO CAPTURE OR EMPLOY LETHAL FORCE AGAINST TERRORIST TARGETS OUTSIDE THE UNITED STATES AND OUTSIDE AREAS OF ACTIVE HOSTILITIES.

Not later than 90 days after the date of the enactment of this Act, the President shall publish on a publicly available Internet website of the White House an unclassified fact sheet outlining written policy standards and procedures that formalize and strengthen the process of the President for reviewing and approving operations to capture or employ lethal force against terrorist targets outside the United States and outside areas of active hostilities.

SA 2636. Mr. REED (for himself and Mr. MCCAIN) 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:

On page 717, line 23, insert ''by a foreign power'' after ''activities''.

On page 726, line 3, insert ''foreign'' after ''in''.

SA 2637. Ms. BALDWIN (for herself, Ms. STABENOW, Mr. PETERS, Mr. JOHNSON, 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:

Strike section 126.

SA 2638. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) amd 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. DEBARMENT OF CONTRACTORS THAT FRAUDULENTLY MISREPRESENT STATUS FOR PURPOSES OF OBTAINING CERTAIN SET ASIDE CONTRACTS.

(a) CIVILIAN CONTRACTS.—

(1) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

"§ 4713. Debarment of contractors that fraudulently misrepresent status for purposes of obtaining certain set aside contracts

''(a) IN GENERAL.—Any business concern that is determined by the head of an executive agency to have willfully and intentionally misrepresented the status of that concern as a small business concern owned and controlled by veterans or as a small business concern owned and controlled by service-disabled veterans for the purpose of qualifying for a contract awarded in accordance with the Government-wide goals for procurement pursuant to section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1) shall be debarred from contracting with the Federal Government for a period of not less than five years.

''(b) PROCESS.—In the case of a debarment under subsection (a), the head of the executive agency shall commence debarment action against the business concern by not later than 30 days after determining that the concern willfully and intentionally misrepresented the status of the concern as described in subsection (a) and shall complete debarment actions against such concern by not later than 90 days after such determination.

''(c) CONSULTATION.—In making a determination under this section, the head of an executive agency shall, as appropriate, consult with the Secretary of Veterans Affairs and the Administrator of the Small Business Administration.

''(d) APPLICABILITY.—The debarment of a business concern under subsection (a) includes the debarment of all principals in the business concern for a period of not less than five years.

''(e) DEFINITIONS.—In this section:

''(1) The term 'small business concern' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

''(2) The term 'small business concern owned and controlled by veterans' has the meaning given the term in section 8127(l) of title 38.

''(3) The term 'small business concern owned and controlled by service-disabled veterans' has the meaning given the term in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4712 the following new item:

''4713. Debarment of contractors that fraudulently misrepresent status for purposes of obtaining certain set aside contracts.''.

(b) DEFENSE CONTRACTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, as amended by section 801, is further amended by inserting after section 2339a the following new section:

"§ 2339b. Debarment of contractors that fraudulently misrepresent status for purposes of obtaining certain set aside contracts

''(a) IN GENERAL.—Any business concern that is determined by the head of an agency to have willfully and intentionally misrepresented the status of that concern as a small business concern owned and controlled by veterans or as a small business concern owned and controlled by service-disabled veterans for the purpose of qualifying for a contract awarded in accordance with the Government-wide goals for procurement pursuant to section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1) shall be debarred from contracting with the Federal Government for a period of not less than five years.

''(b) PROCESS.—In the case of a debarment under subsection (a), the head of the agency shall commence debarment action against the business concern by not later than 30 days after determining that the concern willfully and intentionally misrepresented the status of the concern as described in subsection (a) and shall complete debarment actions against such concern by not later than 90 days after such determination.

''(c) CONSULTATION.—In making a determination under this section, the head of an agency shall, as appropriate, consult with the Secretary of Veterans Affairs and the Administrator of the Small Business Administration.

''(d) APPLICABILITY.—The debarment of a business concern under subsection (a) includes the debarment of all principals in the business concern for a period of not less than five years.

''(e) DEFINITIONS.—In this section:

''(1) The term 'small business concern' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

''(2) The term 'small business concern owned and controlled by veterans' has the meaning given the term in section 8127(l) of title 38.

''(3) The term 'small business concern owned and controlled by service-disabled veterans' has the meaning given the term in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 801, is further amended by inserting after the item relating to section 2339a the following new item:

''2339b. Debarment of contractors that fraudulently misrepresent status for purposes of obtaining certain set aside contracts.''.

SA 2639. Ms. BALDWIN (for herself and 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 subtitle C of title VI, add the following:

SEC. 622. CREDIT TOWARD COMPUTATION OF YEARS OF SERVICE FOR NONREGULAR SERVICE RETIRED PAY UPON COMPLETION OF REMOTELY DELIVERED MILITARY EDUCATION OR TRAINING.

(a) IN GENERAL.—Section 12732(a)(2) of title 10, United States Code, is amended—

(1) by inserting after subparagraph (E) the following new subparagraph:

''(F) Such points (but not more than 10 points) as the Secretary concerned determines to be appropriate for successful completion of a course of instruction using electronically delivered methodologies to accomplish military education or training, unless the education or training is performed while in a status for which credit is provided under another subparagraph of this paragraph.''; and

(2) by striking ''and (E)'' in the last sentence and inserting ''(E), and (F)''.

(b) MAXIMUM NUMBER OF POINTS PER SERVICE YEAR.—Section 12733(3) of such title is amended by striking ''or (D)'' and inserting ''(D), or (F)''.

SA 2640. Ms. BALDWIN 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 X, add the following:

SEC. 1018. CONTRACTS FOR THE MAINTENANCE OF NAVAL VESSELS IN NON-COASTWIDE AREAS OUTSIDE OF THE HOMEPORT OF THE VESSELS.

Notwithstanding section 7299a of title 10, United States Code, or any other provision of law, the Secretary of the Navy may award a contract for the overhaul, repair, or maintenance of a naval vessel to a firm that is located in a non-coastwide area outside the area of the homeport of the vessel, including a firm located in the Great Lakes or Gulf Coast regions of the United States, if the Secretary determines that such an award will reduce naval vessel maintenance backlogs, improve fleet readiness, and support the operational needs of the Navy.

SA 2641. Ms. BALDWIN 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 VIII, add the following:

Subtitle J—Made in America Shipbuilding

SEC. 898. SHORT TITLE.

This subtitle may be cited as the ''Made in America Shipbuilding Act of 2018''.

SEC. 898A. DOMESTIC SHIPBUILDING REQUIREMENT.

(a) IN GENERAL.—The head of an executive agency may not enter into a contract related to the acquisition, construction, or conversion of a vessel unless the vessel is to be constructed or converted in the United States.

(b) EXECUTIVE AGENCY DEFINED.—In this section, the term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

SEC. 898B. DOMESTIC SOURCING REQUIREMENT FOR SHIPBOARD COMPONENTS.

(a) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

''§ 4713. Domestic sourcing requirement for shipboard components

''(a) REQUIREMENT FOR UNITED STATES MANUFACTURE.—

''(1) LIMITATION ON PROCUREMENTS.—The head of an executive agency may procure any of the following components for vessels only if the items are manufactured in the United States:

''(A) IN GENERAL.—The following components for vessels:

''(i) Air circuit breakers.

''(ii) Welded shipboard anchor and mooring chain with a diameter of four inches or less.

''(iii) Auxiliary equipment, including pumps, for all shipboard services.

''(iv) Propulsion system components (engines, reduction gears, and propellers).

''(v) Shipboard cranes.

''(vi) Spreaders for shipboard cranes.

''(vii) Capstans.

''(viii) Winches.

''(ix) Hoists.

''(x) Outboard motors.

''(xi) Windlasses.

''(B) OTHER COMPONENTS.—The following components of vessels, to the extent they are unique to marine applications: gyrocompasses, electronic navigation chart systems, steering controls, pumps, propulsion and machinery control systems, and totally enclosed lifeboats.

''(C) VALVES AND MACHINE TOOLS.—Items in the following categories:

''(i) Powered and non-powered valves in Federal Supply Classes 4810 and 4820 used in piping for naval surface ships and submarines.

''(ii) Machine tools in the Federal Supply Classes for metal-working machinery numbered 3405, 3408, 3410 through 3419, 3426, 3433, 3438, 3441 through 3443, 3445, 3446, 3448, 3449, 3460, and 3461.

''(2) APPLICABILITY TO CERTAIN ITEMS.—Paragraph (1) does not apply to a procurement of spare or repair parts needed to support components for vessels produced or manufactured outside the United States.

''(3) WAIVER AUTHORITY.—The head of an executive agency may waive the limitation in paragraph (1) with respect to the procurement of an item listed in that paragraph if the head of the agency determines that any of the following apply:

''(A) Application of the limitation would increase the cost of the overall acquisition by more than 25 percent or cause unreasonable delays to be incurred.

''(B) Satisfactory quality items manufactured by a domestic entity are not available or domestic production of such items cannot be initiated without significantly delaying the project for which the item is to be acquired.

''(C) Application of the limitation would result in the existence of only one domestic source for the item.

''(D) Application of the limitation is not in the national security interests of the United States.

''(4) IMPLEMENTATION OF WAIVER AUTHORITY.—

''(A) NON-DELEGATION OF AUTHORITY.—The head of an agency may not delegate the waiver authority under paragraph (3).

''(B) PUBLICATION.—Not later than 30 days after exercising the waiver authority under paragraph (3), the head of the agency shall publish in an easily identifiable location on the website of the agency information regarding the waiver, including a detailed justification for the waiver.

''(5) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the head of each executive agency that has used a waiver described in this section in the fiscal year shall submit 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 a report on the total amount of waivers used and detailed information regarding and justification for the waiver.

''(b) COMPONENTS CONTAINING SPECIALTY METALS.—

''(1) LIMITATION ON PROCUREMENTS.—The head of an executive agency may not enter into a contract for the procurement of end items or components for ships that contain a specialty metal not melted or produced in the United States.

''(2) AVAILABILITY EXCEPTION.—

''(A) IN GENERAL.—Paragraph (1) does not apply to the extent that the head of an executive agency determines that compliant specialty metal of satisfactory quality and sufficient quantity, and in the required form, cannot be procured as and when needed. For purposes of the preceding sentence, the term 'compliant specialty metal' means specialty metal melted or produced in the United States.

''(B) APPLICABILITY.—This paragraph applies to prime contracts and subcontracts at any tier under such contracts.

''(3) EXCEPTION FOR CERTAIN ACQUISITIONS.—Paragraph (1) does not apply to the following:

''(A) Acquisitions outside the United States in support of combat operations or in support of contingency operations.

''(B) Acquisitions for which the use of procedures other than competitive procedures has been approved on the basis of section 3304(c) of this title, relating to unusual and compelling urgency of need.

''(4) EXCEPTION RELATING TO AGREEMENTS WITH FOREIGN GOVERNMENTS.—Paragraph (1) does not preclude the acquisition of a specialty metal if—

''(A) the acquisition is necessary—

''(i) to comply with agreements with foreign governments requiring the United States to purchase supplies from foreign sources for the purposes of offsetting sales made by the United States Government or United States firms under approved programs serving defense requirements; or

''(ii) in furtherance of agreements with foreign governments in which both such governments agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country; and

''(B) any such agreement with a foreign government complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with section 2457 of title 10.

''(5) EXCEPTION FOR SMALL PURCHASES.—Paragraph (1) does not apply to acquisitions in amounts not greater than the simplified acquisition threshold referred to in section 134 of this title.

''(6) EXCEPTION FOR PURCHASES OF ELECTRONIC COMPONENTS.—Paragraph (1) does not apply to acquisitions of electronic components, unless the head of the agency, with the concurrence of the Secretary of Defense and upon the recommendation of the Strategic Materials Protection Board pursuant to section 187 of title 10, determines that the domestic availability of a particular electronic component is critical to national security.

''(7) APPLICABILITY TO ACQUISITIONS OF COMMERCIAL ITEMS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), this section applies to acquisitions of commercial items, notwithstanding sections 1906 and 1907 of this title.

''(B) EXCEPTIONS.—This section does not apply to contracts or subcontracts for the acquisition of commercially available off-the-shelf items, as defined in section 104 of this title, other than—

''(i) contracts or subcontracts for the acquisition of specialty metals, including mill products, such as bar, billet, slab, wire, plate and sheet, that have not been incorporated into end items, subsystems, assemblies, or components;

''(ii) contracts or subcontracts for the acquisition of forgings or castings of specialty metals, unless such forgings or castings are incorporated into commercially available off-the-shelf end items, subsystems, or assemblies;

''(iii) contracts or subcontracts for commercially available high performance magnets unless such high performance magnets are incorporated into commercially available off-the-shelf-end items or subsystems; and

''(iv) contracts or subcontracts for commercially available off-the-shelf fasteners, unless such fasteners are—

''(I) incorporated into commercially available off-the-shelf end items, subsystems, assemblies, or components; or

''(II) purchased as provided in subparagraph (C).

''(C) INAPPLICABILITY TO CERTAIN FASTENERS.—This subsection does not apply to fasteners that are commercial items that are purchased under a contract or subcontract with a manufacturer of such fasteners, if the manufacturer has certified that it will purchase, during the relevant calendar year, an amount of domestically melted specialty metal, in the required form, for use in the production of such fasteners for sale to executive agencies and other customers, that is not less than 50 percent of the total amount of the specialty metal that it will purchase to carry out the production of such fasteners.

''(8) EXCEPTIONS FOR PURCHASES OF SPECIALTY METALS BELOW MINIMUM THRESHOLD.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the head of an executive agency may accept delivery of an item containing specialty metals that were not melted in the United States if the total amount of noncompliant specialty metals in the item does not exceed 2 percent of the total weight of specialty metals in the item.

''(B) EXCEPTION.—This paragraph does not apply to high performance magnets.

''(9) STREAMLINED COMPLIANCE FOR COMMERCIAL DERIVATIVE MILITARY ARTICLES.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to an item acquired under a prime contract if the head of an executive agency determines that—

''(i) the item is a commercial derivative military article; and

''(ii) the contractor certifies that the contractor and its subcontractors have entered into a contractual agreement, or agreements, to purchase an amount of domestically melted specialty metal in the required form, for use during the period of contract performance in the production of the commercial derivative military article and the related commercial article, that is not less than the greater of—

''(I) an amount equivalent to 120 percent of the amount of specialty metal that is required to carry out the production of the commercial derivative military article (including the work performed under each subcontract); or

''(II) an amount equivalent to 50 percent of the amount of specialty metal that is purchased by the contractor and its subcontractors for use during such period in the production of the commercial derivative military article and the related commercial article.

''(B) DETERMINATION OF AMOUNT OF SPECIALTY METAL REQUIRED.—For the purposes of this paragraph, the amount of specialty metal that is required to carry out the production of the commercial derivative military article includes specialty metal contained in any item, including commercially available off-the-shelf items, incorporated into such commercial derivative military article.

''(10) NATIONAL SECURITY WAIVER.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the head of an executive agency may accept the delivery of an end item containing noncompliant materials if the head of the executive agency determines in writing that acceptance of such end item is necessary to the national security interests of the United States.

''(B) REQUIREMENTS.—A written determination under subparagraph (A)—

''(i) shall specify the quantity of end items to which the waiver applies and the time period over which the waiver applies; and

''(ii) shall be provided to Congress prior to making such a determination (except that in the case of an urgent national security requirement, such certification may be provided to Congress up to 7 days after it is made).

''(C) KNOWING OR WILLFUL NONCOMPLIANCE.—

''(i) DETERMINATION.—In any case in which the head of an executive agency makes a determination under subparagraph (A), the head of the executive agency shall determine whether or not the noncompliance was knowing and willful.

''(ii) NOT KNOWING OR WILLFUL NONCOMPLIANCE.—If the head of the executive agency determines that the noncompliance was not knowing or willful, the head of the executive agency shall ensure that the contractor or subcontractor responsible for the noncompliance develops and implements an effective plan to ensure future compliance.

''(iii) KNOWING OR WILLFUL NONCOMPLIANCE.—If the head of the executive agency determines that the noncompliance was knowing or willful, the head of the executive agency shall—

''(I) require the development and implementation of a plan to ensure future compliance; and

''(II) consider suspending or debarring the contractor or subcontractor until such time as the contractor or subcontractor has effectively addressed the issues that lead to such noncompliance.

''(11) SPECIALTY METAL DEFINED.—In this subsection, the term 'specialty metal' means any of the following:

''(A) Steel—

''(i) with a maximum alloy content exceeding one or more of the following limits: manganese, 1.65 percent; silicon, 0.60 percent; or copper, 0.60 percent; or

''(ii) containing more than 0.25 percent of any of the following elements: aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, or vanadium.

''(B) Metal alloys consisting of nickel, iron-nickel, and cobalt base alloys containing a total of other alloying metals (except iron) in excess of 10 percent.

''(C) Titanium and titanium alloys.

''(D) Zirconium and zirconium base alloys.

''(12) ADDITIONAL DEFINITIONS.—In this subsection:

''(A) The term 'United States' includes possessions of the United States.

''(B) The term 'component' has the meaning provided in section 105 of this title.

''(C) The term 'acquisition' has the meaning provided in section 131 of this title.

''(D) The term 'required form'—

''(i) shall not apply to end items or to their components at any tier; and

''(ii) means in the form of mill product, such as bar, billet, wire, slab, plate or sheet, and in the grade appropriate for the production of—

''(I) a finished end item delivered to the executive agency; or

''(II) a finished component assembled into an end item delivered to the executive agency.

''(E) The term 'commercially available off-the-shelf', has the meaning provided in section 104 of this title.

''(F) The term 'assemblies' means items forming a portion of a system or subsystem that can be provisioned and replaced as an entity and which incorporates multiple, replaceable parts.

''(G) The term 'commercial derivative military article' means an item procured by the Department of Defense that is or will be produced using the same production facilities, a common supply chain, and the same or similar production processes that are used for the production of articles predominantly used by the general public or by nongovernmental entities for purposes other than governmental purposes.

''(H) The term 'subsystem' means a functional grouping of items that combine to perform a major function within an end item, such as electrical power, attitude control, and propulsion.

''(I) The term 'end item' means the final production product when assembled or completed, and ready for issue, delivery, or deployment.

''(J) The term 'subcontract' includes a subcontract at any tier.

''(c) USE OF UNITED STATES STEEL, IRON, ALUMINUM, AND MANUFACTURED PRODUCTS.—

''(1) IN GENERAL.—The head of an executive agency may not enter into a contract related to the construction of a vessel unless the steel, iron, aluminum, and manufactured products to be used in the construction of the vessel are produced in the United States.

''(2) EXCEPTIONS.—The provisions of paragraph (1) shall not apply where the head of an executive agency finds—

''(A) that their application would be inconsistent with the public interest;

''(B) that such materials and products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

''(C) that inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.

''(3) IMPLEMENTATION OF EXCEPTIONS.—

''(A) NON-DELEGATION OF AUTHORITY.—The head of an agency may not delegate the authority to make a finding described in paragraph (2).

''(B) PUBLICATION.—Not later than 30 days after making a finding described in paragraph (2), the head of the agency shall publish in an easily identifiable location on the website of the agency information regarding the finding, including a detailed justification for the exception.

''(4) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the head of each executive agency that has made an exception finding described in paragraph (2) in the fiscal year shall submit 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 a report on the total amount of exceptions used and detailed information regarding and justification for the exceptions.

''(5) CALCULATION OF COMPONENT COST.—For purposes of this subsection, in calculating components' costs, labor costs involved in final assembly shall not be included in the calculation.

''(6) INTENTIONAL VIOLATIONS.—If it has been determined by a court or Federal agency that any person intentionally—

''(A) affixed a label bearing a 'Made in America' inscription, or any inscription with the same meaning, to any product used in projects to which this section applies, sold in or shipped to the United States that was not made in the United States; or

''(B) represented that any product used in projects to which this section applies, sold in or shipped to the United States that was not produced in the United States, was produced in the United States;

that person shall be debarred from contracting with the Federal Government for a period of not less than 5 years.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 4712 the following new item:

''4713. Domestic sourcing requirement for shipboard components.''.

SEC. 898C. CONFORMING AMENDMENTS RELATED TO DEPARTMENT OF DEFENSE PROVISIONS.

(a) USE OF UNITED STATES STEEL, IRON, ALUMINUM, AND MANUFACTURED PRODUCTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, as amended by section 801, is further amended by adding at the end the following new section:

''§ 2339b. Use of United States steel, iron, aluminum, and manufactured products in shipbuilding

''(a) IN GENERAL.—The head of an agency may not enter into a contract related to the construction of a vessel unless the steel, iron, aluminum, and manufactured products to be used in the construction of the vessel are produced in the United States.

''(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply where the head of the agency finds—

''(1) that their application would be inconsistent with the public interest;

''(2) that such materials and products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

''(3) that inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.

''(c) IMPLEMENTATION OF EXCEPTIONS.—

''(1) NON-DELEGATION OF AUTHORITY.—The head of an agency may not delegate the authority to make a finding described in subsection (b).

''(2) PUBLICATION.—Not later than 30 days after making a finding described in subsection (b), the head of the agency shall publish in an easily identifiable location on the website of the agency information regarding

the finding, including a detailed justification for the exception.

''(d) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the head of each executive agency that has made an exception finding described in subsection (b) in the fiscal year shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the total amount of exceptions used and detailed information regarding and justification for the exceptions.

''(e) CALCULATION OF COMPONENT COST.—For purposes of this section, in calculating components' costs, labor costs involved in final assembly shall not be included in the calculation.

''(f) INTENTIONAL VIOLATIONS.—If it has been determined by a court or Federal agency that any person intentionally—

''(1) affixed a label bearing a 'Made in America' inscription, or any inscription with the same meaning, to any product used in projects to which this section applies, sold in or shipped to the United States that was not made in the United States; or

''(2) represented that any product used in projects to which this section applies, sold in or shipped to the United States that was not produced in the United States, was produced in the United States;

that person shall be debarred from contracting with the Federal Government for a period of not less than 5 years.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 801, is further amended by adding after the item relating to section 2339a the following new item:

''2339b. Use of United States steel, iron, aluminum, and manufactured products in shipbuilding.''.

(b) MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.—

(1) IN GENERAL.—Section 2534(a)(3)(A) of title 10, United States Code, is amended by adding at the end the following new clauses:

''(iv) Auxiliary equipment, including pumps, for all shipboard services.

''(v) Propulsion system components (engines, reduction gears, and propellers).

''(vi) Shipboard cranes.

''(vii) Spreaders for shipboard cranes.

''(viii) Capstans.

''(ix) Winches.

''(x) Hoists.

''(xi) Outboard motors.

''(xii) Windlasses.''.

(2) APPLICABILITY OF PREVIOUSLY SUNSETTED PROVISIONS.—Subsection (c)(2)(C) of section 2534 of title 10, United States Code, is amended by striking ''shall cease to be effective on October 1, 2005'' and inserting ''shall be in effect during—

''(i) the period beginning on the date of the enactment of this paragraph and ending on October 1, 1996; and

''(ii) the period beginning on the date of the enactment of the Made in America Shipbuilding Act of 2018.''.

SEC. 898D. APPLICABILITY.

The requirements under this subtitle and the amendments made by this subtitle—

(1) apply to contracts entered into on or after the date of the enactment of this Act; and

(2) do not apply to—

(A) contracts entered into before the date of the enactment of this Act; or

(B) options included as part of such contracts as of such date of enactment.

SA 2642. Ms. BALDWIN 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 the funding table in section 4101, in the item relating to Joint Light Tactical Vehicle, strike the amount in the Senate Authorized column and insert ''1,319,436''.

In the funding table in section 4101, in the item relating to Total Other Procurement, Army, strike the amount in the Senate Authorized column and insert ''7,986,329''.

In the funding table in section 4101, in the item relating to O/A-X Light Attack Aircraft, strike the amount in the Senate Authorized column and insert ''100,000''.

In the funding table in section 4101, in the item relating to Total Aircraft Procurement, Air Force, strike the amount in the Senate Authorized column and insert ''16,370,737''.

SA 2643. Ms. BALDWIN 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. _____. EXEMPTION FROM CALCULATION OF MONTHLY INCOME, FOR PURPOSES OF BANKRUPTCY LAWS, CERTAIN PAYMENTS FROM DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE.

Section 101(10A) of title 11, United States Code, is amended by striking subparagraph (B) and inserting the following:

''(B)(i) includes any amount paid by any entity other than the debtor (or in a joint case the debtor and the debtor's spouse), on a regular basis for the household expenses of the debtor or the debtor's dependents (and in a joint case the debtor's spouse if not otherwise a dependent); and

''(ii) excludes—

''(I) benefits received under the Social Security Act;

''(II) payments to victims of war crimes or crimes against humanity on account of their status as victims of such crimes;

''(III) payments to victims of international terrorism (as defined in section 2331 of title 18) or domestic terrorism (as defined in section 2331 of title 18) on account of their status as victims of such terrorism;

''(IV) compensation under chapter 11 of title 38;

''(V) compensation under chapter 13 of title 38;

''(VI) pension under chapter 15 of title 38;

''(VII) retired pay payable to members of the Armed Forces retired under section 1201 or 1204 of title 10;

''(VIII) retired pay payable to members of the Armed Forces placed on the temporary disability retired list under section 1202 or 1205 of title 10;

''(IX) disability severance pay payable under section 1212 of title 10 to members separated from the Armed Forces under section 1203 or 1206 of that title;

''(X) retired pay payable in accordance with section 1201 or 1202 of title 10, or disability severance pay payable in accordance with section 1203 of that title, to members of the Armed Forces eligible for such pay by reason of section 1207a of that title;

''(XI) combat-related special compensation payable under section 1413a of title 10;

''(XII) any monthly annuity payable under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10 if the participant in the Plan with respect to whom the annuity is payable was retired for physical disability under chapter 61 of that title;

''(XIII) the special survivor indemnity allowance payable under section 1450(m) of title 10; and

''(XIV) any monthly special compensation payable to members of the uniformed services with catastrophic injuries or illnesses under section 439 of title 37.''.

SA 2644. 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 E of title V, add the following:

SEC. 558. STUDY AND REPORT ON SERVICEMEMBER ACCESS TO STUDENT LOAN FORGIVENESS.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Judge Advocate General for each Armed Force, and in coordination with any other agency determined to be necessary by the Secretary, shall conduct a study of instances in which current and former servicemembers have attempted to pursue student loan forgiveness under the Public Service Loan Forgiveness Program authorized under section 455(m) of the Higher Education Act of 1965 (20 U.S.C. 1087e(m)) (referred to in this section as the ''Public Service Loan Forgiveness Program'') and have experienced obstacles to accessing the full benefit of that program, including circumstances in which a servicemember was provided inaccurate or incomplete information by a Federal student loan servicer or by any Federal Government personnel related to—

(1) whether the type of student loan owed by a borrower is eligible for loan forgiveness under the Public Service Loan Forgiveness Program;

(2) enrollment in a qualifying Federal student loan repayment plan;

(3) documentation of one or more required ''on-time'' monthly payments, including payments made under a student loan repayment program administered by the Department of Defense; or

(4) certification of qualifying public service employment.

(b) STUDY ON EFFECTS ON MILITARY READINESS.—The study described under subsection (a) shall also include a study of the effects of the Public Service Loan Forgiveness Program on military readiness. Such study shall include the effects of the program on—

(1) recruitment and retention, including recruitment and retention of officers, for each Armed Force, including the National Guard and Reserve Components;

(2) recruitment and retention of health professionals in the Army Medical Department, the Navy Bureau of Medicine and Surgery, the Air Force Medical Services, or in any other Department, Bureau, or Service in any Armed Force;

(3) recruitment for the Judge Advocate General for each Armed Force; and

(4) retention for the Judge Advocate General for each Armed Force.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Judge Advocate General for each Armed Force, and in coordination with any other agency determined to be necessary, shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives that includes the following:

(1) A summary of the findings of the study required under subsection (a).

(2) Descriptive information about student debt owed by servicemembers, including—

(A) an estimate of the average amount of student debt owed by servicemembers in each Armed Force; and

(B) an estimate of the percentage of servicemembers who owe student debt in each Armed Force.

(3) Recommendations regarding how Congress, or a Federal agency, could provide servicemembers with additional flexibility—

(A) in circumstances in which borrowers were provided inaccurate or incomplete information by a student loan servicer or by any Federal Government personnel; and

(B) in any other circumstances that the Secretary of Defense determines are necessary to ensure that borrowers are able to obtain the full benefit of the Public Service Loan Forgiveness Program.

(4) Ways to ensure that in circumstances in which a student loan servicer or Federal Government agency is unable to produce records that contradict an attestation by a borrower of an instance in which that borrower was provided inaccurate or incomplete information, as described subsection (a), such an attestation shall be considered sufficient evidence that the borrower was provided with inaccurate or incomplete information.

(5) Recommendations for how Congress and other relevant Federal agencies can strengthen the implementation of Public Service Loan Forgiveness Program to ensure that the program can best support recruitment, retention, and readiness in the Armed Forces.

(d) JUDGE ADVOCATE GENERAL.—In this section, the term ''Judge Advocate General'' includes the following:

(1) The Staff Judge Advocate to the Commandant of the Marine Corps, in the Case of the Marine Corps.

(2) An official designated to serve as the Judge Advocate General of the Coast Guard by the Secretary of Homeland Security.

SA 2645. Mr. LANKFORD 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 I of title VIII, add the following:

SEC. 896. SENSE OF CONGRESS ON SERVICE ACQUISITION REFORM.

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

(1) Failure to expeditiously implement the improvements required by section 2329 of title 10, United States Code, is an opportunity cost to buying back the readiness and modernizing the Department of Defense's capabilities.

(2) Every unaccountable expenditure of funds has the potential for waste and duplication of effort.

(3) The Government Accountability Office determined in a February 20016 report that the Department of Defense's contract services budget justifications ''provide limited visibility to Congress on planned spending, and the primary exhibit for contracted services does not meet statutory reporting requirements''.

(4) Financial auditability requires assurance that funds are obligated and expended in the proper amounts during the appropriate time periods consistent with their intended purposes.

(5) The Department's most recent contractor inventories submitted to Congress on February 25, 2018, included ''approximately 25 percent, or just under $42 billion, of the department's total $160 billion-plus spend for contracted services''.

(6) The Department committed on April 16, 2018, to provide Future Year Defense Program level detail to support the budget exhibit required by section 2329 and committed to provide bi-annual briefings on its progress in implementing this requirement.

(7) The Office of the Chief Management Officer Reform teams have been coordinating efforts to meet the requirement for Future Year Defense Program detail for contract services.

(8) The Under Secretary of Defense, Comptroller uses object classes from the Office of Management and Budget Circular A–11, Preparation, Submission, and Execution of the Budget (July 2017) displayed in budget justifications exhibits arranged by appropriation.

(9) The Under Secretary of Defense for Acquisition and Sustainment uses Services Portfolio Groups constructed from Product Services Codes used in the Federal Procurement Data System-Next Generation based on the definition of services contracts in part 37 of the Federal Acquisition Regulation.

(10) The Under Secretary of Defense for Personnel and Readiness has issued policies for determining the appropriate mix between the Department of Defense civilian workforce and contract services and how to evaluate their scope based on functions that have been or should be performed by the military and the civilian Federal government workforce in Department of Defense Instruction 1100.22, Policy and Procedures for Determining Workforce Mix.

(11) The Director of Cost and Program Evaluation has issued policies for comparing the costs of the Department of Defense civilian workforce and contract services in Department of Defense Instruction 7041.04, Estimating and Comparing the Full Costs of Civilian and Active Duty Military Manpower and Contract Support.

(12) Full accountability for the approximately $160,000,000,000 spent annually on contract services is required for good stewardship on behalf of the taxpayer irrespective of whether these funds are expended through prime or subcontract arrangements and irrespective of the method of procurement used, whether as a commercial item or service or any other means.

(b) SENSE OF CONGRESS.—Congress—

(1) supports full implementation of Future Year Defense Program detail visibility of spending on contract services to accompany the budget exhibit required by section 2329 of title 10, United States Code; and

(2) supports Department of Defense efforts to coordinate consistent and broad definitions of services contracts to ensure full accountability for every dollar obligated and expended with the full expectation that any future clarifications of services contract definitions will not reduce the scope of coverage of the $160,000,000,000 currently spent on contract services.

SA 2646. Mr. GRAHAM 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:

Strike section 1 and insert the following:

SECTION 1. SHORT TITLE.

(a) IN GENERAL.—This Act may be cited as the ''John S. McCain III National Defense Authorization Act for Fiscal Year 2019''.

(b) REFERENCES.—Any reference in this or any other Act to the ''National Defense Authorization Act for Fiscal Year 2019'' shall be deemed to be a reference to the ''John S. McCain III National Defense Authorization Act for Fiscal Year 2019''.

SA 2647. Mr. GRAHAM 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. PAYMENT FROM DEPARTMENT OF DEFENSE MILITARY RETIREMENT FUND OF DEATH GRATUITIES FOR MEMBERS OF THE ARMED FORCES AND CERTAIN OTHER PERSONS THAT ARE PAYABLE DURING A LAPSE IN APPROPRIATIONS.

(a) PAYMENT AUTHORIZED.—Section 1480(d) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' after ''(d)''; and

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

''(2)(A) If a payment under section 1475 of this title would otherwise occur but for a lapse in appropriations, the payment shall be made from amounts in the Department of Defense Military Retirement Fund under chapter 74 of this title.

''(B) The Department of Defense Military Retirement Fund shall be reimbursed for the amount of any payments made from the Fund pursuant to this paragraph during a lapse in appropriations at the conclusion of the lapse in appropriations. Amounts for such reimbursements shall be derived from appropriations available for the payment of members of the armed force concerned.

''(C) In this paragraph, the term 'lapse in appropriations' means any portion of a fiscal

year during which the appropriation bill for the fiscal year for the Department of Defense or the Department of Homeland Security, as applicable, has not become law and an Act or joint resolution making continuing appropriations for the fiscal year is not in effect.''.

(b) CONFORMING AMENDMENTS RELATING TO DoD MILITARY RETIREMENT FUND.—

(1) REIMBURSEMENTS OF PAYMENTS AS ASSSETS OF MRF.—Section 1462 of title 10, United States Code, is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following new paragraph (3):

''(3) Any reimbursements of the Fund under section 1480(d)(2)(B) of this title for payments made as provided for in section 1480(d)(2)(A) of this title.''.

(2) AVAILABILITY OF FUNDS IN MRF FOR PAYMENTS.—Section 1463(a) of such title is amended—

(A) in paragraph (4), by striking ''and'' at the end;

(B) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph (6):

''(6) amounts payable for death gratuities under section 1475 of this title during a lapse in appropriations as provided for by section 1480(d)(2) of this title.''.

SA 2648. Mr. GRAHAM (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 C of title I, add the following:

SEC. 129. MARINE CORPS INFANTRY AUTOMATIC RIFLE.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Marine Corps for fiscal year 2019 may be used to procure the M27 Infantry Automatic Rifle in any quantity that would result in the Marine Corps inventory exceeding 16,842 weapons, a number that is in accordance with the Marine Corps approved acquisition objective as of the date of the enactment of this Act.

(b) FUTURE PROCUREMENTS.—In awarding any future contracts for the M27 Infantry Automatic Rifle Program, the Commandant of the Marine Corps shall use full and open competition to the maximum extent practicable.

(c) PROCEDURES OTHER THAN FULL AND OPEN COMPETITION.—The Commandant of the Marine Corps may not award any future contract for the M27 Infantry Automatic Rifle Program beyond the limitation set forth in subsection (a) using procedures other than full and open competition until such time as the Commandant provides the congressional defense committees with a detailed justification for limiting full and open competition for the procurement of the M27 Infantry Automatic Rifle, including a description of the objectives, costs, and timelines associated with the procurement.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Commandant of the Marine Corps shall submit to the congressional defense committees a detailed report that describes and assesses the following matters:

(1) The small arms modernization strategy across the Marine Corps, including all planned contracting activities for fiscal year 2019 and the future years defense program.

(2) The Infantry Automatic Rifle validated requirement and related acquisition strategy.

(3) The efforts within the Marine Corps to conduct a full and open competition to replace the M4 carbine.

SA 2649. 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:

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

SEC. 12___. REPORT ON SECURITY COOPERATION AND ENGAGEMENT WITH TAIWAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) increase senior level visits to Taiwan; and

(2) conduct bilateral defense exchanges with Taiwan that focus on matters such as—

(A) maritime security;

(B) threat analysis;

(C) military doctrine;

(D) force planning;

(E) logistical support;

(F) intelligence collection and analysis;

(G) operational tactics, techniques, and procedures;

(H) humanitarian assistance and disaster relief; and

(I) civil-military relations.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on ways in which the United States Government may increase security cooperation and engagement with Taiwan.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A detailed list of current lines of engagement between Taiwan and the United States relating to bilateral security cooperation and an assessment of any additional lines of effort that are planned for the future.

(B) A detailed list of military activities conducted by the People's Republic of China, including exercises in the Taiwan Strait and other threatening posture moves, that are intended to undermine the peace and stability of Taiwan.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2650. 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:

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

SEC. 12___. SENSE OF CONGRESS ON REGULAR TRANSITS IN THE TAIWAN STRAIT.

It is the sense of Congress that the United States Navy should conduct regular transits in the Taiwan Strait.

SA 2651. Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 315, beginning in subsection (b), strike paragraph (2) and all that follows through subsection (g) and insert the following:

(2) the elevated levels of perfluorooctane sulfonic acid and perfluorooctanoic acid in the drinking water are the result of activities conducted by or paid for by the Department of the Army or the Department of the Air Force at a military installation or at a State-owned National Guard installation;

(3) such treatment takes place only during the fiscal year in which the request was made;

(4) the local water authority waives all claims against the United States and the National Guard for treatment expenses incurred before the fiscal year during which the treatment is taking place; and

(5) the cost of any treatment provided pursuant to subsection (a) does not exceed the actual cost of the treatment attributable to the activities conducted by or paid for by the Department of the Army or the Department of the Air Force, as the case may be.

(c) EXISTING AGREEMENTS.—Treatment of drinking water pursuant to subsection (a) may be provided without regard to existing contractual provisions in agreements between the Department of the Army, the Department of the Air Force, or the National Guard Bureau, as the case may be, and the State in which the base is located relating to environmental response actions or indemnification.

(d) AUTHORITY TO ENTER INTO AGREEMENTS.—The Secretary concerned may enter into such grants, cooperative agreements, or contracts with a local water authority as may be necessary to implement this section.

(e) USE OF DSMOA.—Using funds authorized to be appropriated by section 301 for operation and maintenance, the Secretary concerned may pay, utilizing an existing Defense-State Memorandum of Agreement, costs that would otherwise be eligible for payment under that agreement.

(f) TERMINATION OF AUTHORITY.—The authority under this section shall terminate on September 30, 2021.

(g) RETROACTIVE EFFECT.—Notwithstanding paragraphs (1), (3), (4) of subsection

(b), the Secretary concerned may reimburse a local water authority or a State for the treatment of drinking water pursuant to this section if—

(1) the local water authority or state requested such a payment from the National Guard Bureau, the Department of the Army, or the Department of the Air Force prior to March 1, 2018, or the National Guard Bureau, the Department of the Army, or the Department of the Air Force was aware of a treatment plan by the local water authority or state prior to that date; and

(2) the local water authority or the State, as the case may be, waives all claims against the United States, the Department of the Army, the Department of the Air Force, and the National Guard for treatment expenses incurred before January 1, 2018.

SA 2652. Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. 28____. PERFLUOROOCTANOIC ACID AND PERFLUOROOCTANESULFONIC ACID RESPONSE COSTS.

Any environmental services agreement or memorandum of understanding entered into between the Secretary of Defense and a community with respect to the detection of perfluorooctanoic acid or perfluorooctanesulfonic acid shall be deemed to be effective as of May 19, 2016.

SA 2653. 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:

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

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, in consultation with the Secretary of State, 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 Southeast Asia from fighting in the Middle East.

(3) An assessment of the root causes of violent extremism in Southeast Asia that have led to the rise of the Islamic State of Iraq and Syria in Southeast Asia.

(4) The current resources available to combat the threat of the Islamic State of Iraq and Syria in Southeast Asia, and the additional resources required to combat that threat.

(5) 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.

(6) A description of the capabilities and resources of governments of countries in Southeast Asia to counter violent extremist groups.

(7) A list of additional United States resources and capabilities, including development assistance, that the Department of Defense and the Department od State recommend providing to governments in Southeast Asia to combat violent extremist groups.

(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 Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2654. 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 E of title V, add the following:

SEC. 558. INFORMATION ON RESOURCES AVAILABLE FOR THOSE IMPACTED BY SEXUAL ASSAULT OR SEXUAL HARASSMENT IN PRESEPARATION COUNSELING PROVIDED TO MEMBERS OF THE ARMED FORCES.

Section 1142(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (12) through (18) as paragraphs (13) through (19), respectively; and

(2) by inserting after paragraph (11) the following new paragraph (12):

''(12) Information concerning the availability of resources for those impacted by sexual assault or sexual harassment.''.

SA 2655. Mr. MERKLEY (for himself and 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 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. ____. IMPROVING THE ESSENTIAL AIR SERVICE PROGRAM.

Section 41731 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(g) EXCEPTION FOR CERTAIN LOCATIONS WITH HIGH MILITARY USE.—Subparagraph (D) of subsection (a)(1) shall not apply with respect to any location that—

''(1) is certified under part 139 of title 14, Code of Federal Regulations;

''(2) is not owned by the Federal government; and

''(3) for which not less than 10 percent of airport operations in 2017 were by aircraft of the Armed Forces.''.

SA 2656. 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 F of title XII, add the following:

SEC. ____. REPORT ON EFFORTS IN AFGHANISTAN.

(a) FINDINGS.—The Senate makes the following findings:

(1) After more than 16 years, the conflict in Afghanistan continues to present a whole-of-government challenge to the United States.

(2) More than $800,000,000,000, or by some estimates, trillions of taxpayer dollars have been spent on the conflict in Afghanistan.

(3) More than 2,200 United States lives have been lost, and more than 20,000 Americans have been wounded in operations in Afghanistan.

(4) The efforts and investment of the United States in Afghanistan have been undermined by endemic corruption, which is a strategic threat to United States interests that has cost United States taxpayers billions of dollars. Systemic corruption in Afghanistan continues to compromise the effectiveness of United States programs and has a negative impact on the ability of the United States to build trust and credibility with communities in Afghanistan.

(5) The May 2018 Special Investigation General for Afghanistan Reconstruction report on the United States stabilization strategy and associated programs in Afghanistan made the following findings:

(A) The United States Government greatly overestimated its ability to build and reform government institutions in Afghanistan as part of its stabilization strategy.

(B) The stabilization strategy and the programs used to achieve such strategy were not properly tailored to the Afghan context.

(C) The large sums of stabilization dollars the United States devoted to Afghanistan in search of quick gains often exacerbated conflicts, enabled corruption, and bolstered support for insurgents.

(D) Since the coalition prioritized the most dangerous districts first, the coalition continuously struggled to clear the districts of insurgents, and as a result, the coalition did not make sufficient progress to convince Afghans in such districts that the government could protect them if they openly turned against the insurgents;

(E) Efforts by United States agencies to monitor and evaluate stabilization programs were generally poor.

(F) Successes in stabilizing Afghan districts rarely lasted longer than the physical presence of coalition troops and civilians.

(G) Stabilization was most successful in areas that were clearly under the physical control of government security forces, had a modicum of local governance in place prior to programming, were supported by coalition forces and civilians who recognized the value of close cooperation, and were continuously engaged by their government as programming ramped up.

(b) SENSE OF SENATE.—It is the sense of the Senate that United States strategy on engagement in Afghanistan should approach the challenges described in subsection (a) with coordinated diplomatic, security, and development efforts that include—

(1) a view toward assisting the Afghan government and people, at every level, in transitioning towards sustainable independence and stability;

(2) accountability for adherence to the rule of law and support for human rights; and

(3) the goal of ending United States military presence in Afghanistan.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in coordination with the heads of each Federal agency involved, shall submit to the appropriate committees of Congress a report detailing the United States whole-of-government efforts in Afghanistan.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The United States diplomatic strategy on Afghanistan, including—

(i) efforts to support and assist effective governance at the Federal level and foster cooperation and mutual accountability between the Government of Afghanistan and provincial and local leadership in Afghanistan;

(ii) efforts to ensure that Afghan partners at all levels demonstrate accountability for—

(I) adhering to the rule of law; and

(II) ensuring that women, children, and marginalized groups are protected and crimes or abuses against such groups are fully investigated and prosecuted;

(iii) efforts to promote cooperation among the various ethnic communities of Afghanistan;

(iv) efforts to support and encourage reconciliation between the Government of Afghanistan and insurgent groups such as the Taliban, while continuing to counter the destabilizing actions of terrorist groups;

(v) efforts to support institutional reforms, especially those relating to anti-corruption, inclusive governance, electoral reforms, and financial transparency;

(vi) efforts to encourage the neighbors of Afghanistan to cooperate in support of Afghan security and economic stability and promote regional investment in development and political solutions; and

(vii) efforts to ensure that partner governments and organizations are actively working to support access by women to education, political representation, employment, medical care, housing, and other economic opportunities.

(B) The United States defense and security strategy on Afghanistan, including—

(i) United States force levels in Afghanistan and the missions to which such forces are dedicated;

(ii) prospects and a timeframe for completely transitioning responsibility for security to the Afghan National Defense and Security Forces; and

(iii) assessments of law enforcement training efforts and measurable impact.

(C) The United States development strategy in Afghanistan, including–

(i) the ability of the Department of State and the United States Agency for International Development to deliver, monitor, and evaluate development assistance;

(ii) the ability of the World Bank to deliver, monitor, and evaluate on-budget development assistance;

(iii) estimates of the cost to United States and World Bank programs due to corruption, fraud, waste, and abuse in implementation and other stages of development projects, and including an assessment of preventative and punitive efforts taken by the Government of Afghanistan and others to consistently confront corruption, fraud, waste, and abuse;

(iv) an assessment of the measurable impacts of United States-taxpayer funded development efforts since 2002;

(v) the ability of the Government of Afghanistan and non-governmental institutions in Afghanistan to absorb development assistance at a pace that builds towards incremental independent sustainability;

(vi) the social and political impacts of corruption in the Government of Afghanistan, and at local government levels, on the sustainability of planned or implemented development efforts, and an assessment of the means and prospects for preventing, investigating, and ensuring accountability for incidents of corruption; and

(vii) the limitation on development efforts as a result of the unstable security conditions in Afghanistan.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2657. Mr. SANDERS 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 1001, add the following:

(e) MANDATORY TRANSFER.—Notwithstanding any other provision of law, the Secretary of the Treasury shall transfer 0.1 percent of the amount appropriated or otherwise made available under this division for fiscal year 2019 from the Department of Defense to the Department of State for expenses of educational and cultural exchange programs.

SA 2658. Mr. SANDERS 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 COST CHANGES IN MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPORT REQUIRED.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees and the Committees on the Budget of the Senate and the House of Representatives an annual report on total acquisition cost estimate changes in the major defense acquisition programs of the Department of Defense, as measured from each individual program's first full estimate.

(b) INFORMATION TO BE INCLUDED.—The report required under subsection (a) shall include—

(1) a listing of all major defense acquisition programs for the previous quarter ending December 31;

(2) identification of the total acquisition cost estimates for each program identified in paragraph (1) for the previous quarter ending December 31;

(3) identification of the first full estimate of total acquisition cost for each program identified in paragraph (1); and

(4) a calculation of the total acquisition cost-estimate change, both in terms of dollars and percentage of total, since the first full estimate for each program identified in paragraph (1) for the previous quarter ending December 31.

(c) OTHER REQUIREMENTS.—The report required under subsection (a) shall present all cost information in constant year dollars to correspond with the year in which the report is submitted.

(d) DEFINITIONS.—

(1) The term ''total acquisition cost estimate'' means a program's estimated total expenditure of research, development, test, and evaluation; procurement; acquisition-related operations and maintenance; and system-specific military construction funds.

(2) The term ''first full estimate of total acquisition cost'' means a program's first total acquisition cost estimate set in an acquisition program baseline, in accordance with section 2435 of title 10, United States Code. For a development program, the first full estimate is either the program's planning estimate, if one was established, or the development estimate established at the time of Milestone B approval (as that term is defined in section 2366(e) of title 10, United States Code), whichever estimate occurred first. For programs that entered the acquisition cycle, or became major defense acquisition programs, at the time of Milestone C approval (as that term is defined in section 2366(e) of title 10, United States Code), the production estimate would be the first full estimate.

SA 2659. Mr. SANDERS (for himself, Ms. WARREN, and Mr. MERKLEY) submitted an amendment intended to be submitted to amendment SA 2282 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 XII, add the following:

SEC. 12___. SENSE OF CONGRESS ON LACK OF AUTHORIZATION FOR USE OF ARMED FORCES AGAINST IRAN.

It is the sense of Congress that the use of the Armed Forces against Iran is not authorized by this Act or any other Act of Congress.

SA 2660. Mr. SANDERS (for himself, Mr. LEE, Mr. BLUMENTHAL, Mr. DURBIN, Mr. LEAHY, Mrs. FEINSTEIN, Mr. MARKEY, Ms. BALDWIN, and 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 G of title XII, add the following:

SEC. 12___. LIMITATION ON AVAILABILITY OF FUNDS FOR UNITED STATES AIR REFUELING OF SAUDI-LED COALITION NON-UNITED STATES MILITARY AIRCRAFT FOR MISSIONS IN YEMEN CONDUCTED AGAINST HOUTHI REBELS.

None of the funds authorized to be appropriated by this Act are authorized to be made available for the procurement or transfer of fuel for United States air refueling of Saudi-led coalition non-United States military aircraft for missions in Yemen conducted against the Houthi rebels.

SA 2661. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2326 submitted by Mr. TESTER 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 2, strike lines 8 through 13 and insert the following:

(b) FUNDING.—Of the amount authorized to be appropriated for fiscal year 2019 for Defense Language and National Security Education, not less than $8,000,000 shall be available to support Language Training Centers.

SA 2662. Mr. WARNER (for himself, Mr. KAINE, and Ms. COLLINS) 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. _____. REIMBURSEMENT OF FEDERAL EMPLOYEES FOR FEDERAL, STATE AND LOCAL INCOME TAXES INCURRED DURING TRAVEL, TRANSPORTATION, AND RELOCATION.

(a) IN GENERAL.—5724b 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 or storage'' and inserting ''individual, 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''; 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 in kind pursuant to subchapter II of this chapter or chapter 41.''.

(b) 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 the following:

''5724b. Taxes on reimbursements for travel, transportation, and relocation expenses.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to travel, transportation, or relocation expenses incurred on or after the date of enactment of this Act.

SA 2663. Mr. KING 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. 558. MODIFICATION OF SOURCE OF JOINT PROFESSIONAL MILITARY EDUCATION CURRICULUM FOR PHASE II INSTRUCTION.

Section 2154(a)(2)(A) of title 10, United States Code, is amended by striking ''the Joint Forces Staff College or a'' and inserting ''a joint or''.

SA 2664. Mr. WARNER (for himself and Mr. KAINE) 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 I of subtitle C of title XVI, add the following:

SEC. _____. OVERSIGHT OF CYBER VULNERABILITY EVALUATIONS AND MITIGATION STRATEGIES FOR MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) BUDGET STATEMENT REQUIRED.—Beginning with fiscal year 2020 and for each fiscal year thereafter, the President shall include in the supporting information submitted along with the budget under section 1105 of title 31, United States Code, for each major weapon system of the Department of Defense for which funding is included in such budget, a statement regarding the cyber vulnerabilities of the major weapon system and matters regarding the mitigation of such vulnerabilities.

(b) CONTENTS.—Each statement for a major weapon system required by subsection (a) shall include, for the major weapon system, the following:

(1) VULNERABILITY EVALUATIONS.—

(A) STATUS.—A statement expressing whether the cyber vulnerability evaluation required by section 1647(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) of such major weapon system is pending, in progress, complete, or waived in accordance with subsection (a)(2) of such section 1647.

(B) FUNDING.—The seven-year funding profile needed to complete the pending or in progress cyber vulnerability evaluation.

(C) DESCRIPTION.—A description of the activities planned in each fiscal year to complete the required evaluation.

(D) RISK ANALYSIS.—An assessment of the operational and security risks associated with any cyber vulnerabilities identified in the evaluation.

(2) MITIGATION MEASURES.—

(A) STATUS.—Whether—

(i) development of a strategy pursuant to subsection (d) of such section is pending, in progress, or complete; and

(ii) activities to carry out such strategy are pending, in progress, or complete.

(B) FUNDING.—The seven-year funding profile needed to complete the pending or in progress mitigation strategy for such major weapon system.

(C) DESCRIPTION.—A description of the activities planned in each fiscal year to complete the mitigation strategy.

(c) FORM.—The statement required by subsection (a) shall be submitted in an unclassified form, but may include a classified annex if necessary.

SA 2665. 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. _____. GRANT PROGRAM FOR STATES TO ESTABLISH PROGRAMS FOR EXPANDING, COLLECTING, STORING, AND MAKING ACCESSIBLE CRIMINAL HISTORY RECORD INFORMATION.

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

(1) States should support investigative service providers conducting background investigations authorized by the Security Executive Agent or the Suitability and Credentialing Executive Agent by—

(A) providing automated access to criminal history records produced by criminal justice agencies; and

(B) expanding State criminal history record systems to include name-based arrests not supported by biometrics; and

(2) the large volume of requests from investigative service providers places significant demands on States that exceed their current resources.

(b) MATERIAL RESOURCES AND SUPPORT.—

(1) GRANT PROGRAM REQUIRED.—The Attorney General shall, in coordination with the Government's primary investigative service provider, establish a competitive grant program to support States in carrying out the activities described in subsection (a).

(2) STANDARDS.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent shall, in consultation with the Council and the Government's primary investigative service provider, set standards for the grant program authorized under paragraph (1), including biometric and biographic information standards.

(3) DERIVATION OF FUNDS.—Amounts to carry out the grant program authorized under paragraph (1) shall be derived from amounts appropriated or otherwise made available for the Department of Justice.

(c) ANNUAL REPORTS.—Not less frequently than once each year, the Government's primary investigative service provider, in coordination with the Council, shall submit to the appropriate congressional committees a report that describes the status of—

(1) State efforts to provide automated access to criminal history records produced by criminal justice agencies;

(2) the efforts of investigative service providers to use such automated access; and

(3) the use of funds received by States under subsection (b)(1).

(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 Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate; and

(D) the Committee on Homeland Security, the Committee on Oversight and Government Reform, and the Committee on the Judiciary of the House of Representatives.

(2) COUNCIL.—The term ''Council'' means the Security, Suitability, and Credentialing Performance Accountability Council established pursuant to Executive Order 13467 (73 Fed. Reg. 38103; 50 U.S.C. 3161 note).

(3) CRIMINAL HISTORY RECORD INFORMATION.—The term ''criminal history record information'' has the meaning given such term in section 9101(a) of title 5, United States Code.

(4) CRIMINAL JUSTICE AGENCY.—The term ''criminal justice agency'' has the meaning given such term in such section.

(5) GOVERNMENT'S PRIMARY INVESTIGATIVE SERVICE PROVIDER.—The term ''Government's primary investigative service provider'' means the Government's primary investigative service provider established pursuant to Executive Order 13467 (73 Fed. Reg. 38103; 50 U.S.C. 3161 note), or any successor entity.

(6) 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).

(7) STATE.—The term ''State'' has the meaning given such term in section 9101(a) of title 5, United States Code.

(8) 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 2666. 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 end of subtitle D of title X, add the following:

SEC. 1037. TRAINING OF DEPARTMENT OF DEFENSE PERSONNEL ON WHOLE OF GOVERNMENT APPROACH TO NATIONAL SECURITY CHALLENGES.

(a) TRAINING REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that appropriate Department of Defense personnel are provided training on whole of Government approaches to national security challenges.

(2) COORDINATION.—In providing training under this section, the Secretary shall consult with the heads of other appropriate departments and agencies of the United States Government in order to ensure that such training promotes cross-agency and multi-sector learning, collaboration and problem-solving.

(b) ELEMENTS.—The training under this section shall include and emphasize the following:

(1) Integration and synchronization of policy across the executive branch.

(2) An understanding of the role of Congress, State and local governments, community organizations, academia, foreign governments, non-governmental organizations, and the private sector in influencing and executing whole-of-Government solutions.

(3) Operating in an interagency environment.

(4) Table-top role playing exercises and mentorship programs designed to enable participants to gain a greater understanding of interagency partnerships and means of operating successfully in a whole of Government environment.

(c) PROVISION OF TRAINING.—

(1) TRAINING BY COHORT.—Training shall be provided under this section to cohorts comprised of a mix of military and civilian personnel from across the Department and the Armed Forces and, with the approval of the head of the department or agency concerned, from other departments and agencies of the United States Government.

(2) PROVIDERS OF TRAINING.—The entities providing training under this section shall include military staff and war colleges, the National Defense University, and accredited public institutions of higher education that provide whole of Government curricula and are located amid areas of high concentration of military and civilian national security personnel.

SA 2667. Mr. WARNER (for himself and Mr. CORNYN) 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 XII, insert the following:

SEC. ____. PARTICIPATION OF INDIA IN THE ASIA-PACIFIC ECONOMIC COOPERATION REGIONAL ECONOMIC FORUM.

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

(1) The Republic of India is the world's ninth largest economy in nominal terms and the third largest economy based on purchasing-power parity.

(2) The United States-India partnership is vital to United States strategic interests in the Asia-Pacific region and across the globe.

(3) United States-India bilateral trade and investment continue to expand, supporting thousands of United States jobs.

(4) The Asia-Pacific Economic Cooperation (APEC) regional economic forum is the premier Asia-Pacific economic forum, with a goal to support sustainable economic growth and prosperity in the Asia-Pacific region.

(5) APEC works to champion free, open trade and investment, to promote and accelerate regional economic integration, encourage economic and technical cooperation, enhance human security, and facilitate a favorable and sustainable business environment.

(6) APEC held a moratorium on new membership from 1997 to 2010.

(7) India has pursued membership in APEC for over 20 years, and became an APEC observer in November 2011 at the invitation of the United States, when the forum met in Hawaii.

(8) India enjoys a location within the Asia-Pacific region, which provides an avenue for continued trade and investment partnerships with APEC member states.

(9) India has been, or is pursuing, bilateral or multilateral trade agreements with the majority of APEC member states.

(10) India's ''Look East, Act East'' strategy to expand economic engagement with East and Southeast Asia demonstrates its effort to pursue external-oriented, market-driven economic policies.

(b) ACTIONS.—The Secretary of State shall—

(1) develop a strategy to obtain membership status for India in APEC, including participation in related meetings, working groups, activities, and mechanisms;

(2) work with the Government of India to ensure that such government works to meet the best practices APEC espouses; and

(3) actively urge APEC member states to support such membership status for India.

(c) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report, in unclassified form, describing the United States strategy to obtain membership status for India in APEC. The

report shall be updated and submitted annually until such time as India obtains membership in APEC.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following elements:

(A) A description of the efforts the Secretary has made to encourage APEC member states to promote India's bid to obtain membership status.

(B) Current actions taken by the Government of India to ensure that India meets the best practices espoused by APEC.

(C) The further steps the Secretary will take to assist India in obtaining membership status for APEC.

SA 2668. 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:

Strike section 2834 and insert the following:

SEC. 2834. DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.

Section 2391 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(2) by inserting after subsection (c) the following new subsection:

''(d) DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.—(1) The Secretary of Defense may make grants, conclude cooperative agreements, and supplement funds available under Federal programs administered by agencies other than the Department of Defense to assist State and local governments to address deficiencies in community infrastructure supportive of a military installation, if the Secretary determines that such assistance will enhance the military value, resilience, readiness, or military family quality of life at such military installation.

''(2) The Secretary shall establish criteria for the selection of community infrastructure projects to receive assistance under paragraph (1). The criteria shall include a requirement that the State or local government agree to contribute not less than 30 percent of the funding for the community infrastructure project, unless the community infrastructure project is located in a rural area, is located in an area that has been impacted by past and current flooding, or for reasons related to national security, in which case the Secretary may waive the requirement for a State or local government contribution.

''(3) Amounts appropriated or otherwise made available for assistance under paragraph (1) may remain available until expended.

''(4) The authority under this subsection shall expire on September 30, 2023.''; and

(3) in subsection (e), as redesignated by paragraph (1), by adding at the end the following new paragraphs:

''(4) The term 'community infrastructure' means any transportation project, including roads, bridges, and tunnels; school, hospital, police, fire, emergency response, or other community support facility; or water, wastewater, telecommunications, electric, gas, or other utility infrastructure project that is located off of a military installation and owned by a State or local government.

''(5) The term 'rural area' means a city, town, or unincorporated area that has a population of not more than 20,000 inhabitants.''.

SA 2669. Mr. REED 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. ___. CYBERSECURITY TRANSPARENCY.

(a) DEFINITIONS.—In this section—

(1) the term ''Commission'' means the Securities and Exchange Commission;

(2) the term ''cybersecurity threat''—

(A) means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system; and

(B) does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement;

(3) the term ''information system''—

(A) has the meaning given the term in section 3502 of title 44, United States Code; and

(B) includes industrial control systems, such as supervisory control and data acquisition systems, distributed control systems, and programmable logic controllers;

(4) the term ''issuer'' has the meaning given the term in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c);

(5) the term ''NIST'' means the National Institute of Standards and Technology; and

(6) the term ''reporting company'' means any company that is an issuer—

(A) the securities of which are registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l); or

(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).

(b) REQUIREMENT TO ISSUE RULES.—Not later than 360 days after the date of enactment of this Act, the Commission shall issue final rules to require each reporting company, in the annual report submitted under section 13 or section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m and 78o(d)) or the annual proxy statement submitted under section 14(a) of such Act (15 U.S.C. 78n(a))—

(1) to disclose whether any member of the governing body, such as the board of directors or general partner, of the reporting company has expertise or experience in cybersecurity and in such detail as necessary to fully describe the nature of the expertise or experience; and

(2) if no member of the governing body of the reporting company has expertise or experience in cybersecurity, to describe what other cybersecurity steps taken by the reporting company were taken into account by such persons responsible for identifying and evaluating nominees for any member of the governing body, such as a nominating committee.

(c) CYBERSECURITY EXPERTISE OR EXPERIENCE.—For purposes of subsection (b), the Commission, in consultation with NIST, shall define what constitutes expertise or experience in cybersecurity, such as professional qualifications to administer information security program functions or experience detecting, preventing, mitigating, or addressing cybersecurity threats, using commonly defined roles, specialities, knowledge, skills, and abilities, such as those provided in NIST Special Publication 800–181 entitled ''NICE Cybersecurity Workforce Framework'', or any successor thereto.

SA 2670. Mr. REED 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 appropriate place, insert the following:

SEC. _____. PERMISSIBLE PURPOSES OF REPORTS.

(a) SHORT TITLE.—This section may be cited as the ''Control Your Personal Credit Information Act of 2018''.

(b) REPORTS.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 604 (15 U.S.C. 1681b)—

(A) by striking subsections (c) through (e) and inserting the following:

''(c) CONDITIONS FOR FURNISHING CERTAIN CONSUMER REPORTS.—

''(1) IN GENERAL.—A consumer reporting agency may furnish a consumer report for the following purposes only if the consumer provides the consumer reporting agency with affirmative written consent to furnish the consumer report, after furnishing proper identification under section 610:

''(A) An extension of credit pursuant to subsection (a)(3)(A).

''(B) The underwriting of insurance pursuant to subsection (a)(3)(C).

''(2) ADDITIONAL REPORTS; ELECTION.—After a consumer has provided affirmative written consent and furnished proper identification under paragraph (1) to a consumer reporting agency, the consumer reporting agency may continue to furnish consumer reports solely for the purposes of reviewing or collecting on an account described in subparagraphs (A) and (C) of subsection (a)(3).

''(3) FURNISHING REPORTS IN CONNECTION WITH CREDIT OR INSURANCE TRANSACTIONS THAT ARE NOT INITIATED BY CONSUMER.—

''(A) IN GENERAL.—A consumer reporting agency may furnish a consumer report to a person in connection with any credit or insurance transaction under subparagraph (A) or (C) of subsection (a)(3) that is not initiated by the consumer only if—

''(i) the consumer provides the consumer reporting agency affirmative written consent to furnish the consumer report, after furnishing proper identification under section 610; and

''(ii) the transaction consists of a firm offer of credit or insurance.

''(B) ELECTION.—The consumer may elect to—

''(i) have the consumer's name and addresses included in lists of names and addresses provided by the consumer reporting agency pursuant to subparagraphs (A) and (C) of subsection (a)(3) in connection with any credit or insurance transaction that is not initiated by the consumer only if—

''(I) the consumer provides the consumer reporting agency affirmative written consent to furnish the consumer report, after furnishing proper identification under section 610; and

''(II) the transaction consists of a firm offer of credit or insurance; and

''(ii) revoke at any time the election pursuant to clause (i) to have the consumer's name and address included in lists provided by a consumer reporting agency.

''(C) INFORMATION REGARDING INQUIRIES.—Except as provided in section 609(a)(5), a consumer reporting agency shall not furnish to any person a record of inquiries in connection with a credit or insurance transaction that is not initiated by a consumer.

''(4) DISCLOSURES.—

''(A) IN GENERAL.—A person may not procure a consumer report for any purpose pursuant to subparagraphs (D), (F), and (G) of subsection (a)(3) unless—

''(i) a clear and conspicuous disclosure has been made in writing to the consumer at any time before the report is procured or caused to be procured, in a document that consists solely of the disclosure, that a consumer report may be obtained for such purposes; and

''(ii) the consumer has authorized in writing the procurement of the consumer report by that person.

''(B) AUTHORIZATIONS.—The authorization described in subparagraph (A)(ii) may be made on the disclosure document provided under subparagraph (A)(i).

''(5) RULE MAKING.—Not later than 180 days after the date of enactment of the Control Your Personal Credit Information Act of 2018, the Director of the Bureau shall promulgate regulations that—

''(A) implement this subsection;

''(B) establish a model form for the disclosure document pursuant to paragraph (4) and define the term clear and conspicuous disclosure;

''(C) establish guidelines that permit consumers to provide a single written authorization as required by paragraph (1) for a specific time period for multiple users for the specified purpose during that time period;

''(D) require a consumer reporting agency to provide to each consumer a secure, convenient, accessible, and cost-free method by which a consumer may allow or disallow the furnishing of consumer reports pursuant to this subsection; and

''(E) require a consumer reporting agency not later than 2 business days after the date on which a consumer makes an election to revoke the consumer's inclusion of the consumer's name and address in lists provided by a consumer reporting agency pursuant to paragraph (3)(B) to implement that election.

''(6) PROHIBITIONS.—

''(A) IN GENERAL.—The method described in paragraph (5)(D) shall not be used to—

''(i) collect any information on a consumer that is not necessary for the purpose of the consumer to allow or disallow the furnishing of consumer reports; or

''(ii) advertise any product or service.

''(B) NO WAIVER.—In the offering of a method described in paragraph (5)(D), a consumer reporting agency shall not require a consumer to waive any rights nor indemnify the consumer reporting agency from any liabilities arising from the offering of such method.

''(7) REPORTS.—

''(A) CFPB.—

''(i) RECOMMENDATION.—Not later than 180 days after the date of enactment of the Control Your Personal Credit Information Act of 2018, the Director of the Bureau shall, after consultation with the Federal Deposit Insurance Corporation, the National Credit Union Administration, and other Federal and State regulators as the Director of the Bureau determines are appropriate, submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives recommendations on how to provide consumers greater transparency and personal control over their consumer reports furnished for permissible purposes under subsections (a)(3)(E) and (a)(6).

''(ii) REPORT.—The Director of the Bureau shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives an annual report that includes recommendations on how this subsection may be improved, a description of enforcement actions taken to demonstrate compliance with this subsection, recommendations on how to improve oversight of consumer reporting agencies and users of consumer reports, and any other recommendations concerning how consumers may be provided greater transparency and control over their personal information.

''(B) GAO.—

''(i) STUDY.—The Comptroller General of the United States shall conduct a study on what additional protections or restrictions may be needed to ensure that the information collected in consumer files is secure and does not adversely impact consumers.

''(ii) REPORT.—Not later than 1 year after the date of enactment of the Control Your Personal Credit Information Act of 2018, the Comptroller General of the United States shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the results of the study under clause (i), which shall include—

''(I) to the greatest extent possible, the presentation of unambiguous conclusions and specific recommendations for further legislative changes needed to ensure that the information collected in consumer files is secure and does not adversely impact consumers; and

''(II) if no recommendations for further legislative changes are presented, a detailed explanation of why no such changes are recommended.'';

(B) by redesignating subsections (f) and (g) as subsections (d) and (e), respectively; and

(C) by adding at the end the following:

''(f) NO FEES.—No consumer reporting agency may charge a consumer any fee for any activity pursuant to this section.'';

(2) in section 607(a) (15 U.S.C. 1681e(a)), by inserting ''Every consumer reporting agency shall use commercially reasonable efforts to avoid unauthorized access to consumer reports and information in the file of a consumer maintained by the consumer reporting agency, including complying with any appropriate standards established under section 501(b) of the Gramm-Leach-Bliley Act (15 U.S.C. 6801(b)).'' after the end of the third sentence;

(3) in section 609 (15 U.S.C. 1681g), by striking subsection (b) and inserting the following:

''(b) SCOPE OF DISCLOSURE.—The Director of the Bureau shall promulgate regulations to clarify that any information held by a consumer reporting agency about a consumer shall be disclosed to the consumer when a consumer makes a written request, irrespective of whether the information is held by the parent, subsidiary, or affiliate of a consumer reporting agency.''; and

(4) in section 610(a)(1) (15 U.S.C. 1681h(a)(1)), by striking ''section 609'' and inserting ''sections 604 and 609''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 603(d)(3) (15 U.S.C. 1681a(d)(3)), in the matter preceding subparagraph (A), by striking ''604(g)(3)'' and inserting ''604(e)(3)'';

(2) in section 615(d) (15 U.S.C. 1681m(d))—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''604(c)(1)(B)'' and inserting ''604(c)(3)(A)(ii)''; and

(ii) in subparagraph (E), by striking ''604(e)'' and inserting ''604(c)(5)(D)''; and

(B) in paragraph (2)(A), by striking ''604(e)'' and inserting ''604(c)(5)(D)''; and

(3) in section 625(b)(1)(A) (15 U.S.C. 1681t(b)(1)(A)), by striking ''subsection (c) or (e) of section 604'' and inserting ''604(c)''.

SA 2671. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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, add the following:

DIVISION E—DHS AUTHORIZATION ACT

SEC. 1. SHORT TITLE.

This division may be cited as the ''Department of Homeland Security Authorization Act'' or the ''DHS Authorization Act''.

SEC. 2. REFERENCES.

Except as expressly provided otherwise, any reference to ''this Act'' contained in this division shall be treated as referring only to the provisions of this division.

TITLE I—DEPARTMENT OF HOMELAND SECURITY HEADQUARTERS

Subtitle A—Headquarters Operations

SEC. 1101. FUNCTIONS AND COMPONENTS OF HEADQUARTERS OF DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112) is amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking ''through the Office of State and Local Coordination (established under section 801)'' and inserting ''through the Office of Partnership and Engagement''; and

(2) by adding at the end the following:

''(h) HEADQUARTERS.—

''(1) IN GENERAL.—There is in the Department a Headquarters.

''(2) COMPONENTS.—The Department Headquarters shall include each of the following:

''(A) The Office of the Secretary, which shall include—

''(i) the Deputy Secretary;

''(ii) the Chief of Staff; and

''(iii) the Executive Secretary.

''(B) The Management Directorate, including the Office of the Chief Financial Officer.

''(C) The Science and Technology Directorate.

''(D) The Office of Strategy, Policy, and Plans.

''(E) The Office of the General Counsel.

''(F) The Office of the Chief Privacy and FOIA Officer.

''(G) The Office for Civil Rights and Civil Liberties.

''(H) The Office of Operations Coordination.

''(I) The Office of Intelligence and Analysis.

''(J) The Office of Legislative Affairs.

''(K) The Office of Public Affairs.

''(L) The Office of the Inspector General.

''(M) The Office of the Citizenship and Immigration Services Ombudsman.

''(N) The Countering Weapons of Mass Destruction Office.

''(O) The Office of Partnership and Engagement.''.

(b) CONFORMING AMENDMENTS RELATING TO ASSISTANT SECRETARIES.—Section 103(a) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)) is amended—

(1) in the subsection heading, by inserting ''; ASSISTANT SECRETARIES AND OTHER OFFICERS'' after ''UNDER SECRETARIES'';

(2) in paragraph (1), by amending subparagraph (I) to read as follows:

''(I) An Administrator of the Transportation Security Administration.'';

(3) by amending paragraph (2) to read as follows:

''(2) ASSISTANT SECRETARIES.—The following Assistant Secretaries shall be appointed by the President or the Secretary, as

the case may be, without the advice and consent of the Senate:

''(A) PRESIDENTIAL APPOINTMENTS.—The Department shall have the following Assistant Secretaries appointed by the President:

''(i) The Assistant Secretary for Public Affairs.

''(ii) The Assistant Secretary for Legislative Affairs.

''(iii) The Assistant Secretary for the Countering Weapons of Mass Destruction Office.

''(iv) The Chief Medical Officer.

''(B) SECRETARIAL APPOINTMENTS.—The Department shall have the following Assistant Secretaries appointed by the Secretary:

''(i) The Assistant Secretary for International Affairs.

''(ii) The Assistant Secretary for Threat Prevention and Security Policy.

''(iii) The Assistant Secretary for Border, Immigration, and Trade Policy.

''(iv) The Assistant Secretary for Cybersecurity, Infrastructure, and Resilience Policy.

''(v) The Assistant Secretary for Strategy, Planning, Analysis, and Risk.

''(vi) The Assistant Secretary for State and Local Law Enforcement.

''(vii) The Assistant Secretary for Partnership and Engagement.

''(viii) The Assistant Secretary for Private Sector.''; and

(4) by adding at the end the following:

''(3) LIMITATION ON CREATION OF POSITIONS.—No Assistant Secretary position may be created in addition to the positions provided for by this section unless such position is authorized by a statute enacted after the date of the enactment of the DHS Authorization Act.''.

SEC. 1102. RESPONSIBILITIES AND FUNCTIONS OF CHIEF PRIVACY AND FOIA OFFICER.

Section 222(a) of the Homeland Security Act of 2002 (6 U.S.C. 142(a)) is amended—

(1) in the matter preceding paragraph (1)—

(A) by inserting ''to be the Chief Privacy and FOIA Officer of the Department,'' after ''in the Department,''; and

(B) by striking ''to the Secretary, to assume'' and inserting ''to the Secretary. Such official shall have'';

(2) in paragraph (5)(B), by striking ''and'' at the end;

(3) by striking paragraph (6); and

(4) by inserting after paragraph (5) the following:

''(6) developing guidance to assist components of the Department in developing privacy policies and practices;

''(7) establishing a mechanism to ensure such components are in compliance with Federal regulatory and statutory and Department privacy requirements, mandates, directives, and policies, including requirements under section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act');

''(8) working with components and offices of the Department to ensure that information sharing and policy development activities incorporate privacy protections;

''(9) serving as the Chief FOIA Officer of the Department for purposes of section 552(j) of title 5, United States Code (commonly known as the 'Freedom of Information Act');

''(10) preparing an annual report to Congress that includes a description of the activities of the Department that affect privacy during the fiscal year covered by the report, including complaints of privacy violations, implementation of section 552a of title 5, United States Code (commonly known as the 'Privacy Act of 1974'), internal controls, and other matters; and

''(11) carrying out such other responsibilities as the Secretary determines are appropriate, consistent with this section.''.

SEC. 1103. RESPONSIBILITIES OF CHIEF FINANCIAL OFFICER.

(a) IN GENERAL.—Section 702 of the Homeland Security Act of 2002 (6 U.S.C. 342) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

''(b) RESPONSIBILITIES.—In carrying out the responsibilities, authorities, and functions specified in section 902 of title 31, United States Code, the Chief Financial Officer shall—

''(1) oversee Department budget formulation and execution;

''(2) lead and provide guidance on performance-based budgeting practices for the Department to ensure that the Department and its components are meeting missions and goals;

''(3) lead cost-estimating practices for the Department, including the development of policies on cost estimating and approval of life cycle cost estimates;

''(4) coordinate with the Office of Strategy, Policy, and Plans to ensure that the development of the budget for the Department is compatible with the long-term strategic plans, priorities, and policies of the Secretary;

''(5) develop financial management policy for the Department and oversee the implementation of such policy, including the establishment of effective internal controls over financial reporting systems and processes throughout the Department;

''(6) lead financial system modernization efforts throughout the Department;

''(7) lead the efforts of the Department related to financial oversight, including identifying ways to streamline and standardize business processes;

''(8) oversee the costs of acquisition programs and related activities to ensure that actual and planned costs are in accordance with budget estimates and are affordable, or can be adequately funded, over the lifecycle of such programs and activities;

''(9) fully implement a common accounting structure to be used across the entire Department by fiscal year 2020;

''(10) participate in the selection, performance planning, and review of cost estimating positions with the Department;

''(11) track, approve, oversee, and make public information on expenditures by components of the Department for conferences, as appropriate, including by requiring each component to—

''(A) report to the Inspector General of the Department the expenditures by such component for each conference hosted for which the total expenditures of the Department exceed $100,000, within 15 days after the date of the conference; and

''(B) with respect to such expenditures, provide to the Inspector General—

''(i) the information described in subsections (a), (b), and (c) of section 739 of title VII of division E of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2389); and

''(ii) documentation of such expenditures; and

''(12) track and make public information on expenditures by components of the Department for conferences, as appropriate, including by requiring each component to—

''(A) report to the Inspector General of the Department the expenditures by such component for each conference hosted or attended by Department employees for which the total expenditures of the Department are more than $20,000 and less than $100,000, not later than 30 days after the date of the conference; and

''(B) with respect to such expenditures, provide to the Inspector General—

''(i) the information described in subsections (a), (b), and (c) of section 739 of title VII of division E of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2389); and

''(ii) documentation of such expenditures.''.

(b) RULE OF CONSTRUCTION.—Nothing in the amendment made by this section may be construed as altering or amending the responsibilities, authorities, and functions of the Chief Financial Officer of the Department of Homeland Security under section 902 of title 31, United States Code.

SEC. 1104. CHIEF INFORMATION OFFICER.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended—

(1) in subsection (a)—

(A) by striking '', or to another official of the Department, as the Secretary may direct''; and

(B) by adding at the end the following: ''In addition to the functions under section 3506(a)(2) of title 44, United States Code, and section 11319 of title 40, United States Code, the Chief Information Officer shall—

''(1) serve as the lead technical authority for information technology programs of the Department and components of the Department; and

''(2) advise and assist the Secretary, heads of the components of the Department, and other senior officers in carrying out the responsibilities of the Department for all activities relating to the budgets, programs, security, and operations of the information technology functions of the Department.'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b) STRATEGIC PLANS.—

''(1) IN GENERAL.—The Chief Information Officer shall, in coordination with the Chief Financial Officer, develop an information technology strategic plan every 5 years and report to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate on the extent to which—

''(A) the budget of the Department aligns with priorities specified in the information technology strategic plan;

''(B) the information technology strategic plan informs the budget process of the Department;

''(C) the Department has identified and addressed skills gaps needed to implement the information technology strategic plan;

''(D) unnecessary duplicative information technology within and across the components of the Department has been eliminated;

''(E) outcome-oriented goals, quantifiable performance measures, and strategies for achieving those goals and measures have succeeded; and

''(F) internal control weaknesses and how the Department will address those weaknesses.

''(2) INITIAL PLAN.—Not later than 1 year after the date of enactment of this subsection, the Chief Information Officer shall complete the first information technology strategic plan required under paragraph (1).''.

(b) SOFTWARE LICENSING.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and each year thereafter through fiscal year 2021, the Chief Information Officer of the Department

of Homeland Security shall submit the comprehensive software license policy developed to meet the requirements of section 2 of the MEGABYTE Act of 2016 (40 U.S.C. 11302 note), including any updates provided to the Director of the Office of Management and Budget, to—

(A) the Committee on Homeland Security and the Committee of Oversight and Government Reform of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) DEPARTMENT INVENTORY.—Beginning in fiscal year 2022, and once every 2 fiscal years thereafter, the Chief Information Officer of the Department of Homeland Security, in consultation with the component chief information officers, shall submit to the Committee on Homeland Security and the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing—

(A) a department-wide inventory of all software licenses held by the Department of Homeland Security on unclassified and classified systems, including utilized and unutilized licenses;

(B) an assessment of the needs of the Department of Homeland Security and the components of the Department of Homeland Security for software licenses for the subsequent 2 fiscal years;

(C) an explanation as to how the use of shared cloud-computing services or other new technologies will impact the needs for software licenses for the subsequent 2 fiscal years; and

(D) plans and estimated costs for eliminating unutilized software licenses for the subsequent 2 fiscal years; and

(E) a plan to expedite licensing of software developed for the Department of Homeland Security to the private sector.

(3) PLAN TO REDUCE SOFTWARE LICENSES.—If the Chief Information Officer of the Department of Homeland Security determines through the inventory conducted under paragraph (2) that the number of software licenses held by the Department of Homeland Security and the components of the Department of Homeland Security exceeds the needs of the Department of Homeland Security, not later than 90 days after the date on which the inventory is completed, the Secretary of Homeland Security shall establish a plan for reducing the number of such software licenses to meet needs of the Department of Homeland Security.

(c) COMPTROLLER GENERAL REVIEW.—Not later than the end of fiscal year 2019, the Comptroller General of the United States shall review the extent to which the Chief Information Officer of the Department of Homeland Security fulfilled all requirements established in this section and the amendments made by this section.

SEC. 1105. QUADRENNIAL HOMELAND SECURITY REVIEW.

(a) IN GENERAL.—Section 706 of the Homeland Security Act of 2002, as so redesignated by section 1142 of this Act, is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

''(C) representatives from appropriate advisory committees established pursuant to section 871, including the Homeland Security Advisory Council and the Homeland Security Science and Technology Advisory Committee, or otherwise established, including the Aviation Security Advisory Committee established pursuant to section 44946 of title 49, United States Code; and'';

(2) in subsection (b)—

(A) in paragraph (2), by inserting before the semicolon at the end the following: ''based on the risk assessment required pursuant to subsection (c)(2)(B)'';

(B) in paragraph (3)—

(i) by inserting '', to the extent practicable,'' after ''describe''; and

(ii) by striking ''budget plan'' and inserting ''resources required'';

(C) in paragraph (4)—

(i) by inserting '', to the extent practicable,'' after ''identify'';

(ii) by striking ''budget plan required to provide sufficient resources to successfully'' and inserting ''resources required to''; and

(iii) by striking the semicolon at the end and inserting '', including any resources identified from redundant, wasteful, or unnecessary capabilities and capacities that can be redirected to better support other existing capabilities and capacities, as the case may be; and'';

(D) in paragraph (5), by striking ''; and'' and inserting a period; and

(E) by striking paragraph (6);

(3) in subsection (c)—

(A) in paragraph (1), by striking ''December 31'' and inserting ''September 30'';

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''description of the threats to'' and inserting ''risk assessment of'';

(ii) in subparagraph (C), by inserting '', as required under subsection (b)(2)'' before the semicolon at the end;

(iii) in subparagraph (D)—

(I) by inserting ''to the extent practicable,'' before ''a description''; and

(II) by striking ''budget plan'' and inserting ''resources required'';

(iv) in subparagraph (F)—

(I) by inserting ''to the extent practicable,'' before ''a discussion''; and

(II) by striking ''the status of'';

(v) in subparagraph (G)—

(I) by inserting ''to the extent practicable,'' before ''a discussion'';

(II) by striking ''the status of'';

(III) by inserting ''and risks'' before ''to national homeland''; and

(IV) by inserting ''and'' after the semicolon at the end;

(vi) by striking subparagraph (H); and

(vii) by redesignating subparagraph (I) as subparagraph (H);

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following:

''(3) DOCUMENTATION.—The Secretary shall retain, from each quadrennial homeland security review, all information regarding the risk assessment, as required under subsection (c)(2)(B), including—

''(A) the risk model utilized to generate the risk assessment;

''(B) information, including data used in the risk model, utilized to generate the risk assessment; and

''(C) sources of information, including other risk assessments, utilized to generate the risk assessment.'';

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following:

''(d) REVIEW.—Not later than 90 days after the submission of each report required under subsection (c)(1), the Secretary shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information on the degree to which the findings and recommendations developed in the quadrennial homeland security review covered by the report were integrated into the acquisition strategy and expenditure plans for the Department.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to a quadrennial homeland security review conducted under section 706 of the Homeland Security Act of 2002, as so redesignated, after December 31, 2017.

SEC. 1106. OFFICE OF STRATEGY, POLICY, AND PLANS.

(a) ABOLISHMENT OF OFFICE OF INTERNATIONAL AFFAIRS.—

(1) IN GENERAL.—The Office of International Affairs within the Office of the Secretary of Homeland Security is abolished.

(2) TRANSFER OF ASSETS AND PERSONNEL.—The functions authorized to be performed by the office described in paragraph (1) as of the day before the date of enactment of this Act, and the assets and personnel associated with such functions, are transferred to the Under Secretary for Strategy, Policy, and Plans of the Department of Homeland Security under section 708 of the Homeland Security Act of 2002, as so redesignated by section 1142 of this Act.

(3) CONFORMING AMENDMENTS.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(A) in section 317(b) (6 U.S.C. 195c(b))—

(i) in paragraph (2)(A), by striking '', in consultation with the Assistant Secretary for International Affairs,''; and

(ii) in paragraph (4), by striking ''the Office of International Affairs and''; and

(B) by striking section 879 (6 U.S.C. 459).

(4) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 879.

(b) HOMELAND SECURITY ADVISORY COUNCIL.—Section 102(b) of the Homeland Security Act of 2002 (6 U.S.C. 112(b)) is amended—

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

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) shall establish a Homeland Security Advisory Council to provide advice and recommendations on homeland security-related matters, including advice with respect to the preparation of the quadrennial homeland security review under section 706.''.

(c) OFFICE OF LEGISLATIVE AFFAIRS.—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113) is amended by adding at the end the following:

''(h) OFFICE OF LEGISLATIVE AFFAIRS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, any report that the Department or a component of the Department is required to submit to the Committee on Appropriations of the Senate or the Committee on Appropriations of the House of Representatives under any provision of law shall be submitted concurrently to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

''(2) APPLICABILITY.—Paragraph (1) shall apply with respect to any report described in paragraph (1) that is submitted on or after the date of enactment of the DHS Authorization Act.

''(3) NOTICE.—The Secretary shall notify, in writing, the chairmen and ranking members of the authorizing and appropriating committees of jurisdiction regarding policy memoranda, management directives, and reprogramming notifications issued by the Department.''.

(d) OFFICE OF PRIVATE SECTOR.—

(1) IN GENERAL.—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), as

amended, is amended by adding at the end the following:

''(i) OFFICE OF PRIVATE SECTOR.—The Assistant Secretary for Private Sector shall be responsible for—

''(1) creating and fostering strategic communications with the private sector to enhance the primary mission of the Department to protect the American homeland;

''(2) advising the Secretary on the impact of the Department's policies, regulations, processes, and actions on the private sector;

''(3) interfacing with other relevant Federal agencies with homeland security missions to assess the impact of these agencies' actions on the private sector;

''(4) creating and managing private sector advisory councils composed of representatives of industries and associations designated by the Secretary to—

''(A) advise the Secretary on private sector products, applications, and solutions as they relate to homeland security challenges; and

''(B) advise the Secretary on homeland security policies, regulations, processes, and actions that affect the participating industries and associations;

''(5) working with Federal laboratories, federally funded research and development centers, other federally funded organizations, academia, and the private sector to develop innovative approaches to address homeland security challenges to produce and deploy the best available technologies for homeland security missions;

''(6) promoting existing public-private partnerships and developing new public-private partnerships to provide for collaboration and mutual support to address homeland security challenges; and

''(7) assisting in the development and promotion of private sector best practices to secure critical infrastructure.''.

(2) CONFORMING AMENDMENT.—Section 102(f) of the Homeland Security Act of 2002 (6 U.S.C. 112(f)) is amended—

(A) by striking paragraphs (1) through (7); and

(B) by redesignating paragraphs (8), (9), (10), and (11) as paragraphs (1), (2), (3), and (4), respectively.

(e) DEFINITIONS.—In this section each of the terms ''assets'', ''functions'', and ''personnel'' have the meanings given those terms under section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(f) DUPLICATION REVIEW.—

(1) REVIEW REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security shall complete a review of the functions and responsibilities of each Department of Homeland Security component responsible for international affairs to identify and eliminate areas of unnecessary duplication.

(2) SUBMISSION TO CONGRESS.—Not later than 30 days after the completion of the review required under paragraph (1), the Secretary of Homeland Security shall provide the results of the review to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) ACTION PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the congressional homeland security committees, as defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101, as amended by this Act, an action plan, including corrective steps and an estimated date of completion, to address areas of duplication, fragmentation, and overlap and opportunities for cost savings and revenue enhancement, as identified by the Government Accountability Office based on the annual report of the Government Accountability Office entitled ''Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Other Financial Benefits''.

SEC. 1107. CHIEF PROCUREMENT OFFICER.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by section 1142, is amended by adding at the end the following:

''SEC. 709. CHIEF PROCUREMENT OFFICER.

''(a) IN GENERAL.—There is in the Department a Chief Procurement Officer, who shall serve as a senior business advisor to agency officials on procurement-related matters and report directly to the Under Secretary for Management. The Chief Procurement Officer is the senior procurement executive for purposes of subsection (c) of section 1702 of title 41, United States Code, and shall perform procurement functions as specified in such subsection.

''(b) RESPONSIBILITIES.—The Chief Procurement Officer shall—

''(1) delegate or retain contracting authority, as appropriate;

''(2) issue procurement policies and oversee the heads of contracting activity of the Department to ensure compliance with those policies;

''(3) serve as the main liaison of the Department to industry on procurement-related issues;

''(4) account for the integrity, performance, and oversight of Department procurement and contracting functions;

''(5) ensure that procurement contracting strategies and plans are consistent with the intent and direction of the Acquisition Review Board;

''(6) oversee a centralized acquisition workforce certification and training program using, as appropriate, existing best practices and acquisition training opportunities from the Federal Government, private sector, or universities and colleges to include training on how best to identify actions that warrant referrals for suspension or debarment;

''(7) approve the selection and organizational placement of each head of contracting activity within the Department and participate in the periodic performance reviews of each head of contracting activity of the Department;

''(8) ensure that a fair proportion of the value of Federal contracts and subcontracts are awarded to small business concerns, as defined under section 3 of the Small Business Act (15 U.S.C. 632), (in accordance with the procurement contract goals under section 15(g) of the Small Business Act (15 U.S.C. 644(g)), maximize opportunities for small business participation in such contracts, and ensure, to the extent practicable, small business concerns that achieve qualified vendor status for security-related technologies are provided an opportunity to compete for contracts for such technology; and

''(9) carry out any other procurement duties that the Under Secretary for Management may designate.

''(c) HEAD OF CONTRACTING ACTIVITY DEFINED.—In this section the term 'head of contracting activity' means an official who is delegated, by the Chief Procurement Officer and Senior Procurement Executive, the responsibility for the creation, management, and oversight of a team of procurement professionals properly trained, certified, and warranted to accomplish the acquisition of products and services on behalf of the designated components, offices, and organizations of the Department, and as authorized, other government entities.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1142, is amended by inserting after the item relating to section 708 the following:

''Sec. 709. Chief Procurement Officer.''.

SEC. 1108. CHIEF SECURITY OFFICER.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by section 1107, is amended by adding at the end the following:

''SEC. 710. CHIEF SECURITY OFFICER.

''(a) IN GENERAL.—There is in the Department a Chief Security Officer, who shall report directly to the Under Secretary for Management.

''(b) RESPONSIBILITIES.—The Chief Security Officer shall—

''(1) develop, implement, and oversee compliance with the security policies, programs, and standards of the Department;

''(2) participate in—

''(A) the selection and organizational placement of each senior security official of a component, and the deputy for each such official, and any other senior executives responsible for security-related matters; and

''(B) the periodic performance planning and reviews;

''(3) identify training requirements, standards, and oversight of education to Department personnel on security-related matters;

''(4) develop security programmatic guidelines;

''(5) review contracts and interagency agreements associated with major security investments within the Department; and

''(6) provide support to Department components on security-related matters.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended, as amended by section 1107, by inserting after the item relating to section 709 the following:

''Sec. 710. Chief Security Officer.''.

SEC. 1109. OFFICE OF INSPECTOR GENERAL.

(a) NOTIFICATION.—The heads of offices and components of the Department of Homeland Security shall promptly advise the Inspector General of the Department of all allegations of misconduct with respect to which the Inspector General has investigative authority under the Inspector General Act of 1978 (5 U.S.C. App.).

(b) WAIVER.—The Inspector General may waive the notification requirement under this section with respect to any category or subset of allegations of misconduct.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed as affecting the authority of the Secretary of Homeland Security under the Inspector General Act of 1978 (5 U.S.C. App.).

SEC. 1110. OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES.

(a) IN GENERAL.—Section 705 of the Homeland Security Act of 2002 (6 U.S.C. 345) is amended—

(1) in the section heading, by striking ''**ESTABLISHMENT OF OFFICER FOR**'';

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Officer for Civil Rights and Civil Liberties'' and inserting ''Chief Civil Rights and Civil Liberties Officer''; and

(B) in paragraph (2), by inserting ''Chief'' before ''Officer'';

(3) by redesignating subsection (b) as subsection (d); and

(4) by inserting after subsection (a) the following:

''(b) OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES.—There is in the Department an Office for Civil Rights and Civil Liberties. Under the direction of the Chief Civil Rights and Civil Liberties Officer, the Office shall support the Chief Civil Rights and Civil Liberties Officer in the following:

''(1) Integrating civil rights and civil liberties into activities of the Department by conducting programs and providing policy advice and other technical assistance.

''(2) Investigating complaints and information indicating possible abuses of civil rights or civil liberties, unless the Inspector General of the Department determines that any such complaint or information should be investigated by the Inspector General.

''(3) Directing the Department's equal employment opportunity and diversity policies and programs, including complaint management and adjudication.

''(4) Communicating with individuals and communities whose civil rights and civil liberties may be affected by Department activities.

''(5) Any other activities as assigned by the Chief Civil Rights and Civil Liberties Officer.

''(c) COMPONENT CIVIL RIGHTS AND CIVIL LIBERTIES OFFICERS.—

''(1) IN GENERAL.—In consultation with the Chief Civil Rights and Civil Liberties Officer, the head of each component of the Department shall appoint a senior-level Federal employee with experience and background in civil rights and civil liberties as the Civil Rights and Civil Liberties Officer for the component.

''(2) RESPONSIBILITIES.—Each Civil Rights and Civil Liberties Officer appointed under paragraph (1) shall—

''(A) serve as the main point of contact for the Chief Civil Rights and Civil Liberties Officer; and

''(B) coordinate with the Chief Civil Rights and Civil Liberties Officer to oversee the integration of civil rights and civil liberties into the activities of the component.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 705 and inserting the following:

''Sec. 705. Civil Rights and Civil Liberties.''.

SEC. 1111. SCIENCE AND TECHNOLOGY.

(a) RESPONSIBILITIES OF THE UNDER SECRETARY FOR SCIENCE AND TECHNOLOGY.—

(1) DIRECTORATE FOR SCIENCE AND TECHNOLOGY.—Section 302 of the Homeland Security Act of 2002 (6 U.S.C. 182) is amended—

(A) in the matter preceding paragraph (1), by striking ''The Secretary, acting through the Under'' and inserting ''The Under''; and

(B) in paragraph (4), by striking ''and evaluation'' and inserting ''evaluation, and standards coordination and development''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 315(a)(2)(A) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking ''Directorate of Science and Technology and Homeland Security Advanced Research Projects Agency'' and inserting ''Directorate of Science and Technology and the Chief Scientist''.

(b) OFFICE OF THE CHIEF SCIENTIST.—

(1) IN GENERAL.—Section 307 of the Homeland Security Act of 2002 (6 U.S.C. 187) is amended—

(A) in the section heading, by striking ''**HOMELAND SECURITY ADVANCED RESEARCH PROJECTS AGENCY**'' and inserting ''**OFFICE OF THE CHIEF SCIENTIST**'';

(B) in subsection (a)—

(i) by striking paragraphs (1) and (3); and

(ii) by redesignating paragraphs (2) and (4) as paragraphs (1) and (2), respectively; and

(C) by striking subsections (b) and (c) and inserting the following:

''(b) OFFICE OF THE CHIEF SCIENTIST.—

''(1) ESTABLISHMENT.—There is established the Office of the Chief Scientist.

''(2) CHIEF SCIENTIST.—The Office of the Chief Scientist shall be headed by a Chief Scientist, who shall be appointed by the Secretary.

''(3) QUALIFICATIONS.—The Chief Scientist shall—

''(A) be appointed from among distinguished scientists with specialized training or significant experience in a field related to counterterrorism, traditional homeland security missions, or national defense; and

''(B) have earned an advanced degree at an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

''(4) RESPONSIBILITIES.—The Chief Scientist shall oversee all research and development to—

''(A) support basic and applied homeland security research to promote revolutionary changes in technologies that would promote homeland security;

''(B) advance the development, testing and evaluation, standards coordination and development, and deployment of critical homeland security technologies;

''(C) accelerate the prototyping and deployment of technologies that would address homeland security vulnerabilities;

''(D) promote the award of competitive, merit-reviewed grants, cooperative agreements or contracts to public or private entities, including business, federally funded research and development centers, and universities; and

''(E) oversee research and development for the purpose of advancing technology for the investigation of child exploitation crimes, including child victim identification, trafficking in persons, and child pornography, and for advanced forensics.

''(5) COORDINATION.—The Chief Scientist shall ensure that the activities of the Directorate for Testing and Evaluation of Science and Technology are coordinated with those of other relevant research agencies, and may oversee projects jointly with other agencies.

''(6) PERSONNEL.—In hiring personnel for the Science and Technology Directorate, the Secretary shall have the hiring and management authorities described in section 1599h of title 10, United States Code. The term of appointments for employees under subsection (c)(1) of that section may not exceed 5 years before the granting of any extension under subsection (c)(2) of that section.

''(7) DEMONSTRATIONS.—The Chief Scientist, periodically, shall hold homeland security technology demonstrations, pilots, field assessments, and workshops to improve contact among technology developers, vendors, component personnel, State, local, and tribal first responders, and acquisition personnel.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 307 and inserting the following:

''Sec. 307. Office of the Chief Scientist.''.

SEC. 1112. DEPARTMENT OF HOMELAND SECURITY ROTATION PROGRAM.

(a) ENHANCEMENTS TO THE ROTATION PROGRAM.—Section 844 of the Homeland Security Act of 2002 (6 U.S.C. 414) is amended—

(1) by striking ''(a) ESTABLISHMENT.—'';

(2) by redesignating paragraphs (1) through (5) as subsections (a) through (e), respectively, and adjusting the margins and the heading typeface accordingly;

(3) in subsection (a), as so redesignated—

(A) by striking ''Not later than 180 days after the date of enactment of this section, the'' and inserting ''The''; and

(B) by striking ''for employees of the Department'' and inserting ''for certain personnel within the Department'';

(4) in subsection (b), as so redesignated—

(A) by redesignating subparagraphs (A) through (G) as paragraphs (3) through (9), respectively, and adjusting the margins accordingly;

(B) by inserting before paragraph (3), as so redesignated, the following:

''(1) seek to foster greater departmental integration and unity of effort;

''(2) seek to help enhance the knowledge, skills, and abilities of participating personnel with respect to the programs, policies, and activities of the Department;'';

(C) in paragraph (4), as so redesignated, by striking ''middle and senior level''; and

(D) in paragraph (7), as so redesignated, by inserting before ''invigorate'' the following: ''seek to improve morale and retention throughout the Department and'';

(5) in subsection (c), as redesignated by paragraph (2)—

(A) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and adjusting the margins accordingly; and

(B) in paragraph (2), as so redesignated—

(i) by striking clause (iii); and

(ii) by redesignating clauses (i), (ii), and (iv) through (viii) as subparagraphs (A) through (G), respectively, and adjusting the margins accordingly;

(6) by redesignating subsections (d) and (e), as redesignated by paragraph (2), as subsections (e) and (f), respectively;

(7) by inserting after subsection (c) the following new subsection:

''(d) ADMINISTRATIVE MATTERS.—In carrying out the Rotation Program the Secretary shall—

''(1) before selecting employees for participation in the Rotation Program, disseminate information broadly within the Department about the availability of the Rotation Program, qualifications for participation in the Rotation Program, including full-time employment within the employing component or office not less than 1 year, and the general provisions of the Rotation Program;

''(2) require as a condition of participation in the Rotation Program that an employee—

''(A) is nominated by the head of the component or office employing the employee; and

''(B) is selected by the Secretary, or the Secretary's designee, solely on the basis of relative ability, knowledge, and skills, after fair and open competition that assures that all candidates receive equal opportunity;

''(3) ensure that each employee participating in the Rotation Program shall be entitled to return, within a reasonable period of time after the end of the period of participation, to the position held by the employee, or a corresponding or higher position, in the component or office that employed the employee prior to the participation of the employee in the Rotation Program;

''(4) require that the rights that would be available to the employee if the employee were detailed from the employing component or office to another Federal agency or office remain available to the employee during the employee participation in the Rotation Program; and

''(5) require that, during the period of participation by an employee in the Rotation Program, performance evaluations for the employee—

''(A) shall be conducted by officials in the office or component employing the employee with input from the supervisors of the employee at the component or office in which the employee is placed during that period; and

''(B) shall be provided the same weight with respect to promotions and other rewards as performance evaluations for service in the office or component employing the employee.''; and

(8) by adding at the end the following:

''(g) INTELLIGENCE ROTATIONAL ASSIGNMENT PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary shall establish an Intelligence Rotational Assignment Program as part of the Rotation Program under subsection (a).

''(2) ADMINISTRATION.—The Chief Human Capital Officer, in conjunction with the Chief Intelligence Officer, shall administer the Intelligence Rotational Assignment Program established pursuant to paragraph (1).

''(3) ELIGIBILITY.—The Intelligence Rotational Assignment Program established pursuant to paragraph (1) shall be open to employees serving in existing analyst positions within the Department's intelligence enterprise and other Department employees as determined appropriate by the Chief Human Capital Officer and the Chief Intelligence Officer.

''(4) COORDINATION.—The responsibilities specified in subsection (c)(2) that apply to the Rotation Program under such subsection shall, as applicable, also apply to the Intelligence Rotational Assignment Program under this subsection.

''(h) EVALUATION.—The Chief Human Capital Officer, acting through the Under Secretary for Management, shall—

''(1) perform regular evaluations of the Homeland Security Rotation Program; and

''(2) not later than 90 days after the end of each fiscal year, submit to the Secretary a report detailing the findings of the evaluations under paragraph (1) during that fiscal year, which shall include—

''(A) an analysis of the extent to which the program meets the goals under subsection (b);

''(B) feedback from participants in the program, including the extent to which rotations have enhanced their performance in their current role and opportunities to improve the program;

''(C) aggregated information about program participants; and

''(D) a discussion of how rotations can be aligned with the needs of the Department with respect to employee training and mission needs.''.

(b) CONGRESSIONAL NOTIFICATION AND OVERSIGHT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall provide to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate information about the status of the Homeland Security Rotation Program authorized by section 844 of the Homeland Security Act of 2002, as amended by subsection (a) of this section.

SEC. 1113. FUTURE YEARS HOMELAND SECURITY PROGRAM.

(a) IN GENERAL.—Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 454) is amended—

(1) in the section heading, by striking ''**YEAR**'' and inserting ''**YEARS**'';

(2) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary 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 (referred to in this section as the 'appropriate committees') a Future Years Homeland Security Program that covers the fiscal year for which the budget is submitted and the 4 succeeding fiscal years.''; and

(3) by striking subsection (c) and inserting the following new subsections:

''(c) PROJECTION OF ACQUISITION ESTIMATES.—On and after February 1, 2019, each Future Years Homeland Security Program shall project—

''(1) acquisition estimates for the fiscal year for which the budget is submitted and the 4 succeeding fiscal years, with specified estimates for each fiscal year, for all major acquisitions by the Department and each component of the Department; and

''(2) estimated annual deployment schedules for all physical asset major acquisitions over the 5-fiscal-year period described in paragraph (1), estimated costs and number of service contracts, and the full operating capability for all information technology major acquisitions.

''(d) SENSITIVE AND CLASSIFIED INFORMATION.—The Secretary may include with each Future Years Homeland Security Program a classified or other appropriately controlled document containing information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law or Executive order.

''(e) AVAILABILITY OF INFORMATION TO THE PUBLIC.—The Secretary shall make available to the public in electronic form the information required to be submitted to the appropriate committees under this section, other than information described in subsection (d).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 874 and inserting the following:

''Sec. 874. Future Years Homeland Security Program.''.

SEC. 1114. FIELD EFFICIENCIES PLAN.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and Committee on Homeland Security and Governmental Affairs of the Senate a field efficiencies plan that—

(1) examines the facilities and administrative and logistics functions of components of the Department of Homeland Security located within designated geographic areas; and

(2) provides specific recommendations and an associated cost-benefit analysis for the consolidation of the facilities and administrative and logistics functions of components of the Department of Homeland Security within each designated geographic area.

(b) CONTENTS.—The field efficiencies plan submitted under subsection (a) shall include the following:

(1) An accounting of leases held by the Department of Homeland Security or the components of the Department of Homeland Security that have expired in the current fiscal year or will be expiring in the next fiscal year, that have begun or been renewed in the current fiscal year, or that the Department of Homeland Security or the components of the Department of Homeland Security plan to sign or renew in the next fiscal year.

(2) For each designated geographic area:

(A) An evaluation of specific facilities at which components, or operational entities of components, of the Department of Homeland Security may be closed or consolidated, including consideration of when leases expire or facilities owned by the Government become available.

(B) An evaluation of potential consolidation with facilities of other Federal, State, or local entities, including—

(i) offices;

(ii) warehouses;

(iii) training centers;

(iv) housing;

(v) ports, shore facilities, and airfields;

(vi) laboratories;

(vii) continuity of government facilities; and

(viii) other assets as determined by the Secretary.

(C) An evaluation of the potential for the consolidation of administrative and logistics functions, including—

(i) facility maintenance;

(ii) fleet vehicle services;

(iii) mail handling and shipping and receiving;

(iv) facility security;

(v) procurement of goods and services;

(vi) information technology and telecommunications services and support; and

(vii) additional ways to improve unity of effort and cost savings for field operations and related support activities as determined by the Secretary.

(3) An implementation plan, including—

(A) near-term actions that can co-locate, consolidate, or dispose of property within 24 months;

(B) identifying long-term occupancy agreements or leases that cannot be changed without a significant cost to the Government; and

(C) how the Department of Homeland Security can ensure it has the capacity, in both personnel and funds, needed to cover upfront costs to achieve consolidation and efficiencies.

(4) An accounting of any consolidation of the real estate footprint of the Department or any component of the Department, including the co-location of personnel from different components, offices, and agencies within the Department.

SEC. 1115. MANAGEMENT.

(a) SUBMISSION TO CONGRESS OF INFORMATION REGARDING REPROGRAMMING OR TRANSFER OF DEPARTMENT OF HOMELAND SECURITY RESOURCES TO RESPOND TO OPERATIONAL SURGES.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by section 1108, is amended by adding at the end the following:

''SEC. 711. ANNUAL SUBMITTAL TO CONGRESS OF INFORMATION ON REPROGRAMMING OR TRANSFERS OF FUNDS TO RESPOND TO OPERATIONAL SURGES.

''For each fiscal year until fiscal year 2023, the Secretary shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, together with the annual budget request for the Department, information on—

''(1) any circumstance during the fiscal year covered by the report in which the Secretary exercised the authority to reprogram or transfer funds to address unforeseen costs, including costs associated with operational surges; and

''(2) any circumstance in which any limitation on the transfer or reprogramming of funds affected the ability of the Secretary to address such unforeseen costs.''.

(b) LONG TERM REAL PROPERTY STRATEGIES.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by subsection (a), is amended by adding at the end the following:

''SEC. 712. CHIEF FACILITIES AND LOGISTICS OFFICER.

''(a) IN GENERAL.—There is a Chief Facilities and Logistics Officer of the Department who shall report directly to the Under Secretary for Management. The Chief Facilities and Logistics Officer shall be career reserved for a member of the senior executive service.

''(b) RESPONSIBILITIES.—The Chief Facilities and Logistics Officer shall—

''(1) develop policies and procedures and provide program oversight to manage real property, facilities, environmental and energy programs, personal property, mobile assets, equipment, and other material resources of the Department;

''(2) manage and execute, in consultation with the component heads, mission support services within the National Capital Region for real property, facilities, environmental and energy programs, and other common headquarters and field activities for the Department; and

''(3) provide tactical and transactional services for the Department in the National Capital Region, including transportation, facility operations, and maintenance.

''SEC. 713. LONG TERM REAL PROPERTY STRATEGIES.

''(a) IN GENERAL.—

''(1) FIRST STRATEGY.—Not later than 180 days after the date of enactment of this section, the Under Secretary for Management, in consultation with the Administrator of General Services, shall develop an initial 5-year regional real property strategy for the Department that covers the 5-fiscal-year period immediately following such date of enactment. Such strategy shall be geographically organized, as designated by the Under Secretary for Management.

''(2) SECOND STRATEGY.—Not later than the first day of the fourth fiscal year covered by the first strategy under paragraph (1), the Under Secretary for Management, in consultation with the Administrator of General Services, shall develop a second 5-year real property strategy for the Department that covers the 5 fiscal years immediately following the conclusion of the first strategy.

''(b) REQUIREMENTS.—

''(1) INITIAL STRATEGY.—The initial 5-year strategy developed in accordance with subsection (a)(1) shall—

''(A) identify opportunities to consolidate real property, optimize the usage of Federal assets, and decrease the number of commercial leases and square footage within the Department's real property portfolio;

''(B) provide alternate housing and consolidation plans to increase efficiency through joint use of Department spaces while decreasing the cost of leased space;

''(C) concentrate on geographical areas with a significant Department presence, as identified by the Under Secretary for Management;

''(D) examine the establishment of central Department locations in each such geographical region and the co-location of Department components based on the mission sets and responsibilities of such components;

''(E) identify opportunities to reduce overhead costs through co-location or consolidation of real property interests or mission support activities, such as shared mail screening and processing, centralized transportation and shuttle services, regional transit benefit programs, common contracting for custodial and other services, and leveraging strategic sourcing contracts and sharing of specialized facilities, such as training facilities and resources;

''(F) manage the current Department Workspace Standard for Office Space in accordance with the Department office workspace design process to develop the most efficient and effective spaces within the workspace standard usable square foot ranges for all leased for office space entered into on or after the date of the enactment of this section, including the renewal of any leases for office space existing as of such date;

''(G) define, based on square footage, what constitutes a major real property acquisition;

''(H) prioritize actions to be taken to improve the operations and management of the Department's real property inventory, based on life-cycle cost estimations, in consultation with component heads;

''(I) include information on the headquarters consolidation project of the Department, including—

''(i) an updated list of the components and offices to be included in the project;

''(ii) a comprehensive assessment of the current and future real property required by the Department at the site; and

''(iii) updated cost and schedule estimates; and

''(J) include any additional information determined appropriate or relevant by the Under Secretary for Management.

''(2) SECOND STRATEGY.—The second 5-year strategy developed in accordance with subsection (a)(2) shall include information required in subparagraphs (A), (B), (C), (E), (F), (G), (H), (I), and (J) of paragraph (1) and information on the effectiveness of implementation efforts pursuant to the Department-wide policy required in accordance with subsection (c), including—

''(A) the impact of such implementation on departmental operations and costs; and

''(B) the degree to which the Department established central Department locations and co-located Department components pursuant to the results of the examination required by paragraph (1)(D).

''(c) IMPLEMENTATION POLICIES.—Not later than 90 days after the development of each of the regional real property strategies developed in accordance with subsection (a), the Under Secretary for Management shall develop or update, as applicable, a Department-wide policy implementing such strategies.

''(d) CERTIFICATIONS.—Subject to subsection (g)(3), the implementation policies developed pursuant to subsection (c) shall require component heads to certify to the Under Secretary for Management that such heads have complied with the requirements specified in subsection (b) before making any major real property decision or recommendation, as defined by the Under Secretary, including matters related to new leased space, renewing any existing leases, or agreeing to extend or newly occupy any Federal space or new construction, in accordance with the applicable regional real property strategy developed in accordance with subsection (a).

''(e) UNDERUTILIZED SPACE.—

''(1) IN GENERAL.—The implementation policies developed pursuant to subsection (c) shall require component heads, acting through regional property managers under subsection (f), to annually report to the Under Secretary for Management on underutilized space and identify space that may be made available for use, as applicable, by other components or Federal agencies.

''(2) EXCEPTION.—The Under Secretary for Management may grant an exception to the workspace standard usable square foot ranges described in subsection (b)(1)(F) for specific office locations at which a reduction or elimination of otherwise underutilized space would negatively impact a component's ability to execute its mission based on readiness performance measures or would increase the cost of such space.

''(3) UNDERUTILIZED SPACE DEFINED.—In this subsection, the term 'underutilized space' means any space with respect to which utilization is greater than the workplace standard usable square foot ranges described in subsection (b)(1)(F).

''(f) COMPONENT RESPONSIBILITIES.—

''(1) REGIONAL PROPERTY MANAGERS.—Each component head shall identify a senior career employee of each such component for each geographic region included in the regional real property strategies developed in accordance with subsection (a) to serve as each such component's regional property manager. Each such regional property manager shall serve as a single point of contact for Department headquarters and other Department components for all real property matters relating to each such component within the region in which each such component is located, and provide data and any other support necessary for the Department of Homeland Security Regional Mission Support Coordinator strategic asset and portfolio planning and execution.

''(2) DATA.—Regional property managers under paragraph (1) shall provide annually to the Under Secretary for Management, via a standardized and centralized system, data on each component's real property holdings, as specified by the Undersecretary for Management, including relating to underutilized space under subsection (e) (as such term is defined in such subsection), total square footage leased, annual cost, and total number of staff, for each geographic region included in the regional real property strategies developed in accordance with subsection (a).

''(g) ONGOING OVERSIGHT.—

''(1) IN GENERAL.—The Under Secretary for Management shall monitor components' adherence to the regional real property strategies developed in accordance with subsection (a) and the implementation policies developed pursuant to subsection (c).

''(2) ANNUAL REVIEW.—The Under Secretary for Management shall annually review the data submitted pursuant to subsection (f)(2) to ensure all underutilized space (as such term is defined in subsection (e)) is properly identified.

''(3) CERTIFICATION REVIEW.—The Under Secretary for Management shall review, and if appropriate, approve, component certifications under subsection (d) before such components may make any major real property decision, including matters related to new leased space, renewing any existing leases, or agreeing to extend or newly occupy any Federal space or new construction, in accordance with the applicable regional real property strategy developed in accordance with subsection (a).

''(4) CONGRESSIONAL REPORTING.—The Under Secretary for Management shall annually provide information to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Inspector General of the Department on the real property portfolio of the Department, including information relating to the following:

''(A) A summary of the Department's real property holdings in each region described in the regional strategies developed in accordance with subsection (a), and for each such property, information including the total square footage leased, the total cost, the total number of staff at each such property, and the square foot per person utilization rate for office space (and whether or not it conforms with the workspace standard usable square foot ranges established described in subsection (b)(1)(F)).

''(B) An accounting of all underutilized space (as such term is defined in subsection (e)).

''(C) An accounting of all instances in which the Department or its components consolidated their real property holdings or co-located with another entity within the Department.

''(D) A list of all certifications provided pursuant to subsection (d) and all such certifications approved pursuant to paragraph (3) of this subsection.

''(5) INSPECTOR GENERAL REVIEW.—Not later than 120 days after the last day of the fifth

fiscal year covered in each of the initial and second regional real property strategies developed in accordance with subsection (a), the Inspector General of the Department shall review the information submitted pursuant to paragraph (4) and issue findings regarding the effectiveness of the implementation of the Department-wide policy and oversight efforts of the management of real property facilities, personal property, mobile assets, equipment and the Department's other material resources as required under this section.''.

(c) REPORTING.—The Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate copies of the regional strategies developed in accordance with section 713(a) of the Homeland Security Act of 2002, as added by this Act, not later than 90 days after the date of the development of each such strategy.

(d) RULES OF CONSTRUCTION.—Nothing in this Act or an amendment made by this Act shall be construed to effect, modify, or supersede—

(1) the responsibility of agencies for management of their real property holdings pursuant to title 40 of the United States Code; or

(2) the reporting requirements included in the Department of Homeland Security Headquarters Consolidation Accountability Act of 2015 (Public Law 114–150; 130 Stat. 366).

(e) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1108, is amended by inserting after the item relating to section 710 the following:

''Sec. 711. Annual submittal to Congress of information on reprogramming or transfers of funds to respond to operational surges.

''Sec. 712. Chief Facilities and Logistics Officer.

''Sec. 713. Long term real property strategies.''.

SEC. 1116. REPORT TO CONGRESS ON COST SAVINGS AND EFFICIENCY.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the congressional homeland security committees (as defined in section 2 of the Homeland Security Act of 2002, as amended by this Act) a report that includes each of the following:

(1) A detailed accounting of the management and administrative expenditures and activities of each component of the Department of Homeland Security and identifies potential cost savings, avoidances, and efficiencies for those expenditures and activities.

(2) An examination of major physical assets of the Department of Homeland Security, as defined by the Secretary of Homeland Security.

(3) A review of the size, experience level, and geographic distribution of the operational personnel of the Department of Homeland Security.

(4) Recommendations for adjustments in the management and administration of the Department of Homeland Security that would reduce deficiencies in the capabilities of the Department of Homeland Security, reduce costs, and enhance efficiencies.

(b) FORM OF REPORT.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1117. COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE.

(a) IN GENERAL.—Title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.) is amended—

(1) in the title heading, by striking ''**DOMESTIC NUCLEAR DETECTION OFFICE**'' and inserting ''**COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE**'';

(2) by striking section 1901 and inserting the following:

''SEC. 1900. DEFINITIONS.

''In this title:

''(1) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary for the Countering Weapons of Mass Destruction Office.

''(2) OFFICE.—The term 'Office' means the Countering Weapons of Mass Destruction Office established under section 1901(a).

''(3) WEAPON OF MASS DESTRUCTION.—The term 'weapon of mass destruction' has the meaning given the term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

''Subtitle A—Countering Weapons of Mass Destruction Office'';

''SEC. 1901. COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE.

''(a) ESTABLISHMENT.—There is established in the Department a Countering Weapons of Mass Destruction Office.

''(b) ASSISTANT SECRETARY.—The Office shall be headed by an Assistant Secretary for the Countering Weapons of Mass Destruction Office, who shall be appointed by the President.

''(c) RESPONSIBILITIES.—The Assistant Secretary shall serve as the Secretary's principal advisor on—

''(1) weapons of mass destruction matters and strategies; and

''(2) coordinating the efforts to counter weapons of mass destruction.'';

(3) by adding at the end the following:

''Subtitle B—Mission of the Office

''SEC. 1921. MISSION OF THE OFFICE.

''The Office shall be responsible for coordinating with other Federal efforts and developing departmental strategy and policy to plan, detect, or protect against the importation, possession, storage, transportation, development, or use of unauthorized chemical, biological, radiological, or nuclear materials, devices, or agents, in the United States and to protect against an attack using such materials, devices, or agents against the people, territory, or interests of the United States.

''SEC. 1922. RELATIONSHIP TO OTHER DEPARTMENT ENTITIES AND FEDERAL AGENCIES.

''(a) IN GENERAL.—The authority of the Assistant Secretary under this title shall neither affect nor diminish the authority or the responsibility of any officer of the Department or of any officer of any other department or agency of the United States with respect to the command, control, or direction of the functions, personnel, funds, assets, and liabilities of any entity within the Department or any Federal department or agency.

''(b) FEDERAL EMERGENCY MANAGEMENT AGENCY.—Nothing in this title or any other provision of law may be construed to affect or reduce the responsibilities of the Federal Emergency Management Agency or the Administrator of the Agency, including the diversion of any asset, function, or mission of the Agency or the Administrator of the Agency.'';

(4) by striking section 1905;

(5) by redesignating sections 1902, 1903, 1904, 1906, and 1907 as sections 1923, 1924, 1925, 1926, and 1927, respectively, and transferring such sections to appear after section 1922, as added by paragraph (3);

(6) in section 1923, as so redesignated—

(A) in the section heading by striking ''**MISSION OF OFFICE**'' and inserting ''**RESPONSIBILITIES**''; and

(B) in subsection (a)(11), by striking ''Domestic Nuclear Detection Office'' and inserting ''Countering Weapons of Mass Destruction Office'';

(7) in section 1925(a), as so redesignated, by striking ''section 1902'' and inserting ''section 1923'';

(8) in section 1926, as so redesignated—

(A) by striking ''section 1902(a)'' each place it appears and inserting ''section 1923(a)''; and

(B) in the matter preceding paragraph (1), by striking ''Director for Domestic Nuclear Detection'' and inserting ''Assistant Secretary for the Countering Weapons of Mass Destruction Office''; and

(9) in section 1927, as so redesignated—

(A) in subsection (a)(1)(C), in the matter preceding clause (i), by striking ''Director of the Domestic Nuclear Detection Office'' and inserting ''Assistant Secretary for the Countering Weapons of Mass Destruction Office''; and

(B) in subsection (c), by striking ''section 1902'' and inserting ''section 1923''.

(b) REFERENCES AND CONSTRUCTION.—

(1) IN GENERAL.—Any reference in law, regulation, document, paper, or other record of the United States to—

(A) the Domestic Nuclear Detection Office shall be deemed to be a reference to the Countering Weapons of Mass Destruction Office; and

(B) the Director for Domestic Nuclear Detection shall be deemed to be a reference to the Assistant Secretary for the Countering Weapons of Mass Destruction Office.

(2) CONSTRUCTION.—Sections 1923 through 1927 of the Homeland Security Act of 2002, as so redesignated by subsection (a), shall be construed to cover the chemical and biological responsibilities of the Assistant Secretary for the Countering Weapons of Mass Destruction Office.

(3) AUTHORITY.—The authority of the Director of the Domestic Nuclear Detection Office to make grants is transferred to the Assistant Secretary for the Countering Weapons of Mass Destruction, and such authority shall be construed to include grants for all purposes of title XIX of the Homeland Security Act of 2002, as amended by this Act.

(c) CHIEF MEDICAL OFFICER.—

(1) REPEAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by striking section 516.

(2) AMENDMENT.—Title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), as amended by subsection (a), is amended by adding at the end the following:

''Subtitle C—Chief Medical Officer

''SEC. 1931. CHIEF MEDICAL OFFICER.

''(a) IN GENERAL.—There is in the Department a Chief Medical Officer, who shall be appointed by the Secretary. The Chief Medical Officer shall report to the Assistant Secretary.

''(b) QUALIFICATIONS.—The individual appointed as Chief Medical Officer shall be a licensed physician possessing a demonstrated ability in and knowledge of medicine and public health.

''(c) RESPONSIBILITIES.—The Chief Medical Officer shall have the responsibility within the Department for medical issues related to natural disasters, acts of terrorism, and other man-made disasters including—

''(1) serving as the principal advisor to the Secretary, the Assistant Secretary, and other Department officials on medical and public health issues;

''(2) providing operational medical support to all components of the Department;

''(3) as appropriate provide medical liaisons to the components of the Department, on a reimbursable basis, to provide subject matter expertise on operational medical issues;

''(4) coordinating with State, local, and tribal governments, the medical community, and others within and outside the Department, including the Department of Health and Human Services Centers for Disease Control, with respect to medical and public health matters; and

''(5) performing such other duties relating to such responsibilities as the Secretary may require.''.

(3) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 516.

(d) WORKFORCE HEALTH AND MEDICAL SUPPORT.—

(1) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by section 1115, is amended by adding at the end the following:

''SEC. 714. WORKFORCE HEALTH AND MEDICAL SUPPORT.

''(a) IN GENERAL.—The Under Secretary for Management shall be responsible for workforce-focused health and medical activities of the Department. The Under Secretary for Management may further delegate these responsibilities as appropriate.

''(b) RESPONSIBILITIES.—The Under Secretary for Management, in coordination with the Chief Medical Officer, shall—

''(1) provide oversight and coordinate the medical and health activities of the Department for the human and animal personnel of the Department;

''(2) establish medical, health, veterinary, and occupational health exposure policy, guidance, strategies, and initiatives for the human and animal personnel of the Department;

''(3) as deemed appropriate by the Under Secretary, provide medical liaisons to the components of the Department, on a reimbursable basis, to provide subject matter expertise on occupational medical and public health issues;

''(4) serve as the primary representative for the Department on agreements regarding the detail of Department of Health and Human Services Public Health Service Commissioned Corps Officers to the Department, except that components and offices of the Department shall retain authority for funding, determination of specific duties, and supervision of Commissioned Corps officers detailed to a Department component; and

''(5) perform such other duties relating to such responsibilities as the Secretary may require.''.

(e) TRANSFERS; ABOLISHMENT.—

(1) TRANSFERS.—The Secretary of Homeland Security shall transfer—

(A) to the Countering Weapons of Mass Destruction Office all functions, personnel, budget authority, and assets of—

(i) the Domestic Nuclear Detection Office, as in existence on the day before the date of enactment of this Act; and

(ii) the Office of Health Affairs, as in existence on the day before the date of enactment of this Act, other than the functions, personnel, budget authority, and assets of such office necessary to perform the functions of section 714 of the Homeland Security Act of 2002, as added by this Act; and

(B) to the Directorate of Management all functions, personnel, budget authority, and assets of the Office of Health Affairs, as in existence on the day before the date of enactment of this Act, that are necessary to perform the functions of section 714 of the Homeland Security Act of 2002, as added by this Act.

(2) ABOLISHMENT.—Upon completion of all transfers pursuant to paragraph (1)—

(A) the Domestic Nuclear Detection Office of the Department of Homeland Security and the Office of Health Affairs of the Department of Homeland Security are abolished;

(B) the positions of Assistant Secretary for Health Affairs and Director for Domestic Nuclear Detection are abolished.

(f) CONFORMING AMENDMENTS.—

(1) OTHER OFFICERS.—Section 103(d) of the Homeland Security Act of 2002 (6 U.S.C. 113(d)) is amended—

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4).

(2) NATIONAL BIOSURVEILLANCE INTEGRATION CENTER.—Section 316(a) of the Homeland Security Act of 2002 (6 U.S.C. 195b(a)) is amended by striking ''Secretary shall'' and inserting ''Secretary, acting through the Assistant Secretary for the Countering Weapons of Mass Destruction Office, shall''.

(3) INTERNATIONAL COOPERATION.—Section 317(f) of the Homeland Security Act of 2002 (6 U.S.C. 195c(f)) is amended by striking ''the Chief Medical Officer,'' and inserting ''the Assistant Secretary for the Countering Weapons of Mass Destruction Office,''.

(4) FUNCTIONS TRANSFERRED.—Section 505(b) of the Homeland Security Act of 2002 (6 U.S.C. 315(b)) is amended—

(A) by striking paragraph (4);

(B) by redesignating paragraph (5) as paragraph (4); and

(C) in paragraph (4), as so redesignated, by striking ''through (4)'' and inserting ''through (3)''.

(5) COORDINATION OF DEPARTMENT OF HOMELAND SECURITY EFFORTS RELATED TO FOOD, AGRICULTURE, AND VETERINARY DEFENSE AGAINST TERRORISM.—Section 528(a) of the Homeland Security Act of 2002 (6 U.S.C. 321q(a)) is amended by striking ''Health Affairs,'' and inserting ''the Countering Weapons of Mass Destruction Office,''.

(g) DEPARTMENT OF HOMELAND SECURITY CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND NUCLEAR ACTIVITIES.—Not later than 1 year after the date of enactment of this Act and once every year thereafter, the Secretary of Homeland Security shall provide a briefing and report to the appropriate congressional committees (as defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) on—

(1) the organization and management of the chemical, biological, radiological, and nuclear activities of the Department of Homeland Security, including research and development activities, and the location of each activity under the organizational structure of the Countering Weapons of Mass Destruction Office;

(2) a comprehensive inventory of chemical, biological, radiological, and nuclear activities, including research and development activities, of the Department of Homeland Security, highlighting areas of collaboration between components, coordination with other agencies, and the effectiveness and accomplishments of consolidated chemical, biological, radiological, and nuclear activities of the Department of Homeland Security, including research and development activities;

(3) information relating to how the organizational structure of the Countering Weapons of Mass Destruction Office will enhance the development of chemical, biological, radiological, and nuclear priorities and capabilities across the Department of Homeland Security;

(4) a discussion of any resulting cost savings and efficiencies gained through activities described in paragraphs (1) and (2); and

(5) recommendations for any necessary statutory changes, or, if no statutory changes are necessary, an explanation of why no statutory or organizational changes are necessary.

(h) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by subsection (b), is amended—

(1) by inserting after the item relating to section 713 the following:

''Sec. 714. Workforce health and medical support.'';

and

(2) by striking the item relating to title XIX (including items relating to section 1901 through section 1907) and inserting the following:

''TITLE XIX—COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

''Sec. 1900. Definitions.

''Subtitle A—Countering Weapons of Mass Destruction Office

''Sec. 1901. Countering Weapons of Mass Destruction Office.

''Subtitle B—Mission of the Office

''Sec. 1921. Mission of the Office.

''Sec. 1922. Relationship to other department entities and Federal agencies.

''Sec. 1923. Responsibilities.

''Sec. 1924. Hiring authority.

''Sec. 1925. Testing authority.

''Sec. 1926. Contracting and grant making authorities.

''Sec. 1927. Joint annual interagency review of global nuclear detection architecture.

''Subtitle C—Chief Medical Officer

''Sec. 1931. Chief Medical Officer.''.

(i) SUNSET.—

(1) DEFINITION.—In this subsection, the term ''sunset date'' means the date that is 5 years after the date of enactment of this Act.

(2) AMENDMENTS.—Effective on the sunset date:

(A) Title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.) is amended—

(i) in the title heading, by striking ''**COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE**'' and inserting ''**DOMESTIC NUCLEAR DETECTION OFFICE**'';

(ii) by striking section 1900 and all that follows through the end of section 1901 and inserting the following:

''SEC. 1901. DOMESTIC NUCLEAR DETECTION OFFICE.

''(a) ESTABLISHMENT.—There shall be established in the Department a Domestic Nuclear Detection Office (referred to in this title as the 'Office'). The Secretary may request that the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Attorney General, the Nuclear Regulatory Commission, and the directors of other Federal agencies, including elements of the Intelligence Community, provide for the reimbursable detail of personnel with relevant expertise to the Office.

''(b) DIRECTOR.—The Office shall be headed by a Director for Domestic Nuclear Detection, who shall be appointed by the President.'';

(iii) by redesignating sections 1923, 1924, 1925, 1926, and 1927 as sections 1902, 1903, 1904, 1906, and 1907, respectively, and transferring such sections to appear after section 1901, as added by clause (ii);

(iv) in section 1902, as so redesignated—

(I) in the section heading by striking ''**RESPONSIBILITIES**'' and inserting ''**MISSION OF OFFICE**''; and

(II) in subsection (a)(11), by striking ''Countering Weapons of Mass Destruction

Office'' and inserting ''Domestic Nuclear Detection Office'';

(v) in section 1904(a), as so redesignated, by striking ''section 1923'' and inserting ''section 1902'';

(vi) by inserting after section 1904, as redesignated and transferred by clause (iii), the following:

''SEC. 1905. RELATIONSHIP TO OTHER DEPARTMENT ENTITIES AND FEDERAL AGENCIES.

''The authority of the Director under this title shall not affect the authorities or responsibilities of any officer of the Department or of any officer of any other department or agency of the United States with respect to the command, control, or direction of the functions, personnel, funds, assets, and liabilities of any entity within the Department or any Federal department or agency.'';

(vii) in section 1906, as so redesignated—

(I) by striking ''section 1923(a)'' each place it appears and inserting ''section 1902(a)''; and

(II) in the matter preceding paragraph (1), by striking ''Assistant Secretary for the Countering Weapons of Mass Destruction Office'' and inserting ''Director for Domestic Nuclear Detection''; and

(viii) in section 1907, as so redesignated—

(I) in subsection (a)(1)(C), in the matter preceding clause (i), by striking ''Assistant Secretary for the Countering Weapons of Mass Destruction Office'' and inserting ''Director of the Domestic Nuclear Detection Office''; and

(II) in subsection (c), by striking ''section 1923'' and inserting ''section 1902''; and

(ix) by striking the heading for subtitle B and all that follows through the end of section 1931.

(B) Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by inserting after section 515 the following:

''SEC. 516. CHIEF MEDICAL OFFICER.

''(a) IN GENERAL.—There is in the Department a Chief Medical Officer, who shall be appointed by the President.

''(b) QUALIFICATIONS.—The individual appointed as Chief Medical Officer shall possess a demonstrated ability in and knowledge of medicine and public health.

''(c) RESPONSIBILITIES.—The Chief Medical Officer shall have the primary responsibility within the Department for medical issues related to natural disasters, acts of terrorism, and other man-made disasters, including—

''(1) serving as the principal advisor to the Secretary and the Administrator on medical and public health issues;

''(2) coordinating the biodefense activities of the Department;

''(3) ensuring internal and external coordination of all medical preparedness and response activities of the Department, including training, exercises, and equipment support;

''(4) serving as the Department's primary point of contact with the Department of Agriculture, the Department of Defense, the Department of Health and Human Services, the Department of Transportation, the Department of Veterans Affairs, and other Federal departments or agencies, on medical and public health issues;

''(5) serving as the Department's primary point of contact for State, local, and tribal governments, the medical community, and others within and outside the Department, with respect to medical and public health matters;

''(6) discharging, in coordination with the Under Secretary for Science and Technology, the responsibilities of the Department related to Project Bioshield; and

''(7) performing such other duties relating to such responsibilities as the Secretary may require.''.

(C) Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by striking section 714.

(D) Section 103(d) of the Homeland Security Act of 2002 (6 U.S.C. 113(d)) is amended—

(i) by redesignating paragraph (4) as paragraph (5); and

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

''(4) A Director for Domestic Nuclear Detection.''.

(E) Section 316(a) of the Homeland Security Act of 2002 (6 U.S.C. 195b(a)) is amended by striking '', acting through the Assistant Secretary for the Countering Weapons of Mass Destruction Office,''.

(F) Section 317(f) of the Homeland Security Act of 2002 (6 U.S.C. 195c(f)) is amended by striking ''the Assistant Secretary for the Countering Weapons of Mass Destruction Office,'' and inserting ''the Chief Medical Officer,''.

(G) Section 505(b) of the Homeland Security Act of 2002 (6 U.S.C. 315(b)) is amended—

(i) by redesignating paragraph (4) as paragraph (5);

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

''(4) The Office of the Chief Medical Officer.''; and

(iii) in paragraph (5), as so redesignated, by striking ''through (3)'' and inserting ''through (4)''.

(H) Section 528(a) of the Homeland Security Act of 2002 (6 U.S.C. 321q(a)) is amended by striking ''Health Affairs,'' and inserting ''the Countering Weapons of Mass Destruction Office,''.

(I) The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended—

(i) by inserting after the item relating to section 515 the following:

''Sec. 516. Chief medical officer.'';

(ii) by striking the item relating to section 714; and

(iii) by striking the item relating to title XIX (including items relating to section 1900 through section 1931) and inserting the following:

''TITLE XIX—DOMESTIC NUCLEAR DETECTION OFFICE

''Sec. 1901. Domestic Nuclear Detection Office.
''Sec. 1902. Mission of Office.
''Sec. 1903. Hiring authority.
''Sec. 1904. Testing authority.
''Sec. 1905. Relationship to other Department entities and Federal agencies.
''Sec. 1906. Contracting and grant making authorities.
''Sec. 1907. Joint annual interagency review of global nuclear detection architecture.''.

(3) THIS ACT.—Effective on the sunset date, subsections (a) through (h) of this section, and the amendments made by such subsections, shall have no force or effect.

(4) TRANSFERS; ABOLISHMENT.—

(A) TRANSFERS.—The Secretary of Homeland Security shall transfer—

(i) to the Domestic Nuclear Detection Office, all functions, personnel, budget authority, and assets of the Countering Weapons of Mass Destruction Office, as in existence on the day before the sunset date, except for the functions, personnel, budget authority, and assets that were transferred to the Countering Weapons of Mass Destruction Office under subsection (e)(1)(A)(i); and

(ii) to the Office of Health Affairs, the functions, personnel, budget authority, and assets that were transferred to the Countering Weapons of Mass Destruction Office under subsection (e)(1)(A)(ii) or to the Directorate of Management under subsection (e)(1)(B).

(B) ABOLISHMENT.—Upon completion of all transfers pursuant to subparagraph (A)—

(i) the Countering Weapons of Mass Destruction Office of the Department of Homeland Security is abolished; and

(ii) the position of Assistant Secretary for the Countering Weapons of Mass Destruction Office is abolished.

SEC. 1118. ACTIVITIES RELATED TO INTERNATIONAL AGREEMENTS; ACTIVITIES RELATED TO CHILDREN.

Section 708(c) of the Homeland Security Act of 2002, as so redesignated by section 1142 of this Act, is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(2) by inserting after paragraph (5) the following:

''(6) enter into agreements with governments of other countries, in consultation with the Secretary of State or the head of another agency, as appropriate, international organizations, and international nongovernmental organizations in order to achieve the missions of the Department;''; and

(3) in paragraph (7), as so redesignated, by inserting '', including feedback from organizations representing the needs of children,'' after ''stakeholder feedback''.

SEC. 1119. CANINE DETECTION RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), as amended by section 1601 of this Act, is amended by adding at the end the following:

''SEC. 321. CANINE DETECTION RESEARCH AND DEVELOPMENT.

''(a) IN GENERAL.—In furtherance of domestic preparedness and response, the Secretary, acting through the Under Secretary for Science and Technology, and in consultation with other relevant executive agencies, relevant State, local, and tribal governments, and academic and industry stakeholders, shall, to the extent practicable, conduct research and development of canine detection technology to mitigate the risk of the threats of existing and emerging weapons of mass destruction.

''(b) SCOPE.—The scope of the research and development under subsection (a) may include the following:

''(1) Canine-based sensing technologies.

''(2) Chem-Bio defense technologies.

''(3) New dimensions of olfaction biology.

''(4) Novel chemical sensing technologies.

''(5) Advances in metabolomics and volatilomics.

''(6) Advances in gene therapy, phenomics, and molecular medicine.

''(7) Reproductive science and technology.

''(8) End user techniques, tactics, and procedures.

''(9) National security policies, standards and practices for canine sensing technologies.

''(10) Protective technology, medicine, and treatments for the canine detection platform.

''(11) Domestic capacity and standards development.

''(12) Emerging threat detection.

''(13) Training aids.

''(14) Genetic, behavioral, and physiological optimization of the canine detection platform.

''(c) COORDINATION AND COLLABORATION.—The Secretary, acting through the Under Secretary for Science and Technology, shall ensure research and development activities are conducted in coordination and collaboration with academia, all levels of government, and private sector stakeholders.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by this Act, is amended by inserting after the item relating to section 320 the following:

''Sec. 321. Canine detection research and development.''.

Subtitle B—Human Resources and Other Matters

SEC. 1131. CHIEF HUMAN CAPITAL OFFICER RESPONSIBILITIES.

Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 344) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''and in line'' and inserting '', in line''; and

(ii) by inserting ''and informed by successful practices within the Federal Government and the private sector,'' after ''priorities,'';

(B) in paragraph (2), by striking ''develop performance measures to provide a basis for monitoring and evaluating'' and inserting ''develop performance measures to monitor and evaluate on an ongoing basis,'';

(C) in paragraph (4), by inserting ''including leader development and employee engagement programs,'' before ''in coordination'';

(D) by redesignating paragraphs (9) and (10) as paragraphs (14) and (15), respectively;

(E) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively;

(F) by inserting after paragraph (2) the following:

''(3) assess the need of administrative and mission support staff across the Department, to identify and eliminate the unnecessary use of mission-critical staff for administrative and mission support positions;'';

(G) in paragraph (6), as so redesignated, by inserting before the semicolon at the end the following: ''that is informed by appropriate workforce planning initiatives''; and

(H) by inserting after paragraph (9), as so redesignated, the following:

''(10) maintain a catalogue of available employee development opportunities easily accessible to employees of the Department, including departmental leadership development programs, interagency development programs, and rotational programs;

''(11) approve the selection and organizational placement of each senior human capital official of each component of the Department and participate in the periodic performance reviews of each such senior human capital official;

''(12) assess the success of the Department and the components of the Department regarding efforts to recruit and retain employees in rural and remote areas, and make policy recommendations as appropriate to the Secretary and to Congress;

''(13) develop performance measures to monitor and evaluate on an ongoing basis any significant contracts issued by the Department or a component of the Department to a private entity regarding the recruitment, hiring, or retention of employees;''.

SEC. 1132. EMPLOYEE ENGAGEMENT AND RETENTION ACTION PLAN.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by section 1117, is amended by adding at the end the following:

''SEC. 715. EMPLOYEE ENGAGEMENT AND RETENTION ACTION PLAN.

''(a) IN GENERAL.—The Secretary shall—

''(1) not later than 180 days after the date of enactment of this section, and not later than September 30 of each fiscal year thereafter, issue a Department-wide employee engagement and retention action plan to inform and execute strategies for improving employee engagement, employee retention, Department management and leadership, diversity and inclusion efforts, employee morale, training and development opportunities, and communications within the Department, which shall reflect—

''(A) input from representatives from operational components, headquarters, and field personnel, including supervisory and non-supervisory personnel, and employee labor organizations that represent employees of the Department;

''(B) employee feedback provided through annual employee surveys, questionnaires, and other communications; and

''(C) performance measures, milestones, and objectives that reflect the priorities and strategies of the action plan to improve employee engagement and retention; and

''(2) require the head of each operational component of the Department to—

''(A) develop and implement a component-specific employee engagement and retention plan to advance the action plan required under paragraph (1) that includes performance measures and objectives, is informed by employee feedback provided through annual employee surveys, questionnaires, and other communications, as appropriate, and sets forth how employees and, if applicable, their labor representatives are to be integrated in developing programs and initiatives;

''(B) monitor progress on implementation of such action plan; and

''(C) provide to the Chief Human Capital Officer quarterly reports on actions planned and progress made under this paragraph.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of the departmental or component leadership from developing innovative approaches and strategies to employee engagement or retention not specifically required under this section.

''(c) REPEAL.—This section shall be repealed on the date that is 5 years after the date of enactment of this section.''.

(b) CLERICAL AMENDMENT.—

(1) IN GENERAL.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1117, is amended by inserting after the item related to section 714 the following:

''Sec. 715. Employee engagement and retention plan.''.

(2) REPEAL.—The amendment made by paragraph (1) shall be repealed on the date that is 5 years after the date of enactment of this Act.

(c) SUBMISSIONS TO CONGRESS.—

(1) DEPARTMENT-WIDE EMPLOYEE ENGAGEMENT ACTION PLAN.—Not later than 2 years after the date of enactment of this Act, and once 2 years thereafter, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the Department-wide employee engagement action plan required under section 715 of the Homeland Security Act of 2002, as added by subsection (a).

(2) COMPONENT-SPECIFIC EMPLOYEE ENGAGEMENT PLANS.—Each head of a component of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the component-specific employee engagement plan of each such component required under section 715(a)(2) of the Homeland Security Act of 2002 (as added by subsection (a)) not later than 30 days after the issuance of each such plan under such section 715(a)(2).

SEC. 1133. REPORT DISCUSSING SECRETARY'S RESPONSIBILITIES, PRIORITIES, AND AN ACCOUNTING OF THE DEPARTMENT'S WORK REGARDING ELECTION INFRASTRUCTURE.

(a) IN GENERAL.—The Secretary of Homeland Security shall continue to prioritize the provision of assistance, as appropriate and on a voluntary basis, to State and local election officials in recognition of the importance of election infrastructure to the United States.

(b) REPORTS.—Not later than 1 year after the date of enactment of this Act, and once each year thereafter, the Secretary of Homeland Security 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 detailing—

(1) the responsibilities of the Secretary of Homeland Security for coordinating the election infrastructure critical infrastructure subsector;

(2) the priorities of the Secretary of Homeland Security for enhancing the security of election infrastructure over the next 1- and 5-year periods that incorporates lessons learned, best practices, and obstacles from the previous year; and

(3) a summary of the election infrastructure work of the Department with each State, unit of local government, and tribal and territorial government, as well as with the Government Coordinating Council and the Sector Coordinating Council, and interaction with other Federal departments and agencies.

(c) FORM OF REPORTS.—Each report submitted under subsection (b) shall be unclassified, but may be accompanied by a classified annex, if necessary.

(d) INITIAL REPORT.—The first report submitted under subsection (b) shall examine the period beginning on January 6, 2017 through the required reporting period.

SEC. 1134. POLICY, GUIDANCE, TRAINING, AND COMMUNICATION REGARDING LAW ENFORCEMENT PERSONNEL.

(a) IN GENERAL.—The Secretary of Homeland Security (in this section referred to as the ''Secretary'') shall conduct an inventory and assessment of training provided to all law enforcement personnel of the Department of Homeland Security (referred to in this section as the ''Department''), including use of force training, and develop and implement a strategic plan to—

(1) enhance, modernize, and expand training and continuing education for law enforcement personnel; and

(2) eliminate duplication and increase efficiencies in training and continuing education programs.

(b) FACTORS.—In carrying out subsection (a), the Secretary shall take into account the follow factors:

(1) The hours of training provided to law enforcement personnel and whether such hours should be increased.

(2) The hours of continuing education provided to law enforcement personnel, and whether such hours should be increased.

(3) The quality of training and continuing education programs and whether the programs are in line with current best practices and standards.

(4) The use of technology for training and continuing education purposes, and whether such technology should be modernized and expanded.

(5) Reviews of training and education programs by law enforcement personnel, and

whether such programs maximize their ability to carry out the mission of their components and meet the highest standards of professionalism and integrity.

(6) Whether there is duplicative or overlapping training and continuing education programs, and whether such programs can be streamlined to reduce costs and increase efficiencies.

(c) INPUT.—The Secretary shall work with relevant components of the Department to take into account feedback provided by law enforcement personnel (including nonsupervisory personnel and employee labor organizations), community stakeholders, the Office of Science and Technology, and the Office for Civil Rights and Civil Liberties in carrying out the assessment of, and developing and implementing the strategic plan with respect to, training and continuing education programs under subsection (a).

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Chairman and Ranking Minority Member of the Committee on Homeland Security and Governmental Affairs of the Senate and the Chairman and Ranking Minority Member of the Committee on Homeland Security of the House of Representatives an evaluation of the assessment of, and the development and implementation of the strategic plan with respect to, training and continuing education programs under subsection (a).

(e) ASSESSMENT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Chairman and Ranking Minority Member of the Committee on Homeland Security and Governmental Affairs of the Senate and the Chairman and Ranking Minority Member of the Committee on Homeland Security of the House of Representatives a report that evaluates the assessment of, and the development and implementation of the strategic plan with respect to, training and continuing education programs under subsection (a).

(f) TIMELY GUIDANCE, COMMUNICATIONS, AND TRAINING REGARDING POLICY CHANGES AFFECTING THE CONDUCT OF LAW ENFORCEMENT AND ENGAGEMENT WITH MEMBERS OF THE PUBLIC.—

(1) DEFINITION.—In this subsection, the term ''covered order'' means any executive order, guidance, directive, or memorandum that changes policies regarding the conduct of law enforcement or engagement with members of the public by law enforcement personnel.

(2) REQUIREMENTS.—The Secretary, in coordination with the head of each affected law enforcement component of the Department and in consultation with career executives in each affected component, shall—

(A) as expeditiously as possible, and not later than 45 days following the effective date of any covered order—

(i) publish written documents detailing plans for the implementation of the covered order;

(ii) develop and implement a strategy to communicate clearly with all law enforcement personnel actively engaged in core law enforcement activities, both in supervisory and nonsupervisory positions, and to provide prompt responses to questions and concerns raised by such personnel, about the covered order; and

(iii) develop and implement a detailed plan to ensure that all law enforcement personnel actively engaged in core law enforcement activities are sufficiently and appropriately trained on any new policies regarding the conduct of law enforcement or engagement with members of the public resulting from the covered order; and

(B) submit to the Chairman and Ranking Minority Member of the Committee on Homeland Security and Governmental Affairs of the Senate and the Chairman and Ranking Minority Member of the Committee on Homeland Security of the House of Representatives a report—

(i) not later than 30 days after the effective date of any covered order, that explains and provides a plan to remedy any delay in taking action under subparagraph (A); and

(ii) not later than 60 days after the effective date of any covered order, that describes the actions taken by the Secretary under subparagraph (A).

SEC. 1135. HACK DHS BUG BOUNTY PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) BUG BOUNTY PROGRAM.—The term ''bug bounty program'' means a program under which an approved individual, organization, or company is temporarily authorized to identify and report vulnerabilities of Internet-facing information technology of the Department in exchange for compensation.

(2) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(3) INFORMATION TECHNOLOGY.—The term ''information technology'' has the meaning given the term in section 11101 of title 40, United States Code.

(4) PILOT PROGRAM.—The term ''pilot program'' means the bug bounty pilot program required to be established under subsection (b)(1).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(b) ESTABLISHMENT OF PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish, within the Office of the Chief Information Officer, a bug bounty pilot program to minimize vulnerabilities of Internet-facing information technology of the Department.

(2) REQUIREMENTS.—In establishing the pilot program, the Secretary shall—

(A) provide compensation for reports of previously unidentified security vulnerabilities within the websites, applications, and other Internet-facing information technology of the Department that are accessible to the public;

(B) award a competitive contract to an entity, as necessary, to manage the pilot program and for executing the remediation of vulnerabilities identified as a consequence of the pilot program;

(C) designate mission-critical operations within the Department that should be excluded from the pilot program;

(D) consult with the Attorney General on how to ensure that approved individuals, organizations, or companies that comply with the requirements of the pilot program are protected from prosecution under section 1030 of title 18, United States Code, and similar provisions of law for specific activities authorized under the pilot program;

(E) consult with the relevant offices at the Department of Defense that were responsible for launching the 2016 ''Hack the Pentagon'' pilot program and subsequent Department of Defense bug bounty programs;

(F) develop an expeditious process by which an approved individual, organization, or company can register with the entity described in subparagraph (B), submit to a background check as determined by the Department, and receive a determination as to eligibility for participation in the pilot program; and

(G) engage qualified interested persons, including non-government sector representatives, about the structure of the pilot program as constructive and to the extent practicable.

(c) REPORT.—Not later than 180 days after the date on which the pilot program is completed, the Secretary 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 on the pilot program, which shall include—

(1) the number of approved individuals, organizations, or companies involved in the pilot program, broken down by the number of approved individuals, organizations, or companies that—

(A) registered;

(B) were approved;

(C) submitted security vulnerabilities; and

(D) received compensation;

(2) the number and severity of vulnerabilities reported as part of the pilot program;

(3) the number of previously unidentified security vulnerabilities remediated as a result of the pilot program;

(4) the current number of outstanding previously unidentified security vulnerabilities and Department remediation plans;

(5) the average length of time between the reporting of security vulnerabilities and remediation of the vulnerabilities;

(6) the types of compensation provided under the pilot program; and

(7) the lessons learned from the pilot program.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department $250,000 for fiscal year 2018 to carry out this section.

SEC. 1136. COST SAVINGS ENHANCEMENTS.

(a) IN GENERAL.—

(1) AMENDMENT.—Subchapter II of chapter 45 of title 5, United States Code, is amended by inserting after section 4512 the following:

''§ 4512A. Department of Homeland Security awards for cost savings disclosures

''(a) In this section, the term 'surplus operations and support funds' means amounts made available for the operations and support account, or equivalent account, of the Department of Homeland Security, or a component thereof—

''(1) that are identified by an employee of the Department of Homeland Security under subsection (b) as unnecessary;

''(2) that the Inspector General of the Department of Homeland Security determines are not required for the purpose for which the amounts were made available;

''(3) that the Chief Financial Officer of the Department of Homeland Security determines are not required for the purpose for which the amounts were made available; and

''(4) the rescission of which would not be detrimental to the full execution of the purposes for which the amounts were made available.

''(b) The Inspector General of the Department of Homeland Security may pay a cash award to any employee of the Department of Homeland Security whose disclosure of fraud, waste, or mismanagement or identification of surplus operations and support funds to the Inspector General of the Department of Homeland Security has resulted in cost savings for the Department of Homeland Security. The amount of an award under this section may not exceed the lesser of—

''(1) $10,000; or

''(2) an amount equal to 1 percent of the Department of Homeland Security's cost savings which the Inspector General determines to be the total savings attributable to the employee's disclosure or identification.

For purposes of paragraph (2), the Inspector General may take into account Department of Homeland Security cost savings projected for subsequent fiscal years which will be attributable to such disclosure or identification.

''(c)(1) The Inspector General of the Department of Homeland Security shall refer

to the Chief Financial Officer of the Department of Homeland Security any potential surplus operations and support funds identified by an employee that the Inspector General determines meets the requirements under paragraphs (2) and (4) of subsection (a), along with any recommendations of the Inspector General.

''(2)(A) If the Chief Financial Officer of the Department of Homeland Security determines that potential surplus operations and support funds referred under paragraph (1) meet the requirements under subsection (a), except as provided in subsection (d), the Secretary of Homeland Security shall transfer the amount of the surplus operations and support funds from the applicable appropriations account to the general fund of the Treasury.

''(B) Any amounts transferred under subparagraph (A) shall be deposited in the Treasury and used for deficit reduction, except that in the case of a fiscal year for which there is no Federal budget deficit, such amounts shall be used to reduce the Federal debt (in such manner as the Secretary of the Treasury considers appropriate).

''(3) The Inspector General of the Department of Homeland Security and the Chief Financial Officer of the Department of Homeland Security shall issue standards and definitions for purposes of making determinations relating to potential surplus operations and support funds identified by an employee under this subsection.

''(d)(1) The Secretary of Homeland Security may retain not more than 10 percent of amounts to be transferred to the general fund of the Treasury under subsection (c)(2).

''(2) Amounts retained by the Secretary of Homeland Security under paragraph (1) may be—

''(A) used for the purpose of paying a cash award under subsection (b) to one or more employees who identified the surplus operations and support funds; and

''(B) to the extent amounts remain after paying cash awards under subsection (b), transferred or reprogrammed for use by the Department of Homeland Security, in accordance with any limitation on such a transfer or reprogramming under any other provision of law.

''(e)(1) Not later than October 1 of each fiscal year, the Secretary of Homeland Security shall submit to the Secretary of the Treasury a report identifying the total savings achieved during the previous fiscal year through disclosures of possible fraud, waste, or mismanagement and identifications of surplus operations and support funds by an employee.

''(2) Not later than September 30 of each fiscal year, the Secretary of Homeland Security shall submit to the Secretary of the Treasury a report that, for the previous fiscal year—

''(A) describes each disclosure of possible fraud, waste, or mismanagement or identification of potentially surplus operations and support funds by an employee of the Department of Homeland Security determined by the Department of Homeland Security to have merit; and

''(B) provides the number and amount of cash awards by the Department of Homeland Security under subsection (b).

''(3) The Secretary of Homeland Security shall include the information described in paragraphs (1) and (2) in each budget request of the Department of Homeland Security submitted to the Office of Management and Budget as part of the preparation of the budget of the President submitted to Congress under section 1105(a) of title 31.

''(4) The Secretary of the Treasury shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Government Accountability Office an annual report on Federal cost saving and awards based on the reports submitted under paragraphs (1) and (2).

''(f) The Director of the Office of Personnel Management shall—

''(1) ensure that the cash award program of the Department of Homeland Security complies with this section; and

''(2) submit to Congress an annual certification indicating whether the cash award program of the Department of Homeland Security complies with this section.

''(g) Not later than 3 years after the date of enactment of this section, and every 3 years thereafter, the Comptroller General of the United States shall submit to Congress a report on the operation of the cost savings and awards program under this section, including any recommendations for legislative changes.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 45 of title 5, United States Code, is amended by inserting after the item relating to section 4512 the following:

''4512A. Department of Homeland Security awards for cost savings disclosures.''.

(3) SUNSET.—Effective 6 years after the date of enactment of this Act, subchapter II of chapter 45 of title 5, United States Code, is amended—

(A) by striking section 4512A; and

(B) in the table of sections, by striking the item relating to section 4512A.

(b) OFFICERS ELIGIBLE FOR CASH AWARDS.—Section 4509 of title 5, United States Code, is amended—

(1) by inserting ''(a)'' before ''No officer''; and

(2) by adding at the end the following:

''(b) The Secretary of Homeland Security may not receive a cash award under this subchapter.''.

SEC. 1137. CYBERSECURITY RESEARCH AND DEVELOPMENT PROJECTS.

(a) CYBERSECURITY RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), as amended by section 1119 of this Act, is amended by adding at the end the following:

''SEC. 322. CYBERSECURITY RESEARCH AND DEVELOPMENT.

''(a) IN GENERAL.—The Under Secretary for Science and Technology shall support the research, development, testing, evaluation, and transition of cybersecurity technologies, including fundamental research to improve the sharing of information, information security, analytics, and methodologies related to cybersecurity risks and incidents, consistent with current law.

''(b) ACTIVITIES.—The research and development supported under subsection (a) shall serve the components of the Department and shall—

''(1) advance the development and accelerate the deployment of more secure information systems;

''(2) improve and create technologies for detecting and preventing attacks or intrusions, including real-time continuous diagnostics, real-time analytic technologies, and full life cycle information protection;

''(3) improve and create mitigation and recovery methodologies, including techniques and policies for real-time containment of attacks and development of resilient networks and information systems;

''(4) assist the development and support infrastructure and tools to support cybersecurity research and development efforts, including modeling, testbeds, and data sets for assessment of new cybersecurity technologies;

''(5) assist the development and support of technologies to reduce vulnerabilities in industrial control systems;

''(6) assist the development and support cyber forensics and attack attribution capabilities;

''(7) assist the development and accelerate the deployment of full information life cycle security technologies to enhance protection, control, and privacy of information to detect and prevent cybersecurity risks and incidents;

''(8) assist the development and accelerate the deployment of information security measures, in addition to perimeter-based protections;

''(9) assist the development and accelerate the deployment of technologies to detect improper information access by authorized users;

''(10) assist the development and accelerate the deployment of cryptographic technologies to protect information at rest, in transit, and in use;

''(11) assist the development and accelerate the deployment of methods to promote greater software assurance;

''(12) assist the development and accelerate the deployment of tools to securely and automatically update software and firmware in use, with limited or no necessary intervention by users and limited impact on concurrently operating systems and processes; and

''(13) assist in identifying and addressing unidentified or future cybersecurity threats.

''(c) COORDINATION.—In carrying out this section, the Under Secretary for Science and Technology shall coordinate activities with—

''(1) the Director of Cybersecurity and Infrastructure Security;

''(2) the heads of other relevant Federal departments and agencies, as appropriate; and

''(3) industry and academia.

''(d) TRANSITION TO PRACTICE.—The Under Secretary for Science and Technology shall—

''(1) support projects carried out under this title through the full life cycle of such projects, including research, development, testing, evaluation, pilots, and transitions;

''(2) identify mature technologies that address existing or imminent cybersecurity gaps in public or private information systems and networks of information systems, protect sensitive information within and outside networks of information systems, identify and support necessary improvements identified during pilot programs and testing and evaluation activities, and introduce new cybersecurity technologies throughout the homeland security enterprise through partnerships and commercialization; and

''(3) target federally funded cybersecurity research that demonstrates a high probability of successful transition to the commercial market within 2 years and that is expected to have a notable impact on the public or private information systems and networks of information systems.

''(e) DEFINITIONS.—In this section:

''(1) CYBERSECURITY RISK.—The term 'cybersecurity risk' has the meaning given the term in section 2209.

''(2) HOMELAND SECURITY ENTERPRISE.—The term 'homeland security enterprise' means relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, and tribal government officials, private sector representatives, academics, and other policy experts.

''(3) INCIDENT.—The term 'incident' has the meaning given the term in section 2209.

''(4) INFORMATION SYSTEM.—The term 'information system' has the meaning given the term in section 3502 of title 44, United States Code.

''(5) SOFTWARE ASSURANCE.—The term 'software assurance' means confidence that software—

''(A) is free from vulnerabilities, either intentionally designed into the software or accidentally inserted at any time during the life cycle of the software; and

''(B) functioning in the intended manner.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by this Act, is amended by inserting after the item relating to section 321 the following:

''Sec. 322. Cybersecurity research and development.''.

(b) RESEARCH AND DEVELOPMENT PROJECTS.—Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''2017'' and inserting ''2022''; and

(B) in paragraph (2), by striking ''under section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160). In applying the authorities of that section 845, subsection (c) of that section shall apply with respect to prototype projects under this paragraph, and the Secretary shall perform the functions of the Secretary of Defense under subsection (d) thereof'' and inserting ''under section 2371b of title 10, United States Code, and the Secretary shall perform the functions of the Secretary of Defense as prescribed.'';

(2) in subsection (c)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2017'' and inserting ''2022''; and

(B) by amending paragraph (2) to read as follows:

''(2) REPORT.—The Secretary shall annually submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report detailing the projects for which the authority granted by subsection (a) was utilized, the rationale for such utilizations, the funds spent utilizing such authority, the extent of cost-sharing for such projects among Federal and non-Federal sources, the extent to which utilization of such authority has addressed a homeland security capability gap or threat to the homeland identified by the Department, the total amount of payments, if any, that were received by the Federal Government as a result of the utilization of such authority during the period covered by each such report, the outcome of each project for which such authority was utilized, and the results of any audits of such projects.'';

(3) in subsection (d), by striking ''as defined in section 845(e) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note)'' and inserting ''as defined in section 2371b(e) of title 10, United States Code.''; and

(4) by adding at the end the following:

''(e) TRAINING.—The Secretary shall develop a training program for acquisitions staff on the utilization of the authority provided under subsection (a) to ensure accountability and effective management of projects consistent with the Program Management Improvement Accountability Act (Public Law 114–264; 130 Stat. 1371) and the amendments made by such Act.''.

(c) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to carry out the requirements of this section and the amendments made by this section. Such requirements shall be carried out using amounts otherwise authorized.

SEC. 1138. CYBERSECURITY TALENT EXCHANGE.

(a) DEFINITIONS.—In this section—

(1) the term ''congressional homeland security committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives;

(2) the term ''Department'' means the Department of Homeland Security; and

(3) the term ''Secretary'' means the Secretary of Homeland Security.

(b) CYBERSECURITY TALENT EXCHANGE PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall commence carrying out a cybersecurity talent exchange pilot program.

(2) DELEGATION.—The Secretary may delegate any authority under this section to the Director of the Cybersecurity and Infrastructure Security Agency of the Department.

(c) APPOINTMENT AUTHORITY.—

(1) IN GENERAL.—Under regulations prescribed by the Secretary for the purpose of carrying out the pilot program established under subsection (b), the Secretary may, with the agreement of a private-sector organization and the consent of the employee, arrange for the temporary assignment of an employee to the private-sector organization, or from the private-sector organization to a Department organization under this section.

(2) ELIGIBLE EMPLOYEES.—Employees participating in the pilot program established under subsection (b) shall have significant education, skills, or experience relating to cybersecurity.

(3) AGREEMENTS.—

(A) IN GENERAL.—The Secretary shall provide for a written agreement among the Department, the private-sector organization, and the employee concerned regarding the terms and conditions of the assignment of the employee under this section, which—

(i) shall require that the employee of the Department, upon completion of the assignment, will serve in the Department, or elsewhere in the civil service if approved by the Secretary, for a period equal to twice the length of the assignment;

(ii) shall provide that if the employee of the Department or of the private-sector organization, as the case may be, fails to carry out the agreement, the employee shall be liable to the United States for payment of all expenses of the assignment, unless that failure was for good and sufficient reason, as determined by the Secretary;

(iii) shall contain language ensuring that the employee of the Department does not improperly use pre-decisional or draft deliberative information that the employee may be privy to or aware of related to Department programing, budgeting, resourcing, acquisition, or procurement for the benefit or advantage of the private-sector organization; and

(iv) shall cover matters relating to confidentiality, intellectual property rights, and such other matters as the Secretary considers appropriate.

(B) LIABILITY.—An amount for which an employee is liable under subparagraph (A)(ii) shall be treated as a debt due the United States.

(C) WAIVER.—The Secretary may waive, in whole or in part, collection of a debt described in subparagraph (B) based on a determination that the collection would be against equity and good conscience and not in the best interests of the United States, after taking into account any indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee.

(4) TERMINATION.—An assignment under this subsection may, at any time and for any reason, be terminated by the Department or the private-sector organization concerned.

(5) DURATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an assignment under this subsection shall be for a period of not less than 3 months and not more than 2 years, and renewable up to a total of 4 years.

(B) EXCEPTION.—An assignment under this subsection may be for a period in excess of 2 years, but not more than 4 years, if the Secretary determines that the assignment is necessary to meet critical mission or program requirements.

(C) LIMITATION.—No employee of the Department may be assigned under this subsection for more than a total of 4 years inclusive of all assignments.

(6) STATUS OF FEDERAL EMPLOYEES ASSIGNED TO PRIVATE-SECTOR ORGANIZATIONS.—

(A) IN GENERAL.—An employee of the Department who is assigned to a private-sector organization under this subsection shall be considered, during the period of assignment, to be on detail to a regular work assignment in the Department for all purposes.

(B) WRITTEN AGREEMENT.—The written agreement established under paragraph (3) shall address the specific terms and conditions related to the continued status of the employee as a Federal employee.

(C) CERTIFICATION.—In establishing a temporary assignment of an employee of the Department to a private-sector organization, the Secretary shall—

(i) ensure that the normal duties and functions of the employee can be reasonably performed by other employees of the Department without the transfer or reassignment of other personnel of the Department; and

(ii) certify that the temporary assignment of the employee shall not have an adverse or negative impact on organizational capabilities associated with the assignment.

(7) TERMS AND CONDITIONS FOR PRIVATE-SECTOR EMPLOYEES.—An employee of a private-sector organization who is assigned to a Department organization under this subsection—

(A) shall continue to receive pay and benefits from the private-sector organization from which the employee is assigned and shall not receive pay or benefits from the Department, except as provided in subparagraph (B);

(B) is deemed to be an employee of the Department for the purposes of—

(i) chapters 73 and 81 of title 5, United States Code;

(ii) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, United States Code;

(iii) sections 1343, 1344, and 1349(b) of title 31, United States Code;

(iv) chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act'') and any other Federal tort liability statute;

(v) the Ethics in Government Act of 1978 (5 U.S.C. App.); and

(vi) chapter 21 of title 41, United States Code;

(C) shall not have access to any trade secrets or to any other nonpublic information which is of commercial value to the private-sector organization from which the employee is assigned;

(D) may perform work that is considered inherently governmental in nature only when requested in writing by the Secretary; and

(E) may not be used to circumvent any limitation or restriction on the size of the workforce of the Department.

(8) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO THE FEDERAL GOVERNMENT.—A private-sector organization may not charge the Department or any other agency of the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the organization to an employee assigned to a Department organization under this subsection for the period of the assignment.

(9) EXPENSES.—

(A) IN GENERAL.—The Secretary may pay for travel and other work-related expenses associated with individuals participating in the pilot program established under subsection (b). The Secretary shall not pay for lodging or per diem expenses for employees of a private sector organization, unless such expenses are in furtherance of work-related travel other than participating in the pilot program.

(B) BACKGROUND INVESTIGATION.—A private person supporting an individual participating in the pilot program may pay for a background investigation associated with the participation of the individual in the pilot program.

(10) MAXIMUM NUMBER OF PARTICIPANTS.—Not more than 250 individuals may concurrently participate in the pilot program established under subsection (b).

(d) DETAILING OF PARTICIPANTS.—With the consent of an individual participating in the pilot program established under subsection (b), the Secretary may, under the pilot program, detail the individual to another Federal department or agency.

(e) SUNSET.—The pilot program established under subsection (b) shall terminate on the date that is 7 years after the date of enactment of this Act.

(f) REPORTS.—

(1) PRELIMINARY REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the congressional homeland security committees a preliminary report describing the implementation of the pilot program established under subsection (b), including the number of participating employees from the Department and from private sector organizations, the departmental missions or programs carried out by employees participating in the pilot program, and recommendations to maximize efficiencies and the effectiveness of the pilot program in order to support Department cybersecurity missions and objectives.

(2) FINAL REPORT.—Not later than 6 years after the date of enactment of this Act, the Secretary shall submit to the congressional homeland security committees a final report describing the implementation of the pilot program established under subsection (b), including the number of participating employees from the Department and from private sector organizations, the departmental missions or programs carried out by employees participating in the pilot program, and providing a recommendation on whether the pilot program should be made permanent.

Subtitle C—Other Matters

SEC. 1141. PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.

Paragraph (2) of section 431(c) of the Tariff Act of 1930 (19 U.S.C. 1431(c)) is amended to read as follows:

''(2)(A) The information listed in paragraph (1) shall not be available for public disclosure if—

''(i) the Secretary of the Treasury makes an affirmative finding on a shipment-by-shipment basis that disclosure is likely to pose a threat of personal injury or property damage; or

''(ii) the information is exempt under the provisions of section 552(b)(1) of title 5, United States Code.

''(B) The Commissioner of U.S. Customs and Border Protection shall ensure that any personally identifiable information, including social security numbers, passport numbers, and residential addresses, is removed from any manifest signed, produced, delivered, or transmitted under this section before the manifest is disclosed to the public.''.

SEC. 1142. TECHNICAL AND CONFORMING AMENDMENTS.

(a) REPEAL OF DIRECTOR OF SHARED SERVICES AND OFFICE OF COUNTERNARCOTICS ENFORCEMENT OF DEPARTMENT OF HOMELAND SECURITY.—

(1) ABOLISHMENT OF DIRECTOR OF SHARED SERVICES.—

(A) ABOLISHMENT.—The position of Director of Shared Services of the Department of Homeland Security is abolished.

(B) CONFORMING AMENDMENT.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by striking section 475 (6 U.S.C. 295).

(C) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 475.

(2) ABOLISHMENT OF THE OFFICE OF COUNTERNARCOTICS ENFORCEMENT.—

(A) ABOLISHMENT.—The Office of Counternarcotics Enforcement is abolished.

(B) CONFORMING AMENDMENTS.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(i) in subparagraph (B) of section 843(b)(1) (6 U.S.C. 413(b)(1)), by striking ''by—'' and all that follows through the end of that subparagraph and inserting ''by the Secretary; and''; and

(ii) by striking section 878 (6 U.S.C. 458).

(C) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 878.

(b) OTHER TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE I.—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), as amended by this Act, is further amended—

(A) in subsection (a)(1)(E), by striking ''the Bureau of'' and inserting ''United States''; and

(B) in subsection (d)(4), as redesignated by section 1117(f), by striking ''section 708'' and inserting ''section 707''.

(2) TITLE VII.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended—

(A) in subsection (c) of section 702 (6 U.S.C. 342), as redesignated by section 1103, strike paragraph (4);

(B) by striking section 706 (6 U.S.C. 346);

(C) by redesignating sections 707, 708, and 709 as sections 706, 707, and 708, respectively; and

(D) in section 708(c)(3), as so redesignated, by striking ''section 707'' and inserting ''section 706''.

(3) TITLE VIII.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended—

(A) by striking section 857 (6 U.S.C. 427);

(B) by redesignating section 858 as section 857; and

(C) by striking section 881 (6 U.S.C. 461).

(4) TITLE XVI.—Section 1611(d)(1) of the Homeland Security Act of 2002 (6 U.S.C. 563(d)(1)) is amended by striking ''section 707'' and inserting ''section 706''.

(5) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended—

(A) by striking the items relating to sections 706 through 709 and inserting the following:

''Sec. 706. Quadrennial homeland security review.

''Sec. 707. Joint task forces.

''Sec. 708. Office of Strategy, Policy, and Plans.'';

(B) by striking the items relating to sections 857 and 858 and inserting the following:

''Sec. 857. Identification of new entrants into the Federal marketplace.''; and

(C) by striking the item relating to section 881.

TITLE II—DEPARTMENT OF HOMELAND SECURITY ACQUISITION ACCOUNTABILITY AND EFFICIENCY

SEC. 1201. DEFINITIONS.

(a) IN GENERAL.—Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended—

(1) by redesignating paragraphs (14) through (20) as paragraphs (28) through (34), respectively;

(2) by redesignating paragraph (13) as paragraph (26);

(3) by redesignating paragraphs (9) through (12) as paragraphs (21) through (24), respectively;

(4) by redesignating paragraphs (4) through (8) as paragraphs (15) through (19), respectively;

(5) by redesignating paragraphs (1), (2), and (3) as paragraphs (7), (8), and (9), respectively;

(6) by inserting before paragraph (7), as so redesignated, the following:

''(1) The term 'acquisition' has the meaning given the term in section 131 of title 41, United States Code.

''(2) The term 'acquisition decision authority' means the authority held by the Secretary, acting through the Under Secretary for Management, to—

''(A) ensure compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives;

''(B) review, including approving, pausing, modifying, or canceling, an acquisition throughout the life cycle of the acquisition;

''(C) ensure that acquisition program managers have the resources necessary to successfully execute an approved acquisition program;

''(D) ensure good acquisition program management of cost, schedule, risk, and system performance of the acquisition program at issue, including assessing acquisition program baseline breaches and directing any corrective action for those breaches; and

''(E) ensure that acquisition program managers, on an ongoing basis, monitor cost, schedule, and performance against established baselines and use tools to assess risks to an acquisition program at all phases of the life cycle of the acquisition program to avoid and mitigate acquisition program baseline breaches.

''(3) The term 'acquisition decision event' means, with respect to an acquisition program, a predetermined point within each of the acquisition phases at which the person exercising the acquisition decision authority determines whether the acquisition program shall proceed to the next phase.

''(4) The term 'acquisition decision memorandum' means, with respect to an acquisition, the official acquisition decision event record that includes a documented record of decisions and assigned actions for the acquisition, as determined by the person exercising acquisition decision authority for the acquisition.

''(5) The term 'acquisition program' means the totality of activities directed to accomplish specific goals and objectives, which may—

''(A) provide new or improved capabilities in response to approved requirements or sustain existing capabilities; and

''(B) have multiple projects to obtain specific capability requirements or capital assets.

''(6) The term 'acquisition program baseline', with respect to an acquisition program, means a summary of the cost, schedule, and performance parameters, expressed in standard, measurable, quantitative terms, which must be met in order to accomplish the goals of the program.'';

(7) by inserting after paragraph (9), as so redesignated, the following:

''(10) The term 'best practices', with respect to acquisition, means a knowledge-based approach to capability development that includes, at a minimum—

''(A) identifying and validating needs;

''(B) assessing alternatives to select the most appropriate solution;

''(C) establishing requirements;

''(D) developing cost estimates and schedules that consider the work necessary to develop, plan, support, and install a program or solution;

''(E) identifying sources of funding that match resources to requirements;

''(F) demonstrating technology, design, and manufacturing maturity;

''(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

''(H) adopting and executing standardized processes with known success across programs;

''(I) ensuring an adequate, well-trained, and diverse workforce that is qualified and sufficient in number to perform necessary functions;

''(J) developing innovative, effective, and efficient processes and strategies;

''(K) integrating risk management and mitigation techniques for national security considerations; and

''(L) integrating the capabilities described in subparagraphs (A) through (K) into the mission and business operations of the Department.

''(11) The term 'breach' means a failure to meet any cost, schedule, or performance threshold specified in the most recently approved acquisition program baseline.

''(12) The term 'congressional homeland security committees' means—

''(A) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

''(13) The term 'Component Acquisition Executive' means the senior acquisition official within a component who is designated in writing by the Under Secretary for Management, in consultation with the component head, with authority and responsibility for leading a process and staff to provide acquisition and program management oversight, policy, and guidance to ensure that statutory, regulatory, and higher level policy requirements are fulfilled, including compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management.

''(14) The term 'cost-type contract' means a contract that—

''(A) provides for payment of allowable incurred costs, to the extent prescribed in the contract; and

''(B) establishes an estimate of total cost for the purpose of obligating funds and establishing a ceiling that the contractor may not exceed, except at the risk of the contractor, without the approval of the contracting officer.'';

(8) by inserting after paragraph (19), as so redesignated, the following:

''(20) The term 'fixed-price contract' means a contract that provides for a firm price or, in appropriate cases, an adjustable price.'';

(9) by inserting after paragraph (24), as so redesignated, the following:

''(25) The term 'life cycle cost' means the total cost of an acquisition, including all relevant costs related to acquiring, owning, operating, maintaining, and disposing of the system, project, service, or product over a specified period of time.''; and

(10) by inserting after paragraph (26), as so redesignated, the following:

''(27) The term 'major acquisition program' means a Department acquisition program that is estimated by the Secretary or a designee of the Secretary to require an eventual total expenditure of not less than $300,000,000 (based on fiscal year 2017 constant dollars) over the life cycle cost of the program.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Paragraph (14) of section 501 of the Homeland Security Act of 2002 (6 U.S.C. 311), as amended by section 1451, is amended by striking ''section 2(13)(B)'' and inserting ''section 2(26)(B)''.

Subtitle A—Acquisition Authorities

SEC. 1211. ACQUISITION AUTHORITIES FOR UNDER SECRETARY FOR MANAGEMENT OF THE DEPARTMENT OF HOMELAND SECURITY.

Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended—

(1) in subsection (a)(2), by inserting ''and acquisition management'' after ''Procurement'';

(2) by redesignating subsection (d), the first subsection (e) (relating to the system for award management consultation), and the second subsection (e) (relating to the definition of interoperable communications) as subsections (e), (f), and (g), respectively; and

(3) by inserting after subsection (c) the following:

''(d) ACQUISITION AND RELATED RESPONSIBILITIES.—

''(1) IN GENERAL.—Notwithstanding subsection (a) of section 1702 of title 41, United States Code, the Under Secretary for Management—

''(A) is the Chief Acquisition Officer of the Department;

''(B) shall have the authorities and perform the functions specified in subsection (b) of such section; and

''(C) shall perform all other functions and responsibilities delegated by the Secretary or described in this subsection.

''(2) FUNCTIONS AND RESPONSIBILITIES.—In addition to the authorities and functions specified in section 1702(b) of title 41, United States Code, the functions and responsibilities of the Under Secretary for Management related to acquisition include the following:

''(A) Advising the Secretary regarding acquisition management activities, taking into account risks of failure to achieve cost, schedule, or performance parameters, to ensure that the Department achieves the mission of the Department through the adoption of widely accepted program management best practices and standards and, where appropriate, acquisition innovation best practices.

''(B) Leading the acquisition oversight body of the Department, the Acquisition Review Board, and exercising the acquisition decision authority to approve, pause, modify, including the rescission of approvals of program milestones, or cancel major acquisition programs, unless the Under Secretary delegates that authority to a Component Acquisition Executive pursuant to paragraph (3).

''(C) Establishing policies for acquisition that implement an approach that takes into account risks of failure to achieve cost, schedule, or performance parameters that all components of the Department shall comply with, including outlining relevant authorities for program managers to effectively manage acquisition programs.

''(D) Ensuring that each major acquisition program has a Department-approved acquisition program baseline pursuant to the acquisition management policy of the Department.

''(E) Ensuring that the heads of components and Component Acquisition Executives comply with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives.

''(F) Providing additional scrutiny and oversight for an acquisition that is not a major acquisition if—

''(i) the acquisition is for a program that is important to departmental strategic and performance plans;

''(ii) the acquisition is for a program with significant program or policy implications; and

''(iii) the Secretary determines that the scrutiny and oversight for the acquisition is proper and necessary.

''(G) Ensuring that grants and financial assistance are provided only to individuals and organizations that are not suspended or debarred.

''(H) Distributing guidance throughout the Department to ensure that contractors involved in acquisitions, particularly contractors that access the information systems and technologies of the Department, adhere to relevant Department policies related to physical and information security as identified by the Under Secretary for Management.

''(I) Overseeing the Component Acquisition Executive organizational structure to ensure Component Acquisition Executives have sufficient capabilities and comply with Department acquisition policies.

''(J) Ensuring acquisition decision memoranda adequately document decisions made at acquisition decision events, including the rationale for decisions made to allow programs to deviate from the requirement to obtain approval by the Department for certain documents at acquisition decision events.

''(3) DELEGATION OF ACQUISITION DECISION AUTHORITY.—

''(A) LEVEL 3 ACQUISITIONS.—The Under Secretary for Management may delegate acquisition decision authority in writing to the relevant Component Acquisition Executive for an acquisition program that has a life cycle cost estimate of less than $300,000,000.

''(B) LEVEL 2 ACQUISITIONS.—The Under Secretary for Management may delegate acquisition decision authority in writing to the relevant Component Acquisition Executive for a major acquisition program that has a life cycle cost estimate of not less than $300,000,000 but not more than $1,000,000,000 if all of the following requirements are met:

''(i) The component concerned possesses working policies, processes, and procedures that are consistent with Department-level acquisition policy.

''(ii) The Component Acquisition Executive concerned has a well-trained and experienced workforce, commensurate with the size of the acquisition program and related activities delegated to the Component Acquisition Executive by the Under Secretary for Management.

''(iii) Each major acquisition concerned has written documentation showing that the

acquisition has a Department-approved acquisition program baseline and the acquisition is meeting agreed-upon cost, schedule, and performance thresholds.

''(4) RELATIONSHIP TO UNDER SECRETARY FOR SCIENCE AND TECHNOLOGY.—

''(A) IN GENERAL.—Nothing in this subsection shall diminish the authority granted to the Under Secretary for Science and Technology under this Act. The Under Secretary for Management and the Under Secretary for Science and Technology shall cooperate in matters related to the coordination of acquisitions across the Department so that investments of the Directorate of Science and Technology are able to support current and future requirements of the components of the Department.

''(B) TESTING AND EVALUATION ACQUISITION SUPPORT.—The Under Secretary for Science and Technology shall—

''(i) ensure, in coordination with relevant component heads, that all relevant acquisition programs—

''(I) complete reviews of operational requirements to ensure the requirements are measurable, testable, and achievable within the constraints of cost and schedule;

''(II) integrate applicable standards into development specifications;

''(III) complete systems engineering reviews and technical assessments during development to inform production and deployment decisions;

''(IV) complete independent testing and evaluation of technologies and systems;

''(V) use independent verification and validation of operational testing and evaluation implementation and results; and

''(VI) document whether such programs meet all performance requirements included in their acquisition program baselines;

''(ii) ensure that such operational testing and evaluation includes all system components and incorporates operators into the testing to ensure that systems perform as intended in the appropriate operational setting; and

''(iii) determine if testing conducted by other Federal agencies and private entities is relevant and sufficient in determining whether systems perform as intended in the operational setting.''.

SEC. 1212. ACQUISITION AUTHORITIES FOR CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

Section 702(a) of the Homeland Security Act of 2002 (6 U.S.C. 342(a)) is amended—

(1) by striking ''The Chief'' and inserting the following:

''(1) FUNCTIONS.—The Chief''; and

(2) by adding at the end the following:

''(2) ACQUISITION AUTHORITIES.—The Chief Financial Officer, in coordination with the Under Secretary for Management, shall oversee the costs of acquisition programs and related activities to ensure that actual and planned costs are in accordance with budget estimates and are affordable, or can be adequately funded, over the life cycle of such programs and activities.''.

SEC. 1213. ACQUISITION AUTHORITIES FOR CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343), as amended by section 1104, is amended by adding at the end the following:

''(d) ACQUISITION RESPONSIBILITIES.—The acquisition responsibilities of the Chief Information Officer shall include—

''(1) overseeing the management of the Homeland Security Enterprise Architecture and ensuring that, before each acquisition decision event, approved information technology acquisitions comply with departmental information technology management processes, technical requirements, and the Homeland Security Enterprise Architecture, and in any case in which information technology acquisitions do not comply with the management directives of the Department, making recommendations to the Acquisition Review Board regarding that noncompliance; and

''(2) being responsible for—

''(A) providing recommendations to the Acquisition Review Board regarding information technology programs; and

''(B) developing information technology acquisition strategic guidance.''.

SEC. 1214. ACQUISITION AUTHORITIES FOR PROGRAM ACCOUNTABILITY AND RISK MANAGEMENT.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by section 1132, is amended by adding at the end the following:

''SEC. 716. ACQUISITION AUTHORITIES FOR PROGRAM ACCOUNTABILITY AND RISK MANAGEMENT.

''(a) ESTABLISHMENT OF OFFICE.—There is in the Management Directorate of the Department an office to be known as 'Program Accountability and Risk Management', which shall—

''(1) provide accountability, standardization, and transparency of major acquisition programs of the Department; and

''(2) serve as the central oversight function for all Department acquisition programs.

''(b) RESPONSIBILITIES OF EXECUTIVE DIRECTOR.—The Program Accountability and Risk Management shall be led by an Executive Director to oversee the requirement under subsection (a), who shall report directly to the Under Secretary for Management, serve as the executive secretary for the Acquisition Review Board, and carry out the following responsibilities:

''(1) Monitor the performance of Department acquisition programs between acquisition decision events to identify problems with cost, performance, or schedule that components may need to address to prevent cost overruns, performance issues, or schedule delays.

''(2) Assist the Under Secretary for Management in managing the acquisition programs and related activities of the Department.

''(3) Conduct oversight of individual acquisition programs to implement Department acquisition program policy, procedures, and guidance with a priority on ensuring the data the office collects and maintains from Department components is accurate and reliable.

''(4) Coordinate the acquisition life cycle review process for the Acquisition Review Board.

''(5) Advise the persons having acquisition decision authority in making acquisition decisions consistent with all applicable laws and in establishing lines of authority, accountability, and responsibility for acquisition decision making within the Department.

''(6) Support the Chief Procurement Officer in developing strategies and specific plans for hiring, training, and professional development in order to improve the acquisition workforce of the Department.

''(7) In consultation with Component Acquisition Executives—

''(A) develop standards for the designation of key acquisition positions with major acquisition program management offices and on the Component Acquisition Executive support staff; and

''(B) provide requirements and support to the Chief Procurement Officer in the planning, development, and maintenance of the Acquisition Career Management Program of the Department.

''(8) In the event that a certification or action of an acquisition program manager needs review for purposes of promotion or removal, provide input, in consultation with the relevant Component Acquisition Executive, into the performance evaluation of the relevant acquisition program manager and report positive or negative experiences to the relevant certifying authority.

''(9) Provide technical support and assistance to Department acquisition programs and acquisition personnel and coordinate with the Chief Procurement Officer on workforce training and development activities.

''(c) RESPONSIBILITIES OF COMPONENTS.—Each head of a component shall—

''(1) comply with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management; and

''(2) for each major acquisition program—

''(A) define baseline requirements and document changes to such requirements, as appropriate;

''(B) develop a life cycle cost estimate that is consistent with best practices identified by the Comptroller General of the United States and establish a complete life cycle cost estimate with supporting documentation, including an acquisition program baseline;

''(C) verify each life cycle cost estimate against independent cost estimates, and reconcile any differences;

''(D) complete a cost-benefit analysis with supporting documentation;

''(E) develop and maintain a schedule that is consistent with scheduling best practices as identified by the Comptroller General of the United States, including, in appropriate cases, an integrated master schedule; and

''(F) ensure that all acquisition program information provided by the component is complete, accurate, timely, and valid.

''SEC. 717. ACQUISITION DOCUMENTATION.

''(a) IN GENERAL.—For each major acquisition program, the Secretary, acting through the Under Secretary for Management, shall require the head of a relevant component or office to—

''(1) maintain acquisition documentation that is complete, accurate, timely, and valid, and that includes, at a minimum—

''(A) operational requirements that are validated consistent with departmental policy and changes to those requirements, as appropriate;

''(B) a complete life cycle cost estimate with supporting documentation;

''(C) verification of the life cycle cost estimate against independent cost estimates, and reconciliation of any differences;

''(D) a cost-benefit analysis with supporting documentation; and

''(E) a schedule, including, as appropriate, an integrated master schedule;

''(2) prepare cost estimates and schedules for major acquisition programs under subparagraphs (B) and (E) of paragraph (1) in a manner consistent with best practices as identified by the Comptroller General of the United States; and

''(3) submit certain acquisition documentation to the Secretary to produce a semi-annual Acquisition Program Health Assessment of departmental acquisitions for submission to Congress.

''(b) WAIVER.—The Secretary may waive the requirement under subsection (a)(3) on a case-by-case basis with respect to any major acquisition program under this section for a fiscal year if—

''(1) the major acquisition program has not—

''(A) entered the full rate production phase in the acquisition life cycle;

''(B) had a reasonable cost estimate established; and

''(C) had a system configuration defined fully; or

''(2) the major acquisition program does not meet the definition of capital asset, as defined by the Director of the Office of Management and Budget.

''(c) CONGRESSIONAL OVERSIGHT.—At the same time the budget of the President is submitted for a fiscal year under section 1105(a) of title 31, United States Code, the Secretary shall make information available, as applicable, to the congressional homeland security committees regarding the requirement described in subsection (a) in the prior fiscal year that includes, with respect to each major acquisition program for which the Secretary has issued a waiver under subsection (b)—

''(1) the grounds for granting a waiver for the program;

''(2) the projected cost of the program;

''(3) the proportion of the annual acquisition budget of each component or office attributed to the program, as available; and

''(4) information on the significance of the program with respect to the operations and the execution of the mission of each component or office described in paragraph (3).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1132, is amended by inserting after the item relating to section 715 the following:

''Sec. 716. Acquisition authorities for Program Accountability and Risk Management.

''Sec. 717. Acquisition documentation.''.

SEC. 1215. ACQUISITION INNOVATION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) as amended by section 1214, is amended by adding at the end the following:

''SEC. 718. ACQUISITION INNOVATION.

''The Under Secretary for Management shall—

''(1) encourage each of the officers under the direction of the Under Secretary for Management to promote innovation and shall designate an individual to promote innovation;

''(2) establish an acquisition innovation lab or similar mechanism to improve the acquisition programs, acquisition workforce training, and existing practices of the Department through methods identified in this section;

''(3) test emerging and established acquisition best practices for carrying out acquisitions, consistent with applicable laws, regulations, and Department directives, as appropriate;

''(4) develop and distribute best practices and lessons learned regarding acquisition innovation throughout the Department;

''(5) establish metrics to measure the effectiveness of acquisition innovation efforts with respect to cost, operational efficiency of the acquisition program, including timeframes for executing contracts, and collaboration with the private sector, including small- and medium-sized businesses; and

''(6) determine impacts of acquisition innovation efforts on the private sector by—

''(A) engaging with the private sector, including small- and medium-sized businesses, to provide information and obtain feedback on procurement practices and acquisition innovation efforts of the Department;

''(B) obtaining feedback from the private sector on the impact of acquisition innovation efforts of the Department; and

''(C) incorporating the feedback described in subparagraphs (A) and (B), as appropriate, into future acquisition innovation efforts of the Department.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1214, is amended by inserting after the item relating to section 717 the following:

''Sec. 718. Acquisition innovation.''.

(c) INFORMATION.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''congressional homeland security committees'' means—

(i) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate; and

(B) the term ''Department'' means the Department of Homeland Security.

(2) REQUIREMENT.—Not later than 90 days after the date on which the Secretary of Homeland Security submits the annual budget justification for the Department for fiscal year 2020 and every fiscal year thereafter through fiscal year 2025, the officers under the director of the Under Secretary for Management of the Department shall provide a briefing to the congressional homeland security committees on the activities undertaken in the previous fiscal year in furtherance of section 718 of the Homeland Security Act of 2002, as added by subsection (a), which shall include:

(A) Emerging and existing acquisition best practices that were tested within the Department during that fiscal year.

(B) Efforts to distribute best practices and lessons learned within the Department, including through web-based seminars, training, and forums, during that fiscal year.

(C) Metrics captured by the Department and aggregate performance information for innovation efforts.

(D) Performance as measured by the metrics established under paragraph (5) of such section 718.

(E) Outcomes of efforts to distribute best practices and lessons learned within the Department, including through web-based seminars, training, and forums.

(F) A description of outreach and engagement efforts with the private sector and any impacts of innovative acquisition mechanisms on the private sector, including small- and medium-sized businesses.

(G) The criteria used to identify specific acquisition programs or activities to be included in acquisition innovation efforts and the outcomes of those programs or activities.

(H) Recommendations, as necessary, to enhance acquisition innovation in the Department.

Subtitle B—Acquisition Program Management Discipline

SEC. 1221. ACQUISITION REVIEW BOARD.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following:

''SEC. 836. ACQUISITION REVIEW BOARD.

''(a) IN GENERAL.—The Secretary shall establish an Acquisition Review Board (in this section referred to as the 'Board') to—

''(1) strengthen accountability and uniformity within the Department acquisition review process;

''(2) review major acquisition programs; and

''(3) review the use of best practices.

''(b) COMPOSITION.—

''(1) CHAIRPERSON.—The Under Secretary for Management shall serve as chairperson of the Board.

''(2) OTHER MEMBERS.—The Secretary shall ensure participation by other relevant Department officials.

''(c) MEETINGS.—

''(1) REGULAR MEETINGS.—The Board shall meet regularly for purposes of ensuring all acquisition programs proceed in a timely fashion to achieve mission readiness.

''(2) OTHER MEETINGS.—The Board shall convene—

''(A) at the discretion of the Secretary; and

''(B) at any time—

''(i) a major acquisition program—

''(I) requires authorization to proceed from one acquisition decision event to another throughout the acquisition life cycle;

''(II) is in breach of the approved acquisition program baseline of the major acquisition program; or

''(III) requires additional review, as determined by the Under Secretary for Management; or

''(ii) a non-major acquisition program requires review, as determined by the Under Secretary for Management.

''(d) RESPONSIBILITIES.—The responsibilities of the Board are as follows:

''(1) Determine whether a proposed acquisition program has met the requirements of phases of the acquisition life cycle framework and is able to proceed to the next phase and eventual full production and deployment.

''(2) Oversee whether the business strategy, resources, management, and accountability of a proposed acquisition are executable and are aligned to strategic initiatives.

''(3) Support the person with acquisition decision authority for an acquisition program in determining the appropriate direction for the acquisition at key acquisition decision events.

''(4) Conduct reviews of acquisitions to ensure that the acquisitions are progressing in compliance with the approved documents for their current acquisition phases.

''(5) Review the acquisition program documents of each major acquisition program, including the acquisition program baseline and documentation reflecting consideration of tradeoffs among cost, schedule, and performance objectives, to ensure the reliability of underlying data.

''(6) Ensure that practices are adopted and implemented to require consideration of tradeoffs among cost, schedule, and performance objectives as part of the process for developing requirements for major acquisition programs prior to the initiation of the second acquisition decision event, including, at a minimum, the following practices:

''(A) Department officials responsible for acquisition, budget, and cost estimating functions are provided with the appropriate opportunity to develop estimates and raise cost and schedule matters before performance objectives are established for capabilities when feasible.

''(B) Full consideration is given to possible trade-offs among cost, schedule, and performance objectives for each alternative.

''(e) ACQUISITION PROGRAM BASELINE REPORT REQUIREMENT.—If the person exercising acquisition decision authority over a major acquisition program approves the major acquisition program to proceed before the major acquisition program has a Department-approved acquisition program baseline, as required by Department policy—

''(1) the Under Secretary for Management shall create and approve an acquisition program baseline report regarding such approval; and

''(2) the Secretary shall—

''(A) not later than 7 days after the date on which the acquisition decision memorandum

is signed, provide written notice of the decision to the appropriate committees of Congress; and

''(B) not later than 60 days after the date on which the acquisition decision memorandum is signed, provide the memorandum and a briefing to the appropriate committees of Congress.

''(f) REPORT.—Not later than 1 year after the date of enactment of this section and every year thereafter through fiscal year 2022, the Under Secretary for Management shall provide information to the appropriate committees of Congress on the activities of the Board for the prior fiscal year that includes information relating to—

''(1) for each meeting of the Board, any acquisition decision memoranda;

''(2) the results of the systematic reviews conducted under subsection (d)(4);

''(3) the results of acquisition document reviews required under subsection (d)(5); and

''(4) activities to ensure that practices are adopted and implemented throughout the Department under subsection (d)(6).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 835 the following:

''Sec. 836. Acquisition Review Board.''.

SEC. 1222. DEPARTMENT LEADERSHIP COUNCILS.

(a) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following:

''SEC. 890B. DEPARTMENT LEADERSHIP COUNCILS.

''(a) DEPARTMENT LEADERSHIP COUNCILS.—

''(1) ESTABLISHMENT.—The Secretary may establish Department leadership councils as the Secretary determines necessary to ensure coordination and improve programs and activities of the Department.

''(2) FUNCTION.—A Department leadership council shall—

''(A) serve as a coordinating forum;

''(B) advise the Secretary and Deputy Secretary on Department strategy, operations, and guidance;

''(C) establish policies to reduce duplication in acquisition programs; and

''(D) consider and report on such other matters as the Secretary or Deputy Secretary may direct.

''(3) RELATIONSHIP TO OTHER FORUMS.—The Secretary or Deputy Secretary may delegate the authority to direct the implementation of any decision or guidance resulting from the action of a Department leadership council to any office, component, coordinator, or other senior official of the Department.

''(b) JOINT REQUIREMENTS COUNCIL.—

''(1) DEFINITION OF JOINT REQUIREMENT.—In this subsection, the term 'joint requirement' means a condition or capability of multiple operating components of the Department that is required to be met or possessed by a system, product, service, result, or component to satisfy a contract, standard, specification, or other formally imposed document.

''(2) ESTABLISHMENT.—The Secretary shall establish within the Department a Joint Requirements Council.

''(3) MISSION.—In addition to other matters assigned to the Joint Requirements Council by the Secretary and Deputy Secretary, the Joint Requirements Council shall—

''(A) identify, assess, and validate joint requirements, including existing systems and associated capability gaps, to meet mission needs of the Department;

''(B) ensure that appropriate efficiencies are made among life cycle cost, schedule, and performance objectives, and procurement quantity objectives, in the establishment and approval of joint requirements; and

''(C) make prioritized capability recommendations for the joint requirements validated under subparagraph (A) to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary to review decisions of the Joint Requirements Council.

''(4) CHAIRPERSON.—The Secretary shall appoint a chairperson of the Joint Requirements Council, for a term of not more than 2 years, from among senior officials of the Department as designated by the Secretary.

''(5) COMPOSITION.—The Joint Requirements Council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.

''(6) RELATIONSHIP TO FUTURE YEARS HOMELAND SECURITY PROGRAM.—The Secretary shall ensure that the Future Years Homeland Security Program required under section 874 is consistent with the recommendations of the Joint Requirements Council required under paragraph (3)(C), as affirmed by the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary under that paragraph.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 890A the following:

''Sec. 890B. Department leadership councils.''.

SEC. 1223. EXCLUDED PARTY LIST SYSTEM WAIVERS.

Not later than 5 days after the date on which the Chief Procurement Officer or Chief Financial Officer of the Department of Homeland Security issues a waiver of the requirement that an agency not engage in business with a contractor or other recipient of funds listed in the System for Award Management, or a successor system, as maintained by the General Services Administration, the Office of Legislative Affairs of the Department of Homeland Security shall submit to Congress notice of such waiver and an explanation for a finding by the Under Secretary for Management that a compelling reason exists for issuing the waiver.

SEC. 1224. INSPECTOR GENERAL OVERSIGHT OF SUSPENSION AND DEBARMENT.

The Inspector General of the Department of Homeland Security shall—

(1) conduct audits as determined necessary by the Inspector General regarding grant and procurement awards to identify instances in which a contract or grant was improperly awarded to a suspended or debarred entity and whether corrective actions were taken to prevent recurrence; and

(2) review the suspension and debarment program throughout the Department of Homeland Security to assess whether suspension and debarment criteria are consistently applied throughout the Department of Homeland Security and whether disparities exist in the application of such criteria, particularly with respect to business size and categories.

SEC. 1225. SUSPENSION AND DEBARMENT PROGRAM AND PAST PERFORMANCE.

(a) DEFINITIONS.—In this section—

(1) the term ''congressional homeland security committees'' has the meaning given the term in section 2 of the Homeland Security Act of 2002, as amended by this Act;

(2) the term ''Department'' means the Department of Homeland Security; and

(3) the term ''Secretary'' means the Secretary of Homeland Security.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a suspension and debarment program that ensures the Department and each of the components of the Department comply with the laws, regulations, and guidance related to the suspension, debarment, and ineligibility of contractors.

(2) REQUIREMENTS.—The program required to be established under paragraph (1) shall include policies and processes for—

(A) tracking, reviewing, and documenting suspension and debarment decisions, including those related to poor performance, fraud, national security considerations, and other criteria determined appropriate by the Secretary;

(B) ensuring consideration of and referral for suspension, debarment, or other necessary actions that protect the interests of the Federal Government;

(C) managing and sharing relevant documents and information on contractors for use across the Department;

(D) requiring timely reporting into departmental and Government-wide databases by the suspension and debarment officials of contractor suspensions, debarments, or determinations of ineligibility, or other relevant information; and

(E) issuing guidance to implement these policies and for the timely implementation of agreed upon recommendations from the Inspector General of the Department or the Comptroller General of the United States.

(3) ADDITIONAL REQUIREMENTS.—The program required to be established under subsection (b)(1) shall—

(A) require that any referral made by a contracting official for consideration of actions to protect the interests of the Federal Government be evaluated by the Suspension and Debarment Official in writing in accordance with applicable regulations; and

(B) develop and require training for all contracting officials of the Department on the causes for suspension and debarment and complying with departmental and Government-wide policies and processes.

(c) PAST PERFORMANCE REVIEW.—

(1) IN GENERAL.—The Chief Procurement Officer of the Department shall require for any solicitation for a competitive contract by a component of the Department that the head of contracting activity for the component shall include past performance as an evaluation factor in the solicitation, consistent with applicable laws and regulations and policies established by the Chief Procurement Officer.

(2) REQUIREMENTS.—In carrying out the requirements of paragraph (1), the Chief Procurement Officer shall establish departmental policies and procedures, consistent with applicable laws and regulations, to assess the past performance of contractors and relevant subcontractors (including contracts performed at the State or local level) as part of the source selection process.

(3) WAIVERS.—

(A) IN GENERAL.—The Chief Procurement Officer of the Department may waive a requirement under paragraph (1) with respect to a solicitation if the Chief Procurement Officer determines that the waiver is in the best interest of the Government.

(B) NOTIFICATION.—Not later than 30 days after the date on which the Chief Procurement Officer issues a waiver under subparagraph (A), the Secretary shall submit to the congressional homeland security committees written notice of the waiver, which shall include a description of the reasons for the waiver.

Subtitle C—Acquisition Program Management Accountability and Transparency

SEC. 1231. CONGRESSIONAL NOTIFICATION FOR MAJOR ACQUISITION PROGRAMS.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.), as amended by section 1221, is amended by adding at the end the following:

"SEC. 837. CONGRESSIONAL NOTIFICATION AND OTHER REQUIREMENTS FOR MAJOR ACQUISITION PROGRAM BREACH.

''(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term 'appropriate committees of Congress' means—

''(1) the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

''(2) in the case of notice or a report relating to the Coast Guard or the Transportation Security Administration, the committees described in paragraph (1) and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

''(b) REQUIREMENTS WITHIN DEPARTMENT IN EVENT OF BREACH.—

''(1) NOTIFICATIONS.—

''(A) NOTIFICATION OF BREACH.—If a breach occurs in a major acquisition program, the program manager for the program shall notify the Component Acquisition Executive for the program, the head of the component concerned, the Executive Director of the Program Accountability and Risk Management division, the Under Secretary for Management, and the Deputy Secretary not later than 30 calendar days after the date on which the breach is identified.

''(B) NOTIFICATION TO SECRETARY.—If a breach occurs in a major acquisition program and the breach results in a cost overrun greater than 15 percent, a schedule delay greater than 180 days, or a failure to meet any of the performance thresholds from the cost, schedule, or performance parameters specified in the most recently approved acquisition program baseline for the program, the Component Acquisition Executive for the program shall notify the Secretary and the Inspector General of the Department not later than 5 business days after the date on which the Component Acquisition Executive for the program, the head of the component concerned, the Executive Director of the Program Accountability and Risk Management Division, the Under Secretary for Management, and the Deputy Secretary are notified of the breach under subparagraph (A).

''(2) REMEDIATION PLAN AND ROOT CAUSE ANALYSIS.—

''(A) IN GENERAL.—If a breach occurs in a major acquisition program, the program manager for the program shall submit in writing to the head of the component concerned, the Executive Director of the Program Accountability and Risk Management division, and the Under Secretary for Management, at a date established by the Under Secretary for Management, a remediation plan and root cause analysis relating to the breach and program.

''(B) REMEDIATION PLAN.—The remediation plan required under subparagraph (A) shall—

''(i) explain the circumstances of the breach at issue;

''(ii) provide prior cost estimating information;

''(iii) include a root cause analysis that determines the underlying cause or causes of shortcomings in cost, schedule, or performance of the major acquisition program with respect to which the breach has occurred, including the role, if any, of—

''(I) unrealistic performance expectations;

''(II) unrealistic baseline estimates for cost or schedule or changes in program requirements;

''(III) immature technologies or excessive manufacturing or integration risk;

''(IV) unanticipated design, engineering, manufacturing, or technology integration issues arising during program performance;

''(V) changes to the scope of the program;

''(VI) inadequate program funding or changes in planned out-year funding from one 5-year funding plan to the next 5-year funding plan as outlined in the Future Years Homeland Security Program required under section 874;

''(VII) legislative, legal, or regulatory changes; or

''(VIII) inadequate program management personnel, including lack of sufficient number of staff, training, credentials, certifications, or use of best practices;

''(iv) propose corrective action to address cost growth, schedule delays, or performance issues;

''(v) explain the rationale for why a proposed corrective action is recommended; and

''(vi) in coordination with the Component Acquisition Executive for the program, discuss all options considered, including—

''(I) the estimated impact on cost, schedule, or performance of the program if no changes are made to current requirements;

''(II) the estimated cost of the program if requirements are modified; and

''(III) the extent to which funding from other programs will need to be reduced to cover the cost growth of the program.

''(3) REVIEW OF CORRECTIVE ACTIONS.—

''(A) IN GENERAL.—The Under Secretary for Management—

''(i) shall review each remediation plan required under paragraph (2); and

''(ii) not later than 30 days after submission of a remediation plan under paragraph (2), may approve the plan or provide an alternative proposed corrective action.

''(B) SUBMISSION TO CONGRESS.—Not later than 30 days after the date on which the Under Secretary for Management completes a review of a remediation plan under subparagraph (A), the Under Secretary for Management shall submit to the appropriate committees of Congress a copy of the remediation plan.

''(c) REQUIREMENTS RELATING TO CONGRESSIONAL NOTIFICATION IF BREACH OCCURS.—

''(1) NOTIFICATION TO CONGRESS.—If a notification to the Secretary is made under subsection (b)(1)(B) relating to a breach in a major acquisition program, the Under Secretary for Management shall notify the appropriate committees of Congress of the breach in the next semi-annual Acquisition Program Health Assessment described in section 717(a)(3) after receipt by the Under Secretary for Management of the notification under subsection (b)(1)(B).

''(2) SIGNIFICANT VARIANCES IN COSTS OR SCHEDULE.—If a likely cost overrun is greater than 20 percent or a likely delay is greater than 12 months from the costs and schedule specified in the acquisition program baseline for a major acquisition program, the Under Secretary for Management shall include in the notification required under paragraph (1) a written certification, with supporting explanation, that—

''(A) the program is essential to the accomplishment of the mission of the Department;

''(B) there are no alternatives to the capability or asset provided by the program that will provide equal or greater capability in a more cost-effective and timely manner;

''(C) the management structure for the program is adequate to manage and control cost, schedule, and performance; and

''(D) includes the date on which the new acquisition schedule and estimates for total acquisition cost will be completed.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1221, is amended by inserting after the item relating to section 836 the following:

''Sec. 837. Congressional notification and other requirements for major acquisition program breach.''.

SEC. 1232. MULTIYEAR ACQUISITION STRATEGY.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.), as amended by section 1231, is amended by adding at the end the following:

"SEC. 838. MULTIYEAR ACQUISITION STRATEGY.

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Under Secretary for Management shall brief the appropriate congressional committees on a multiyear acquisition strategy to—

''(1) guide the overall direction of the acquisitions of the Department while allowing flexibility to deal with ever-changing threats and risks;

''(2) keep pace with changes in technology that could impact deliverables; and

''(3) help industry better understand, plan, and align resources to meet the future acquisition needs of the Department.

''(b) UPDATES.—The strategy required under subsection (a) shall be updated and included in each Future Years Homeland Security Program required under section 874.

''(c) CONSULTATION.—In developing the strategy required under subsection (a), the Secretary shall, as the Secretary determines appropriate, consult with headquarters, components, employees in the field, and individuals from industry and the academic community.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1231, is amended by inserting after the item relating to section 837 the following:

''Sec. 838. Multiyear acquisition strategy.''.

SEC. 1233. REPORT ON BID PROTESTS.

(a) DEFINITIONS.—In this section—

(1) the term ''appropriate committees of Congress'' has the meaning given the term in section 837(a) of the Homeland Security Act of 2002, as added by section 1231(a); and

(2) the term ''Department'' means the Department of Homeland Security.

(b) STUDY AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department shall conduct a study, in consultation with the Government Accountability Office when necessary, and submit to the appropriate committees of Congress a report on the prevalence and impact of bid protests on the acquisition process of the Department, in particular bid protests filed with the Government Accountability Office and the United States Court of Federal Claims.

(c) CONTENTS.—The report required under subsection (b) shall include—

(1) with respect to contracts with the Department—

(A) trends in the number of bid protests filed with Federal agencies, the Government Accountability Office, and Federal courts and the rate of those bid protests compared to contract obligations and the number of contracts;

(B) an analysis of bid protests filed by incumbent contractors, including the rate at which those contractors are awarded bridge contracts or contract extensions over the period during which the bid protest remains unresolved;

(C) a comparison of the number of bid protests and the outcome of bid protests for—

(i) awards of contracts compared to awards of task or delivery orders;

(ii) contracts or orders primarily for products compared to contracts or orders primarily for services;

(iii) protests filed pre-award to challenge the solicitation compared to those filed post-award;

(iv) contracts or awards with single protestors compared to multiple protestors; and

(v) contracts with single awards compared to multiple award contracts;

(D) a description of trends in the number of bid protests filed as a percentage of contracts and as a percentage of task or delivery orders by the value of the contract or order with respect to—

(i) contracts valued at more than $300,000,000;

(ii) contracts valued at not less than $50,000,000 and not more than $300,000,000;

(iii) contracts valued at not less than $10,000,000 and not more than $50,000,000; and

(iv) contracts valued at less than $10,000,000;

(E) an assessment of the cost and schedule impact of successful and unsuccessful bid protests, as well as delineation of litigation costs, filed on major acquisitions with more than $100,000,000 in annual expenditures or $300,000,000 in life cycle costs;

(F) an analysis of how often bid protestors are awarded the contract that was the subject of the bid protest;

(G) a summary of the results of bid protests in which the Department took unilateral corrective action, including the average time for remedial action to be completed;

(H) the time it takes the Department to implement corrective actions after a ruling or decision with respect to a bid protest, and the percentage of those corrective actions that are subsequently protested, including the outcome of any subsequent bid protest;

(I) an analysis of those contracts with respect to which a company files a bid protest and later files a subsequent bid protest; and

(J) an assessment of the overall time spent on preventing and responding to bid protests as it relates to the procurement process; and

(2) any recommendations by the Inspector General of the Department relating to the study conducted under this section.

SEC. 1234. PROHIBITION AND LIMITATIONS ON USE OF COST-PLUS CONTRACTS.

(a) DEFINITIONS.—In this section—

(1) the term ''Department'' means the Department of Homeland Security; and

(2) the term ''major acquisition program'' has the meaning given the term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101), as amended by this Act.

(b) PROHIBITION.—Not later than 120 days after the date of enactment of this Act, the Secretary of Homeland Security shall modify the acquisition regulations of the Department to prohibit the use of cost-type contracts, unless the head of contracting activity determines in writing that—

(1) a cost-type contract is required by the level of program risk; and

(2) appropriate steps will be taken as soon as practicable to reduce that risk so that follow-on contracts for the same product or service can be awarded on a fixed-price basis, and delineates those steps in writing.

(c) MAJOR ACQUISITION PROGRAMS.—

(1) PROHIBITION.—The Department shall prohibit the use of cost-plus contracts with respect to procurements for the production of major acquisition programs.

(2) LIMITATION ON AUTHORIZING OF COST-TYPE CONTRACTS.—The Chief Procurement Officer of the Department, in consultation with the Acquisition Review Board required to be established under section 836 of the Homeland Security Act of 2002, as added by section 1221(a), may authorize the use of a cost-type contract for a major acquisition program only upon a written determination that—

(A) the major acquisition program is so complex and technically challenging that it is not practicable to use a contract type other than a cost-plus reimbursable contract for the development of the major acquisition program;

(B) all reasonable efforts have been made to define the requirements sufficiently to allow for the use of a contract type other than a cost-plus reimbursable contract for the development of the major acquisition program; and

(C) despite the efforts described in subparagraph (B), the Department cannot define requirements sufficiently to allow for the use of a contract type other than a cost-plus reimbursable contract for the development of the major acquisition program.

SEC. 1235. BRIDGE CONTRACTS.

(a) DEFINITIONS.—In this section—

(1) the terms ''acquisition program'' and ''congressional homeland security committees'' have the meanings given those terms in section 2 of the Homeland Security Act of 2002, as amended by this Act;

(2) the term ''Department'' means the Department of Homeland Security; and

(3) the term ''Executive agency'' has the meaning given the term in section 105 of title 5, United States Code.

(b) POLICIES AND PROCEDURES.—The Chief Procurement Officer of the Department shall develop, in consultation with the Office of Federal Procurement Policy—

(1) a common definition of a bridge contract; and

(2) policies and procedures for the Department that, to the greatest extent practicable, seek to—

(A) minimize the use of bridge contracts while providing for continuation of services to be performed through contracts; and

(B) ensure appropriate planning by contracting officials.

(c) REQUIRED ELEMENTS.—The policies and procedures developed under subsection (b) shall include the following elements:

(1) Sufficient time and planning to review contract requirements, compete contracts as appropriate, enter into contracts, and consider the possibility of bid protests.

(2) For contracts that do not meet timeliness standards or that require entering into bridge contracts, contracting officials shall notify the Chief Procurement Officer of the Department and the head of the component agency of the Department.

(3) The Chief Procurement Officer of the Department shall approve any bridge contract that lasts longer than 6 months, and the head of the component agency of the Department shall approve any bridge contract that lasts longer than 1 year.

(d) PUBLIC NOTICE.—The Chief Procurement Officer of the Department shall provide public notice not later than 30 days after entering into a bridge contract, which shall include the notice required under subsection (c)(2) to the extent that information is available.

(e) EXCEPTIONS.—The policies and procedures developed under subsection (b) shall not apply to—

(1) service contracts in support of contingency operations, humanitarian assistance, or disaster relief;

(2) service contracts in support of national security emergencies declared with respect to named operations; or

(3) service contracts entered into pursuant to international agreements.

(f) REPORTS.—Not later than September 30, 2020, and by September 30 of each subsequent year thereafter until 2025, the Chief Procurement Officer of the Department shall submit to the congressional homeland security committees and make publicly available on the website of the Department a report on the use of bridge contracts for all acquisition programs, which shall include—

(1) a common definition for a bridge contract, if in existence, that is used by contracting offices of Executive agencies;

(2) the total number of bridge contracts entered into during the previous fiscal year;

(3) the estimated value of each contract that required the use of a bridge contract and the cost of each such bridge contract;

(4) the reasons for and cost of each bridge contract;

(5) the types of services or goods being acquired under each bridge contract;

(6) the length of the initial contract that required the use of a bridge contract, including the base and any exercised option years, and the cumulative length of any bridge contract or contracts related to the initial contract;

(7) a description of how many of the contracts that required bridge contracts were the result of bid protests;

(8) a description of existing statutory, regulatory, or agency guidance that the Department followed to execute each bridge contract; and

(9) any other matters determined to be relevant by the Chief Procurement Officer of the Department.

SEC. 1236. ACQUISITION REPORTS.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.), as amended by section 1232, is amended by adding at the end the following:

''SEC. 839. ACQUISITION POLICIES AND GUIDANCE.

''(a) PROGRAM ACCOUNTABILITY REPORT.—The Under Secretary for Management shall prepare and submit to the congressional homeland security committees a semi-annual program accountability report to meet the mandate of the Department to perform program health assessments and improve program execution and governance.

''(b) LEVEL 3 ACQUISITION PROGRAMS OF COMPONENTS OF THE DEPARTMENT.—

''(1) IDENTIFICATION.—Not later than 60 days after the date of enactment of this section, component heads of the Department shall identify to the Under Secretary for Management all level 3 acquisition programs of each respective component.

''(2) CERTIFICATION.—Not later than 30 days after receipt of the information under paragraph (1), the Under Secretary for Management shall certify in writing to the congressional homeland security committees whether the heads of the components of the Department have properly identified the programs described in that paragraph.

''(3) METHODOLOGY.—To carry out this subsection, the Under Secretary shall establish a process with a repeatable methodology to continually identify level 3 acquisition programs.

''(c) POLICIES AND GUIDANCE.—

''(1) SUBMISSION.—Not later than 180 days after the date of enactment of this section, the Component Acquisition Executives shall submit to the Under Secretary for Management the policies and relevant guidance for the level 3 acquisition programs of each component.

''(2) CERTIFICATION.—Not later than 90 days after receipt of the policies and guidance under subparagraph (A), the Under Secretary shall certify in writing to the congressional homeland security committees that the policies and guidance of each component adhere to Department-wide acquisition policies.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1232, is amended by inserting after the item relating to section 838 the following:

''Sec. 839. Acquisition policies and guidance.''.

TITLE III—INTELLIGENCE AND INFORMATION SHARING

Subtitle A—Department of Homeland Security Intelligence Enterprise

SEC. 1301. HOMELAND INTELLIGENCE DOCTRINE.

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), as amended by section 1601(g) of this Act, is amended by adding at the end the following new section:

''SEC. 210F. HOMELAND INTELLIGENCE DOCTRINE.

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary, acting through the Chief Intelligence Officer of the Department, in coordination with intelligence components of the Department, the Office of the General Counsel, the Privacy Office, and the Office for Civil Rights and Civil Liberties, shall develop and disseminate written Department-wide guidance for the processing, analysis, production, and dissemination of homeland security information (as such term is defined in section 892) and terrorism information (as such term is defined in section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485)).

''(b) CONTENTS.—The guidance required under subsection (a) shall, at a minimum, include the following:

''(1) A description of guiding principles and purposes of the Department's intelligence enterprise.

''(2) A summary of the roles and responsibilities, if any, of each intelligence component of the Department and programs of the intelligence components of the Department in the processing, analysis, production, and dissemination of homeland security information and terrorism information, including relevant authorities and restrictions applicable to each intelligence component of the Department and programs of each such intelligence component.

''(3) Guidance for the processing, analysis, and production of such information, including descriptions of component or program specific datasets that facilitate the processing, analysis, and production.

''(4) Guidance for the dissemination of such information, including within the Department, among and between Federal departments and agencies, among and between State, local, tribal, and territorial governments, including law enforcement agencies, and with foreign partners and the private sector.

''(5) A statement of intent regarding how the dissemination of homeland security information and terrorism information to the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))) and Federal law enforcement agencies should assist the intelligence community and Federal law enforcement agencies in carrying out their respective missions.

''(6) A statement of intent regarding how the dissemination of homeland security information and terrorism information to State, local, tribal, and territorial government agencies, including law enforcement agencies, should assist the agencies in carrying out their respective missions.

''(c) FORM.—The guidance required under subsection (a) shall be disseminated in unclassified form, but may include a classified annex.

''(d) ANNUAL REVIEW.—For each of the 5 fiscal years beginning with the first fiscal year that begins after the date of the enactment of this section, the Secretary shall conduct a review of the guidance required under subsection (a) and, as appropriate, revise such guidance.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1601(i) of this Act, is amended by inserting after the item relating to section 210E the following new item:

''Sec. 210F. Homeland intelligence doctrine.''.

SEC. 1302. PERSONNEL FOR THE CHIEF INTELLIGENCE OFFICER.

Section 201(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 121(e)(1)) is amended by adding at the end the following: ''The Secretary shall also provide the Chief Intelligence Officer with a staff having appropriate component intelligence program expertise and experience to assist the Chief Intelligence Officer.''.

SEC. 1303. ANNUAL HOMELAND TERRORIST THREAT ASSESSMENTS.

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), as amended by this Act, is further amended by adding at the end the following new sections:

''SEC. 210G. HOMELAND TERRORIST THREAT ASSESSMENTS.

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section and for each of the following 5 fiscal years (beginning in the first fiscal year that begins after the date of the enactment of this section), the Secretary, acting through the Under Secretary for Intelligence and Analysis, and using departmental information, including component information coordinated with each intelligence component of the Department and programs of each such intelligence component, and information provided through State and major urban area fusion centers, shall conduct an assessment of the terrorist threat to the homeland.

''(b) CONTENTS.—Each assessment under subsection (a) shall include the following:

''(1) Empirical data assessing terrorist activities and incidents over time in the United States, including terrorist activities and incidents planned or supported by foreign or domestic terrorists or persons outside of the United States to occur in the homeland.

''(2) An evaluation of current terrorist tactics, as well as ongoing and possible future changes in terrorist tactics.

''(3) An assessment of criminal activity encountered or observed by officers or employees of components which is suspected of financing terrorist activity.

''(4) Detailed information on all individuals suspected of involvement in terrorist activity and subsequently—

''(A) prosecuted for a Federal criminal offense, including details of the criminal charges involved;

''(B) placed into removal proceedings, including details of the removal processes and charges used;

''(C) denied entry into the United States, including details of the denial processes used; or

''(D) subjected to civil proceedings for revocation of naturalization.

''(5) The efficacy and reach of foreign and domestic terrorist organization propaganda, messaging, or recruitment, including details of any specific propaganda, messaging, or recruitment that contributed to terrorist activities identified pursuant to paragraph (1).

''(6) An assessment of threats, including cyber threats, to the homeland, including to critical infrastructure and Federal civilian networks.

''(7) An assessment of current and potential terrorism and criminal threats posed by individuals and organized groups seeking to unlawfully enter the United States.

''(8) An assessment of threats to the transportation sector, including surface and aviation transportation systems.

''(c) ADDITIONAL INFORMATION.—The assessments required under subsection (a)—

''(1) shall, to the extent practicable, utilize existing component data collected and existing component threat assessments; and

''(2) may incorporate relevant information and analysis from other agencies of the Federal Government, agencies of State and local governments (including law enforcement agencies), as well as the private sector, disseminated in accordance with standard information sharing procedures and policies.

''(d) FORM.—The assessments required under subsection (a) shall be shared with the appropriate congressional committees and submitted in unclassified form, but may include separate classified annexes, if appropriate.

''SEC. 210H. REPORT ON TERRORISM PREVENTION ACTIVITIES OF THE DEPARTMENT.

''(a) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall submit to Congress an annual report that shall include the following:

''(1) A description of the status of the programs and policies of the Department for countering violent extremism and similar activities in the United States.

''(2) A description of the efforts of the Department to cooperate with and provide assistance to other Federal departments and agencies.

''(3) Qualitative and quantitative metrics for evaluating the success of the programs and policies described in paragraph (1) and the steps taken to evaluate the success of those programs and policies.

''(4) An accounting of—

''(A) grants and cooperative agreements awarded by the Department to counter violent extremism; and

''(B) all training specifically aimed at countering violent extremism sponsored by the Department.

''(5) In coordination with the Under Secretary for Intelligence and Analysis, an analysis of how the activities of the Department to counter violent extremism correspond and adapt to the threat environment.

''(6) A summary of how civil rights and civil liberties are protected in the activities of the Department to counter violent extremism.

''(7) An evaluation of the use of grants and cooperative agreements awarded under sections 2003 and 2004 to support efforts of local communities in the United States to counter violent extremism, including information on the effectiveness of those grants and cooperative agreements in countering violent extremism.

''(8) A description of how the Department incorporated lessons learned from the countering violent extremism programs and policies and similar activities of foreign, State, local, tribal, and territorial governments and stakeholder communities.

''(9) A description of the decision process used by the Department to rename or refocus the entities within the Department that are focused on the issues described in this subsection, including a description of the threat basis for that decision.

''(b) ANNUAL REVIEW.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Office for Civil Rights and Civil Liberties of the Department shall—

''(1) conduct a review of the countering violent extremism and similar activities of the Department to ensure that all such activities of the Department respect the privacy, civil rights, and civil liberties of all persons; and

''(2) make publicly available on the website of the Department a report containing the results of the review conducted under paragraph (1).''.

(b) CONFORMING AMENDMENTS.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) in section 201(d) (6 U.S.C. 121(d)), by adding at the end the following:

''(27) To carry out section 210G (relating to homeland terrorist threat assessments) and section 210H (relating to terrorism prevention activities).''; and

(2) in section 2008(b)(1) (6 U.S.C. 609(b)(1))—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(C) to support any organization or group which has knowingly or recklessly funded domestic terrorism or international terrorism (as those terms are defined in section 2331 of title 18, United States Code) or organization or group known to engage in or recruit to such activities, as determined by the Secretary in consultation with the Administrator, the Under Secretary for Intelligence and Analysis, and the heads of other appropriate Federal departments and agencies.''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1301, is amended by inserting after the item relating to section 210F the following:

''Sec. 210G. Homeland terrorist threat assessments.

''Sec. 210H. Report on terrorism prevention activities of the Department.''.

(d) SUNSET.—Effective on the date that is 5 years after the date of enactment of this Act—

(1) section 210H of the Homeland Security Act of 2002, as added by subsection (a), is repealed; and

(2) the table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 210H.

SEC. 1304. DEPARTMENT OF HOMELAND SECURITY DATA FRAMEWORK.

(a) IN GENERAL.—

(1) DEVELOPMENT.—The Secretary of Homeland Security shall develop a data framework to integrate existing Department of Homeland Security datasets and systems, as appropriate, for access by authorized personnel in a manner consistent with relevant legal authorities and privacy, civil rights, and civil liberties policies and protections.

(2) REQUIREMENTS.—In developing the framework required under paragraph (1), the Secretary of Homeland Security shall ensure, in accordance with all applicable statutory and regulatory requirements, the following information is included:

(A) All information acquired, held, or obtained by an office or component of the Department of Homeland Security that falls within the scope of the information sharing environment, including homeland security information, terrorism information, weapons of mass destruction information, and national intelligence.

(B) Any information or intelligence relevant to priority mission needs and capability requirements of the homeland security enterprise, as determined appropriate by the Secretary.

(b) DATA FRAMEWORK ACCESS.—

(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the data framework required under this section is accessible to employees of the Department of Homeland Security who the Secretary determines—

(A) have an appropriate security clearance;

(B) are assigned to perform a function that requires access to information in such framework; and

(C) are trained in applicable standards for safeguarding and using such information.

(2) GUIDANCE.—The Secretary of Homeland Security shall—

(A) issue guidance for Department of Homeland Security employees authorized to access and contribute to the data framework pursuant to paragraph (1); and

(B) ensure that such guidance enforces a duty to share between offices and components of the Department when accessing or contributing to such framework for mission needs.

(3) EFFICIENCY.—The Secretary of Homeland Security shall promulgate data standards and instruct components of the Department of Homeland Security to make available information through the data framework required under this section in a machine-readable standard format, to the greatest extent practicable.

(c) EXCLUSION OF INFORMATION.—The Secretary of Homeland Security may exclude information from the data framework if the Secretary determines inclusion of such information may—

(1) jeopardize the protection of sources, methods, or activities;

(2) compromise a criminal or national security investigation;

(3) be inconsistent with other Federal laws or regulations; or

(4) be duplicative or not serve an operational purpose if included in such framework.

(d) SAFEGUARDS.—The Secretary of Homeland Security shall incorporate into the data framework required under this section systems capabilities for auditing and ensuring the security of information included in such framework. Such capabilities shall include the following:

(1) Mechanisms for identifying insider threats.

(2) Mechanisms for identifying security risks.

(3) Safeguards for privacy, civil rights, and civil liberties.

(e) DEADLINE FOR IMPLEMENTATION.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Homeland Security shall ensure the data framework required under this section has the ability to include the information described in subsection (a).

(f) NOTICE TO CONGRESS.—

(1) STATUS UPDATES.—The Secretary of Homeland Security shall submit to the appropriate congressional committees regular updates on the status of the data framework until such framework is fully operational.

(2) OPERATIONAL NOTIFICATION.—Not later than 60 days after the date on which the data framework required under this section is fully operational, the Secretary of Homeland Security shall provide notice to the appropriate congressional committees that the data framework is fully operational.

(3) VALUE ADDED.—The Secretary of Homeland Security shall include in each assessment required under section 210G(a) of the Homeland Security Act of 2002, as added by this Act, if applicable, a description of the use of the data framework required under this section to support operations that disrupt terrorist activities and incidents in the homeland.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term ''appropriate congressional committee''—

(A) has the meaning given the term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101); and

(B) includes the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) HOMELAND.—The term ''homeland'' has the meaning given the term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(3) HOMELAND SECURITY INFORMATION.—The term ''homeland security information'' has the meaning given such term in section 892 of the Homeland Security Act of 2002 (6 U.S.C. 482).

(4) INSIDER THREAT.—The term ''insider threat'' has the meaning given such term in section 104 of the Homeland Security Act of 2002, as added by section 1305.

(5) NATIONAL INTELLIGENCE.—The term ''national intelligence'' has the meaning given such term in section 3(5) of the National Security Act of 1947 (50 U.S.C. 3003(5)).

(6) TERRORISM INFORMATION.—The term ''terrorism information'' has the meaning given such term in section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485).

SEC. 1305. ESTABLISHMENT OF INSIDER THREAT PROGRAM.

(a) IN GENERAL.—Title I of the Homeland Security Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding at the end the following:

''SEC. 104. INSIDER THREAT PROGRAM.

''(a) ESTABLISHMENT.—The Secretary shall establish an Insider Threat Program within the Department, which shall—

''(1) provide training and education for employees of the Department to identify, prevent, mitigate, and respond to insider threat risks to the Department's critical assets;

''(2) provide investigative support regarding potential insider threats that may pose a risk to the Department's critical assets; and

''(3) conduct risk mitigation activities for insider threats.

''(b) STEERING COMMITTEE.—

''(1) IN GENERAL.—

''(A) ESTABLISHMENT.—The Secretary shall establish a Steering Committee within the Department.

''(B) MEMBERSHIP.—The membership of the Steering Committee shall be as follows:

''(i) The Under Secretary for Management and the Under Secretary for Intelligence and Analysis shall serve as the Co-Chairpersons of the Steering Committee.

''(ii) The Chief Security Officer, as the designated Senior Insider Threat Official, shall serve as the Vice Chairperson of the Steering Committee.

''(iii) The other members of the Steering Committee shall be comprised of representatives of—

''(I) the Office of Intelligence and Analysis;

''(II) the Office of the Chief Information Officer;

''(III) the Office of the General Counsel;

''(IV) the Office for Civil Rights and Civil Liberties;

''(V) the Privacy Office;

''(VI) the Office of the Chief Human Capital Officer;

''(VII) the Office of the Chief Financial Officer;

''(VIII) the Federal Protective Service;

''(IX) the Office of the Chief Procurement Officer;

''(X) the Science and Technology Directorate; and

''(XI) other components or offices of the Department as appropriate.

''(C) MEETINGS.—The members of the Steering Committee shall meet on a regular basis to discuss cases and issues related to insider threats to the Department's critical assets, in accordance with subsection (a).

''(2) RESPONSIBILITIES.—Not later than 1 year after the date of the enactment of this section, the Under Secretary for Management, the Under Secretary for Intelligence and Analysis, and the Chief Security Officer, in coordination with the Steering Committee, shall—

''(A) develop a holistic strategy for Department-wide efforts to identify, prevent, mitigate, and respond to insider threats to the Department's critical assets;

''(B) develop a plan to implement the insider threat measures identified in the strategy developed under subparagraph (A) across the components and offices of the Department;

''(C) document insider threat policies and controls;

''(D) conduct a baseline risk assessment of insider threats posed to the Department's critical assets;

''(E) examine programmatic and technology best practices adopted by the Federal Government, industry, and research institutions to implement solutions that are validated and cost-effective;

''(F) develop a timeline for deploying workplace monitoring technologies, employee awareness campaigns, and education and training programs related to identifying, preventing, mitigating, and responding to potential insider threats to the Department's critical assets;

''(G) consult with the Under Secretary for Science and Technology and other appropriate stakeholders to ensure the Insider Threat Program is informed, on an ongoing basis, by current information regarding threats, best practices, and available technology; and

''(H) develop, collect, and report metrics on the effectiveness of the Department's insider threat mitigation efforts.

''(c) PRESERVATION OF MERIT SYSTEM RIGHTS.—

''(1) IN GENERAL.—The Steering Committee shall not seek to, and the authorities provided under this section shall not be used to, deter, detect, or mitigate disclosures of information by Government employees or contractors that are lawful under and protected by section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) (commonly known as the 'Intelligence Community Whistleblower Protection Act of 1998'), chapter 12 or 23 of title 5, United States Code, the Inspector General Act of 1978 (5 U.S.C. App.), or any other whistleblower statute, regulation, or policy.

''(2) IMPLEMENTATION.—

''(A) IN GENERAL.—Any activity carried out under this section shall be subject to section 115 of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note).

''(B) REQUIRED STATEMENT.—Any activity to implement or enforce any insider threat activity or authority under this section or Executive Order 13587 (50 U.S.C. 3161 note) shall include the statement required by section 115 of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note) that preserves rights under whistleblower laws and section 7211 of title 5, United States Code, protecting communications with Congress.

''(d) DEFINITIONS.—In this section:

''(1) CRITICAL ASSETS.—The term 'critical assets' means the resources, including personnel, facilities, information, equipment, networks, or systems necessary for the Department to fulfill its mission.

''(2) EMPLOYEE.—The term 'employee' has the meaning given the term in section 2105 of title 5, United States Code.

''(3) INSIDER.—The term 'insider' means—

''(A) any person who has or had authorized access to Department facilities, information, equipment, networks, or systems and is employed by, detailed to, or assigned to the Department, including members of the Armed Forces, experts or consultants to the Department, industrial or commercial contractors, licensees, certificate holders, or grantees of the Department, including all subcontractors, personal services contractors, or any other category of person who acts for or on behalf of the Department, as determined by the Secretary; or

''(B) State, local, tribal, territorial, and private sector personnel who possess security clearances granted by the Department.

''(4) INSIDER THREAT.—The term 'insider threat' means the threat that an insider will use his or her authorized access, wittingly or unwittingly, to do harm to the security of the United States, including damage to the United States through espionage, terrorism, the unauthorized disclosure of classified national security information, or through the loss or degradation of departmental resources or capabilities.

''(5) STEERING COMMITTEE.—The term 'Steering Committee' means the Steering Committee established under subsection (b)(1)(A).''.

(b) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, and once every 2 years thereafter for the following 4-year period, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate a report on—

(A) how the Department of Homeland Security, including the components and offices of the Department of Homeland Security, have implemented the strategy developed under section 104(b)(2)(A) of the Homeland Security Act of 2002, as added by this Act;

(B) the status of the risk assessment of critical assets being conducted by the Department of Homeland Security;

(C) the types of insider threat training conducted;

(D) the number of employees of the Department of Homeland Security who have received insider threat training; and

(E) information on the effectiveness of the Insider Threat Program (established under section 104(a) of the Homeland Security Act of 2002, as added by this Act), based on metrics developed, collected, and reported pursuant to subsection (b)(2)(H) of such section 104.

(2) DEFINITIONS.—In this subsection, the terms ''critical assets'', ''insider'', and ''insider threat'' have the meanings given the terms in section 104 of the Homeland Security Act of 2002 (as added by this Act).

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 103 the following:

''Sec. 104. Insider Threat Program.''.

SEC. 1306. REPORT ON APPLICATIONS AND THREATS OF BLOCKCHAIN TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Financial Services, and the Committee on Homeland Security of the House of Representatives.

(2) FOREIGN TERRORIST ORGANIZATION.—The term ''foreign terrorist organization'' means an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(4) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism'' means a country the government of which the Secretary of State has determined to be a government that has repeatedly provided support for acts of international terrorism for purposes of—

(A) section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)(1)(A)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.));

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

(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(D) any other provision of law.

(b) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury, the Attorney General, the Director of National Intelligence, and the heads of such other departments and agencies of the Federal Government as the Secretary considers appropriate, shall provide to the appropriate committees of Congress a report on the applications and threats of blockchain technology.

(c) ELEMENTS.—The report required under subsection (b) shall include—

(1) an assessment of potential offensive and defensive cyber applications of blockchain technology and other distributed ledger technologies;

(2) an assessment of the actual and potential threat posed by individuals and state sponsors of terrorism using distributed ledger-enabled currency and other emerging financial technological capabilities to carry out activities in furtherance of an act of terrorism, including the provision of material support or resources to a foreign terrorist organization;

(3) an assessment of the use or planned use of such technologies by the Federal Government and critical infrastructure networks; and

(4) a threat assessment of efforts by foreign powers, foreign terrorist organizations, and criminal networks to utilize such technologies and related threats to the homeland, including an assessment of the vulnerabilities of critical infrastructure networks to related cyberattacks.

(d) FORM OF REPORT.—The report required under subsection (b) shall be provided in unclassified form, but may include a classified supplement.

(e) DISTRIBUTION.—Consistent with the protection of classified and confidential unclassified information, the Under Secretary for Intelligence and Analysis shall share the threat assessment developed under this section with State, local, and tribal law enforcement officials, including officials that operate within fusion centers in the National Network of Fusion Centers.

SEC. 1307. TRANSNATIONAL CRIMINAL ORGANIZATIONS THREAT ASSESSMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act,

the Under Secretary for Intelligence and Analysis shall, in coordination with appropriate Federal partners, develop and disseminate a threat assessment on whether transnational criminal organizations are exploiting United States border security vulnerabilities in border security screening programs to gain access to the United States and threaten the United States or border security.

(b) RECOMMENDATIONS.—Upon completion of the threat assessment required under subsection (a), the Secretary of Homeland Security shall make a determination if any changes are required to address security vulnerabilities identified in such assessment.

(c) DISTRIBUTION.—Consistent with the protection of classified and confidential unclassified information, the Under Secretary for Intelligence and Analysis shall share the threat assessment developed under this section with State, local, and tribal law enforcement officials, including officials that operate within fusion centers in the National Network of Fusion Centers.

SEC. 1308. DEPARTMENT OF HOMELAND SECURITY COUNTER THREATS ADVISORY BOARD.

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), as amended by this Act, is amended by adding at the end the following:

''SEC. 210I. DEPARTMENTAL COORDINATION ON COUNTER THREATS.

''(a) ESTABLISHMENT.—There is authorized in the Department, for a period of 2 years beginning after the date of enactment of this section, a Counter Threats Advisory Board (in this section referred to as the 'Board') which shall—

''(1) be composed of senior representatives of departmental operational components and headquarters elements; and

''(2) coordinate departmental intelligence activities and policy and information related to the mission and functions of the Department that counter threats.

''(b) CHARTER.—There shall be a charter to govern the structure and mission of the Board, which shall—

''(1) direct the Board to focus on the current threat environment and the importance of aligning departmental activities to counter threats under the guidance of the Secretary; and

''(2) be reviewed and updated as appropriate.

''(c) MEMBERS.—

''(1) IN GENERAL.—The Board shall be composed of senior representatives of departmental operational components and headquarters elements.

''(2) CHAIR.—The Under Secretary for Intelligence and Analysis shall serve as the Chair of the Board.

''(3) MEMBERS.—The Secretary shall appoint additional members of the Board from among the following:

''(A) The Transportation Security Administration.

''(B) U.S. Customs and Border Protection.

''(C) U.S. Immigration and Customs Enforcement.

''(D) The Federal Emergency Management Agency.

''(E) The Coast Guard.

''(F) U. S. Citizenship and Immigration Services.

''(G) The United States Secret Service.

''(H) The Cybersecurity and Infrastructure Security Agency.

''(I) The Office of Operations Coordination.

''(J) The Office of the General Counsel.

''(K) The Office of Intelligence and Analysis.

''(L) The Office of Strategy, Policy, and Plans.

''(M) The Science and Technology Directorate.

''(N) The Office for State and Local Law Enforcement.

''(O) The Privacy Office.

''(P) The Office for Civil Rights and Civil Liberties.

''(Q) Other departmental offices and programs as determined appropriate by the Secretary.

''(d) MEETINGS.—The Board shall—

''(1) meet on a regular basis to discuss intelligence and coordinate ongoing threat mitigation efforts and departmental activities, including coordination with other Federal, State, local, tribal, territorial, and private sector partners; and

''(2) make recommendations to the Secretary.

''(e) TERRORISM ALERTS.—The Board shall advise the Secretary on the issuance of terrorism alerts under section 203.

''(f) PROHIBITION ON ADDITIONAL FUNDS.—No additional funds are authorized to carry out this section.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1303, is amended by inserting after the item relating to section 210H the following:

''Sec. 210I. Departmental coordination to counter threats.''.

(c) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security, acting through the Chair of the Counter Threats Advisory Board established under section 210I of the Homeland Security Act of 2002, as added by subsection (a), 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 on the status and activities of the Counter Threats Advisory Board.

(d) NOTICE.—The Department of Homeland Security shall provide written notification to and brief the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate and the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives on any changes to or introductions of new mechanisms to coordinate threats across the Department.

SEC. 1309. BRIEFING ON PHARMACEUTICAL-BASED AGENT THREATS.

(a) BRIEFING REQUIRED.—Not later than 120 days after the date of enactment of this Act, the Assistant Secretary for the Countering Weapons of Mass Destruction Office, in consultation with other departments and agencies of the Federal Government as the Assistant Secretary considers appropriate, shall brief the appropriate congressional committees on threats related to pharmaceutical-based agents. The briefing shall incorporate, and the Assistant Secretary shall update as necessary, any related Terrorism Risk Assessments or Material Threat Assessments related to the threat.

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

(1) an assessment of threats from individuals or organizations using pharmaceutical-based agents to carry out activities in furtherance of any act of terrorism;

(2) an assessment of materiel and non-materiel capabilities within the Federal Government to deter and manage the consequences of such an attack; and

(3) a strategy to address any identified capability gaps to deter and manage the consequences of any act of terrorism using pharmaceutical-based agents.

(c) FORM OF BRIEFING.—The briefing under subsection (a) may be provided in classified form.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term ''appropriate congressional committee'' has the meaning given that term under section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(2) PHARMACEUTICAL-BASED AGENT.—The term ''pharmaceutical-based agent'' means a chemical, including fentanyl, carfentanil, and related analogues, which affects the central nervous system and has the potential to be used as a chemical weapon.

Subtitle B—Stakeholder Information Sharing

SEC. 1311. DEPARTMENT OF HOMELAND SECURITY FUSION CENTER PARTNERSHIP INITIATIVE.

(a) IN GENERAL.—Section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h) is amended—

(1) by amending the section heading to read as follows:

''SEC. 210A. DEPARTMENT OF HOMELAND SECURITY FUSION CENTER PARTNERSHIP INITIATIVE.'';

(2) in subsection (a), by adding at the end the following: ''Beginning on the date of enactment of the Department of Homeland Security Authorization Act, such Initiative shall be known as the 'Department of Homeland Security Fusion Center Partnership Initiative'.'';

(3) by amending subsection (b) to read as follows:

''(b) INTERAGENCY SUPPORT AND COORDINATION.—Through the Department of Homeland Security Fusion Center Partnership Initiative, in coordination with principal officials of fusion centers in the National Network of Fusion Centers and the officers designated as the Homeland Security Advisors of the States, the Secretary shall—

''(1) coordinate with the heads of other Federal departments and agencies to provide operational, analytic, and reporting intelligence advice and assistance to the National Network of Fusion Centers and to align homeland security intelligence activities with other field based intelligence activities;

''(2) support the integration of fusion centers into the information sharing environment, including by—

''(A) providing for the effective dissemination of information within the scope of the information sharing environment to the National Network of Fusion Centers;

''(B) conducting outreach to such fusion centers to identify any gaps in information sharing;

''(C) consulting with other Federal agencies to develop methods to—

''(i) address any such gaps identified under subparagraph (B), as appropriate; and

''(ii) deploy or access such databases and datasets, as appropriate; and

''(D) review information that is gathered by the National Network of Fusion Centers to identify that which is within the scope of the information sharing environment, including homeland security information (as defined in section 892), terrorism information, and weapons of mass destruction information and incorporate such information, as appropriate, into the Department's own such information;

''(3) facilitate close communication and coordination between the National Network of Fusion Centers and the Department and other Federal departments and agencies;

''(4) facilitate information sharing and expertise from the national cybersecurity and communications integration center under section 2209 to the National Network of Fusion Centers;

''(5) coordinate the provision of training and technical assistance, including training on the use of Federal databases and datasets described in paragraph (2), to the National

Network of Fusion Centers and encourage participating fusion centers to take part in terrorism threat-related exercises conducted by the Department;

''(6) ensure the dissemination of cyber threat indicators and information about cybersecurity risks and incidents to the national Network of Fusion Centers;

''(7) ensure that each fusion center in the National Network of Fusion Centers has a privacy policy approved by the Chief Privacy Officer of the Department and a civil rights and civil liberties policy approved by the Officer for Civil Rights and Civil Liberties of the Department;

''(8) develop and disseminate best practices on the appropriate levels for staffing at fusion centers in the National Network of Fusion Centers of qualified representatives from State, local, tribal, and territorial law enforcement, fire, emergency medical, and emergency management services, and public health disciplines, as well as the private sector;

''(9) to the maximum extent practicable, provide guidance, training, and technical assistance to ensure fusion centers operate in accordance with and in a manner that protects privacy, civil rights, and civil liberties afforded by the Constitution of the United States;

''(10) to the maximum extent practicable, provide guidance, training, and technical assistance to ensure fusion centers are appropriately aligned with and able to meaningfully support Federal homeland security, national security, and law enforcement efforts, including counterterrorism;

''(11) encourage the full participation of the National Network of Fusion Centers in all assessment and evaluation efforts conducted by the Department;

''(12) track all Federal funding provided to each fusion center on an individualized basis as well as by funding source;

''(13) ensure that none of the departmental information or data provided or otherwise made available to fusion center personnel is improperly disseminated, accessed for unauthorized purposes, or otherwise used in a manner inconsistent with Department guidance; and

''(14) carry out such other duties as the Secretary determines appropriate.'';

(4) in subsection (c)—

(A) in the heading, by striking ''PERSONNEL ASSIGNMENT'' and inserting ''RESOURCE ALLOCATION'';

(B) by striking paragraphs (1) and (2) and inserting the following:

''(1) INFORMATION SHARING AND PERSONNEL ASSIGNMENT.—

''(A) INFORMATION SHARING.—The Under Secretary for Intelligence and Analysis shall ensure that, as appropriate—

''(i) fusion centers in the National Network of Fusion Centers have access to homeland security information sharing systems; and

''(ii) Department personnel are deployed to support fusion centers in the National Network of Fusion Centers in a manner consistent with the mission of the Department.

''(B) PERSONNEL ASSIGNMENT.—Department personnel referred to in subparagraph (A)(ii) may include the following:

''(i) Intelligence officers.

''(ii) Intelligence analysts.

''(iii) Other liaisons from components and offices of the Department, as appropriate.

''(C) MEMORANDA OF UNDERSTANDING.—The Under Secretary for Intelligence and Analysis shall negotiate memoranda of understanding between the Department and a State or local government, in coordination with the appropriate representatives from fusion centers in the National Network of Fusion Centers, regarding the exchange of information between the Department and such fusion centers. Such memoranda shall include the following:

''(i) The categories of information to be provided by each entity to the other entity that are parties to any such memoranda.

''(ii) The contemplated uses of the exchanged information that is the subject of any such memoranda.

''(iii) The procedures for developing joint products.

''(iv) The information sharing dispute resolution processes.

''(v) Any protections necessary to ensure the exchange of information accords with applicable law and policies.

''(2) SOURCES OF SUPPORT.—Information shared and personnel assigned pursuant to paragraph (1) may be shared or provided, as the case may be, by the following Department components and offices, in coordination with the respective component or office head and in consultation with the principal officials of fusion centers in the National Network of Fusion Centers:

''(A) The Office of Intelligence and Analysis.

''(B) Cybersecurity and Infrastructure Security Agency.

''(C) The Transportation Security Administration.

''(D) U.S. Customs and Border Protection.

''(E) U.S. Immigration and Customs Enforcement.

''(F) The Coast Guard.

''(G) The national cybersecurity and communications integration center under section 2209.

''(H) Other components or offices of the Department, as determined by the Secretary.'';

(C) in paragraph (3)—

(i) in the heading, by striking ''QUALIFYING CRITERIA'' and inserting ''RESOURCE ALLOCATION CRITERIA''; and

(ii) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—The Secretary shall make available criteria for sharing information and deploying personnel to support a fusion center in the National Network of Fusion Centers in a manner consistent with the Department's mission and existing statutory limits.''; and

(D) in paragraph (4)(B), in the matter preceding clause (i), by inserting ''in which such fusion center is located'' after ''region'';

(5) in subsection (d)—

(A) in paragraph (3), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5);

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

''(4) assist, in coordination with the national cybersecurity and communications integration center under section 2209, fusion centers in using information relating to cybersecurity risks to develop a comprehensive and accurate threat picture;'';

(D) in paragraph (5), as so redesignated—

(i) by striking ''government'' and inserting ''governments''; and

(ii) by striking the period at the end and inserting ''; and''; and

(E) by adding at the end the following:

''(6) use Department information, including information held by components and offices, to develop analysis focused on the mission of the Department under section 101(b).'';

(6) in subsection (e)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—To the greatest extent practicable, the Secretary shall make it a priority to allocate resources, including departmental component personnel with relevant expertise, to support the efforts of fusion centers along land or maritime borders of the United States to facilitate law enforcement agency identification, investigation, and interdiction of persons, weapons, and related contraband that pose a threat to homeland security.''; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''participating State, local, and regional fusion centers'' and inserting ''fusion centers in the National Network of Fusion Centers'';

(7) in subsection (j)—

(A) by redesignating paragraph (5) as paragraph (7);

(B) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(C) by inserting before paragraph (2) the following:

''(1) the term 'cybersecurity risk' has the meaning given such term in section 2209;''.

(D) in paragraph (5), as so redesignated, by striking ''and'' at the end; and

(E) by inserting after such paragraph (5) the following new paragraph:

''(6) the term 'National Network of Fusion Centers' means a decentralized arrangement of fusion centers intended to enhance individual State and urban area fusion centers' ability to leverage the capabilities and expertise of all fusion centers for the purpose of enhancing analysis and homeland security information sharing nationally; and''; and

(8) by striking subsection (k).

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act and annually thereafter through 2024, the Under Secretary for Intelligence and Analysis of the Department of Homeland Security shall report to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate on the value of fusion center intelligence products and the expenditure of authorized funds for the support and coordination of the National Network of Fusion Centers as specified in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by subsection (a).

(c) REPORT ON FEDERAL DATABASES.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress on the Federal databases and datasets that address any gaps identified pursuant to section 210A(b)(2)(B) of the Homeland Security Act of 2002, as amended by subsection (a), including databases and datasets used, operated, or managed by Department components, the Department of Justice, including the Federal Bureau of Investigation and the Drug Enforcement Administration, and the Department of the Treasury, that are appropriate, in accordance with Federal laws and policies, for inclusion in the information sharing environment.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 2103(c)(1) of the Homeland Security Act of 2002 (6 U.S.C. 623(c)(1)) is amended by striking ''210A(j)(1)'' and inserting ''210A(j)''.

(2) The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 210A and inserting the following:

''Sec. 210A. Department of Homeland Security Fusion Center Partnership Initiative.''.

(e) REFERENCE.—Any reference in any law, rule, or regulation to the Department of Homeland Security State, Local, and Regional Fusion Center Initiative shall be

deemed to be a reference to the Department of Homeland Security Fusion Center Partnership Initiative.

SEC. 1312. FUSION CENTER PERSONNEL NEEDS ASSESSMENT.

(a) ASSESSMENT.—

(1) IN GENERAL.—Not later than 240 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an assessment of Department of Homeland Security personnel assigned to fusion centers pursuant to section 210A(c) of the Homeland Security Act of 2002 (6 U.S.C. 124h(c)), as amended by this Act, including an assessment of whether deploying additional Department personnel to such fusion centers would enhance the Department's mission under section 101(b) of such Act (6 U.S.C. 111(b)) and the National Network of Fusion Centers.

(2) CONTENTS.—The assessment required under this subsection shall include the following:

(A) Information on the current deployment of the Department's personnel to each fusion center.

(B) Information on the roles and responsibilities of the Department's Office of Intelligence and Analysis intelligence officers, intelligence analysts, senior reports officers, reports officers, and regional directors deployed to fusion centers.

(C) Information on Federal resources, in addition to personnel, provided to each fusion center.

(D) An assessment of fusion centers located in jurisdictions along land and maritime borders of the United States, and the degree to which deploying personnel, as appropriate, from U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the Coast Guard to such fusion centers would enhance the integrity and security at such borders by helping Federal, State, local, tribal, and territorial law enforcement authorities to identify, investigate, and interdict persons, weapons, and related contraband that pose a threat to homeland security.

(b) DEFINITIONS.—In this section, the terms ''fusion center'' and ''National Network of Fusion Centers'' have the meanings given those terms in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124h(j)), as amended by this Act.

SEC. 1313. STRATEGY FOR FUSION CENTERS SUPPORTING COUNTERNARCOTICS INITIATIVES THROUGH INTELLIGENCE INFORMATION SHARING AND ANALYSIS.

Not later than 180 days after the date of enactment of this Act, the Under Secretary for Intelligence and Analysis shall submit to Congress a strategy for how the National Network of Fusion Centers (as defined in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124h(j)), as amended by this Act) will support law enforcement counternarcotics activities and investigations through intelligence information sharing and analysis, including providing guidelines and best practices to fusion center leadership and personnel.

SEC. 1314. PROGRAM FOR STATE AND LOCAL ANALYST CLEARANCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that any program established by the Under Secretary for Intelligence and Analysis of the Department of Homeland Security to provide eligibility for access to information classified as Top Secret for State, local, tribal, and territorial analysts located in fusion centers shall be consistent with the need to know requirements pursuant to Executive Order No. 13526 (50 U.S.C. 3161 note).

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Under Secretary for Intelligence and Analysis of the Department of Homeland Security, in consultation with the Director of National Intelligence, shall submit to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate a report on the following:

(1) The process by which the Under Secretary for Intelligence and Analysis determines a need to know pursuant to Executive Order No. 13526 (50 U.S.C. 3161 note) to sponsor Top Secret clearances for appropriate State, local, tribal, and territorial analysts located in fusion centers.

(2) The effects of such Top Secret clearances on enhancing information sharing with State, local, tribal, and territorial partners.

(3) The cost for providing such Top Secret clearances for State, local, tribal, and territorial analysts located in fusion centers, including training and background investigations.

(4) The operational security protocols, training, management, and risks associated with providing such Top Secret clearances for State, local, tribal, and territorial analysts located in fusion centers.

(c) DEFINITION.—In this section, the term ''fusion center'' has the meaning given the term in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124h(j)), as amended by this Act.

SEC. 1315. INFORMATION TECHNOLOGY ASSESSMENT.

(a) IN GENERAL.—The Under Secretary for Intelligence and Analysis of the Department of Homeland Security, in collaboration with the Chief Information Officer of the Department of Homeland Security and representatives from the National Network of Fusion Centers, shall conduct an assessment of information systems used to share homeland security information between the Department of Homeland Security and fusion centers in the National Network of Fusion Centers and make upgrades to such systems, as appropriate. Such assessment shall include the following:

(1) An evaluation of the security, accessibility, and ease of use of such systems by fusion centers in the National Network of Fusion Centers.

(2) A review to determine how to establish improved interoperability of departmental information systems with existing information systems used by fusion centers in the National Network of Fusion Centers.

(3) An evaluation of participation levels of departmental components and offices of information systems used to share homeland security information with fusion centers in the National Network of Fusion Centers.

(b) DEFINITIONS.—In this section—

(1) the terms ''fusion center'' and ''National Network of Fusion Centers'' have the meanings given those terms in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124h(j)), as amended by this Act;

(2) the term ''homeland security information'' has the meaning given the term in section 892 of the Homeland Security Act of 2002 (6 U.S.C. 482); and

(3) the term ''information systems'' has the meaning given the term in section 3502 of title 44, United States Code.

SEC. 1316. DEPARTMENT OF HOMELAND SECURITY CLASSIFIED FACILITY INVENTORY.

(a) IN GENERAL.—The Secretary of Homeland Security shall, to the extent practicable—

(1) maintain an inventory of those Department of Homeland Security facilities that the Department certifies to house classified infrastructure or systems at the Secret level and above;

(2) update such inventory on a regular basis; and

(3) share part or all of such inventory with personnel as determined appropriate by the Secretary of Homeland Security.

(b) INVENTORY.—The inventory of facilities described in subsection (a) may include—

(1) the location of such facilities;

(2) the attributes and capabilities of such facilities (including the clearance level of the facility, the square footage of, the total capacity of, the number of workstations in, document storage, and the number of conference rooms in, such facilities);

(3) the entities that operate such facilities; and

(4) the date of establishment of such facilities.

SEC. 1317. TERROR INMATE INFORMATION SHARING.

(a) IN GENERAL.—The Secretary of Homeland Security, in coordination with the Attorney General and in consultation with other appropriate Federal officials, shall, as appropriate, share with the National Network of Fusion Centers through the Department of Homeland Security Fusion Center Partnership Initiative under section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by this Act, as well as other relevant law enforcement entities, release information from a Federal correctional facility, including the name, charging date, and expected place and date of release, of certain individuals who may pose a terrorist threat.

(b) SCOPE.—The information shared under subsection (a) shall be—

(1) for homeland security purposes; and

(2) regarding individuals convicted of a Federal crime of terrorism (as defined in section 2332b of title 18, United States Code).

(c) PERIODIC THREAT ASSESSMENTS.—Consistent with the protection of classified information and controlled unclassified information, the Secretary of Homeland Security shall coordinate with appropriate Federal officials to provide the National Network of Fusion Centers described in subsection (a) with periodic assessments regarding the overall threat from known or suspected terrorists currently incarcerated in a Federal correctional facility, including the assessed risks of such populations engaging in terrorist activity upon release.

(d) PRIVACY PROTECTIONS.—Prior to implementing subsection (a), the Secretary of Homeland Security shall receive input and advice from the Officer for Civil Rights and Civil Liberties, the Officer for Privacy and the Chief Intelligence Officer of the Department of Homeland Security.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed as requiring the establishment of a list or registry of individuals convicted of terrorism.

(f) DEFINITION.—In this section, the term ''fusion center'' has the meaning given the term in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124h(j)), as amended by this Act.

SEC. 1318. ANNUAL REPORT ON OFFICE FOR STATE AND LOCAL LAW ENFORCEMENT.

Section 2006(b) of the Homeland Security Act of 2002 (6 U.S.C. 607(b)) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph:

''(5) REPORT.—For each of fiscal years 2019 through 2023, the Assistant Secretary for State and Local Law Enforcement shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the activities of the Office for State and

Local Law Enforcement. Each such report shall include, for the fiscal year covered by the report, a description of each of the following:

''(A) Efforts to coordinate and share information regarding Department and component agency programs with State, local, and tribal law enforcement agencies.

''(B) Efforts to improve information sharing through the Homeland Security Information Network by appropriate component agencies of the Department and by State, local, and tribal law enforcement agencies.

''(C) The status of performance metrics within the Office for State and Local Law Enforcement to evaluate the effectiveness of efforts to carry out responsibilities set forth within this subsection.

''(D) Any feedback from State, local, and tribal law enforcement agencies about the Office for State and Local Law Enforcement, including the mechanisms utilized to collect such feedback.

''(E) Efforts to carry out all other responsibilities of the Office for State and Local Law Enforcement.''.

SEC. 1319. ANNUAL CATALOG ON DEPARTMENT OF HOMELAND SECURITY TRAINING, PUBLICATIONS, PROGRAMS, AND SERVICES FOR STATE, LOCAL, TRIBAL, AND TERRITORIAL LAW ENFORCEMENT AGENCIES.

Section 2006(b)(4) of the Homeland Security Act of 2002 (6 U.S.C. 607(b)(4)) is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) in subparagraph (F), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

''(G) produce an annual catalog that summarizes opportunities for training, publications, programs, and services available to State, local, tribal, and territorial law enforcement agencies from the Department and from each component and office within the Department and, not later than 30 days after the date of such production, disseminate the catalog, including by—

''(i) making such catalog available to State, local, tribal, and territorial law enforcement agencies, including by posting the catalog on the website of the Department and cooperating with national organizations that represent such agencies;

''(ii) making such catalog available through the Homeland Security Information Network; and

''(iii) submitting such catalog to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(H) in coordination with appropriate components and offices of the Department and other Federal agencies, develop, maintain, and make available information on Federal resources intended to support fusion center access to Federal information and resources.''.

SEC. 1320. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND NUCLEAR INTELLIGENCE AND INFORMATION SHARING.

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), as amended by subtitle A of this Act, is amended by adding at the end the following:

''SEC. 210J. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND NUCLEAR INTELLIGENCE AND INFORMATION SHARING.

''(a) IN GENERAL.—The Office of Intelligence and Analysis of the Department shall—

''(1) support homeland security-focused intelligence analysis of terrorist actors, their claims, and their plans to conduct attacks involving chemical, biological, radiological, or nuclear materials against the United States;

''(2) support homeland security-focused intelligence analysis of global infectious disease, public health, food, agricultural, and veterinary issues;

''(3) support homeland security-focused risk analysis and risk assessments of the homeland security hazards described in paragraphs (1) and (2), including the transportation of chemical, biological, nuclear, and radiological materials, by providing relevant quantitative and nonquantitative threat information;

''(4) leverage existing and emerging homeland security intelligence capabilities and structures to enhance prevention, protection, response, and recovery efforts with respect to a chemical, biological, radiological, or nuclear attack;

''(5) share information and provide tailored analytical support on these threats to State, local, and tribal authorities, other Federal agencies, and relevant national biosecurity and biodefense stakeholders, as appropriate; and

''(6) perform other responsibilities, as assigned by the Secretary.

''(b) COORDINATION.—Where appropriate, the Office of Intelligence and Analysis shall coordinate with other relevant Department components, including the Countering Weapons of Mass Destruction Office, the National Biosurveillance Integration Center, other agencies within the intelligence community, including the National Counter Proliferation Center, and other Federal, State, local, and tribal authorities, including officials from high-threat urban areas, State and major urban area fusion centers, and local public health departments, as appropriate, and enable such entities to provide recommendations on optimal information sharing mechanisms, including expeditious sharing of classified information, and on how such entities can provide information to the Department.

''(c) DEFINITIONS.—In this section:

''(1) FUSION CENTER.—The term 'fusion center' has the meaning given the term in section 210A.

''(2) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

''(3) NATIONAL BIOSECURITY AND BIODEFENSE STAKEHOLDERS.—The term 'national biosecurity and biodefense stakeholders' means officials from Federal, State, local, and tribal authorities and individuals from the private sector who are involved in efforts to prevent, protect against, respond to, and recover from a biological attack or other phenomena that may have serious health consequences for the United States, including infectious disease outbreaks.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by subtitle A of this title, is amended by inserting after the item relating to section 210I the following:

''Sec. 210J. Chemical, biological, radiological, and nuclear intelligence and information sharing.''.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary of Homeland Security shall report to the appropriate congressional committees on—

(A) the intelligence and information sharing activities under section 210I of the Homeland Security Act of 2002 (as added by subsection (a) of this section) and of all relevant entities within the Department of Homeland Security to counter the threat from attacks using chemical, biological, radiological, or nuclear materials; and

(B) the Department's activities in accordance with relevant intelligence strategies.

(2) ASSESSMENT OF IMPLEMENTATION.—The reports required under paragraph (1) shall include—

(A) an assessment of the progress of the Office of Intelligence and Analysis of the Department of Homeland Security in implementing such section 210I; and

(B) a description of the methods established to carry out such assessment.

(3) TERMINATION.—This subsection shall terminate on the date that is 5 years after the date of enactment of this Act.

(4) DEFINITION.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives;

(B) the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate; and

(C) any other committee of the House of Representatives or the Senate having legislative jurisdiction under the rules of the House of Representatives or Senate, respectively, over the matter concerned.

(d) DISSEMINATION OF INFORMATION ANALYZED BY THE DEPARTMENT TO STATE, LOCAL, TRIBAL, AND PRIVATE ENTITIES WITH RESPONSIBILITIES RELATING TO HOMELAND SECURITY.—Section 201(d)(8) of the Homeland Security Act of 2002 (6 U.S.C. 121(d)(8)) is amended by striking ''and to agencies of State'' and all that follows through the period at the end and inserting ''to State, local, and tribal governments and private entities with such responsibilities, and, as appropriate, to the public, in order to assist in preventing, deterring, or responding to acts of terrorism against the United States.''.

SEC. 1321. DUTY TO REPORT.

(a) DUTY IMPOSED.—Except as provided in subsection (c), whenever an act of terrorism occurs in the United States, it shall be the duty of the primary Government agency investigating such act to submit, in collaboration with the Secretary of Homeland Security, the Attorney General, the Director of the Federal Bureau of Investigation, and, as appropriate, the Director of the National Counterterrorism Center, an unclassified report (which may be accompanied by a classified annex) to Congress concerning such act not later than 1 year after the completion of the investigation. Reports required under this subsection may be combined into a quarterly report to Congress.

(b) CONTENT OF REPORTS.—Each report under this section shall include—

(1) a statement of the facts of the act of terrorism referred to in subsection (a), as known at the time of the report;

(2) an explanation of any gaps in national security that could be addressed to prevent future acts of terrorism;

(3) any recommendations for additional measures that could be taken to improve homeland security, including potential changes in law enforcement practices or changes in law, with particular attention to changes that could help prevent future acts of terrorism; and

(4) a summary of the report for public distribution.

(c) EXCEPTION.—The duty established under subsection (a) shall not apply in instances in which the Secretary of Homeland Security, the Attorney General, the Director of the Federal Bureau of Investigation, or the head of the National Counterterrorism Center determines that the information required to be

reported could jeopardize an ongoing investigation or prosecution. In such instances, the principal making such determination shall notify Congress of such determination before the first anniversary of the completion of the investigation described in such subsection.

(d) DEFINED TERM.—In this section, the term ''act of terrorism'' has the meaning given the term in section 3077 of title 18, United States Code.

SEC. 1322. STRATEGY FOR INFORMATION SHARING REGARDING NARCOTICS TRAFFICKING IN INTERNATIONAL MAIL.

Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Commissioner of U.S. Customs and Border Protection, and other Federal agencies, as appropriate, shall submit to Congress a strategy to share counter-narcotics information related to international mail, including information about best practices and known shippers of illegal narcotics, between—

(1) Department of Homeland Security components;

(2) the United States Postal Service;

(3) express consignment operators;

(4) peer-to-peer payment platforms; and

(5) other appropriate stakeholders.

SEC. 1323. CONSTITUTIONAL LIMITATIONS.

All intelligence gathering and information sharing activities conducted by the Department of Homeland Security under this title or an amendment made by this title shall be carried out in accordance with the rights and protections afforded by the Constitution of the United States.

TITLE IV—EMERGENCY PREPAREDNESS, RESPONSE, AND COMMUNICATIONS

Subtitle A—Grants, Training, Exercises, and Coordination

SEC. 1401. URBAN AREA SECURITY INITIATIVE.

Section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604) is amended—

(1) in subsection (b)(2)(A), in the matter preceding clause (i), by inserting '', using the most up-to-date data available,'' after ''assessment'';

(2) in subsection (d)(2), by amending subparagraph (B) to read as follows:

''(B) FUNDS RETAINED.—To ensure transparency and avoid duplication, a State shall provide each relevant high-risk urban area with a detailed accounting of the items, services, or activities on which any funds retained by the State under subparagraph (A) are to be expended. Such accounting shall be provided not later than 90 days after the date on which such funds are retained.''; and

(3) by striking subsection (e) and inserting the following new subsections:

''(e) THREAT AND HAZARD IDENTIFICATION RISK ASSESSMENT AND CAPABILITY ASSESSMENT.—As a condition of receiving a grant under this section, each high-risk urban area shall submit to the Administrator a threat and hazard identification and risk assessment and capability assessment—

''(1) at such time and in such form as is required by the Administrator; and

''(2) consistent with the Federal Emergency Management Agency's Comprehensive Preparedness Guide 201, Second Edition, or such successor document or guidance as is issued by the Administrator.

''(f) PERIOD OF PERFORMANCE.—The Administrator shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.''.

SEC. 1402. STATE HOMELAND SECURITY GRANT PROGRAM.

Section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605) is amended by striking subsection (f) and inserting the following new subsections:

''(f) THREAT AND HAZARD IDENTIFICATION AND RISK ASSESSMENT AND CAPABILITY ASSESSMENT.—

''(1) IN GENERAL.—As a condition of receiving a grant under this section, each State shall submit to the Administrator a threat and hazard identification and risk assessment and capability assessment—

''(A) at such time and in such form as is required by the Administrator; and

''(B) consistent with the Federal Emergency Management Agency's Comprehensive Preparedness Guide 201, Second Edition, or such successor document or guidance as is issued by the Administrator.

''(2) COLLABORATION.—In developing the threat and hazard identification and risk assessment under paragraph (1), a State shall solicit input from local and tribal governments, including first responders, and, as appropriate, nongovernmental and private sector stakeholders.

''(3) FIRST RESPONDERS DEFINED.—In this subsection, the term 'first responders'—

''(A) means an emergency response provider; and

''(B) includes representatives of local governmental and nongovernmental fire, law enforcement, emergency management, and emergency medical personnel.

''(g) PERIOD OF PERFORMANCE.—The Administrator shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.''.

SEC. 1403. GRANTS TO DIRECTLY ELIGIBLE TRIBES.

Section 2005 of the Homeland Security Act of 2002 (6 U.S.C. 606) is amended by—

(1) redesignating subsections (h) through (k) as subsections (i) through (l), respectively; and

(2) inserting after subsection (g) the following new subsection:

''(h) PERIOD OF PERFORMANCE.—The Secretary shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.''.

SEC. 1404. LAW ENFORCEMENT TERRORISM PREVENTION.

(a) LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM.—Section 2006(a) of the Homeland Security Act of 2002 (6 U.S.C. 607(a)) is amended—

(1) in paragraph (1)—

(A) by inserting ''States and high-risk urban areas expend'' after ''that''; and

(B) by striking ''is used'';

(2) in paragraph (2), by amending subparagraph (I) to read as follows:

''(I) activities as determined appropriate by the Administrator, in coordination with the Assistant Secretary for State and Local Law Enforcement within the Office of Partnership and Engagement of the Department, through outreach to relevant stakeholder organizations; and''; and

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

''(4) ANNUAL REPORT.—The Administrator, in coordination with the Assistant Secretary for State and Local Law Enforcement, shall report annually from fiscal year 2018 through fiscal year 2022 on the use of grants under sections 2003 and 2004 for law enforcement terrorism prevention activities authorized under this section, including the percentage and dollar amount of funds used for such activities and the types of projects funded.''.

(b) OFFICE FOR STATE AND LOCAL LAW ENFORCEMENT.—Section 2006(b) of the Homeland Security Act of 2002 (6 U.S.C. 607(b)) is amended—

(1) in paragraph (1), by striking ''Policy Directorate'' and inserting ''Office of Partnership and Engagement''; and

(2) in paragraph (4)—

(A) in subparagraph (B), by inserting '', including through consultation with such agencies regarding Department programs that may impact such agencies'' before the semicolon at the end; and

(B) in subparagraph (D), by striking ''ensure'' and inserting ''verify''.

SEC. 1405. PRIORITIZATION.

Section 2007(a) of the Homeland Security Act of 2002 (6 U.S.C. 608(a)) is amended—

(1) in paragraph (1)—

(A) by amending subparagraph (A) to read as follows:

''(A) its population, including consideration of domestic and international tourists, commuters, and military populations, including military populations residing in communities outside military installations;'';

(B) in subparagraph (E), by inserting '', including threat information from other relevant Federal agencies and field offices, as appropriate'' before the semicolon at the end; and

(C) in subparagraph (I), by striking ''target'' and inserting ''core''; and

(2) in paragraph (2), by striking ''target'' and inserting ''core''.

SEC. 1406. ALLOWABLE USES.

Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''target'' and inserting ''core'';

(B) in paragraph (5), by inserting before the semicolon at the end the following: '', provided such emergency communications align with the Statewide Communication Interoperability Plan and are coordinated with the Statewide Interoperability Coordinator or Statewide interoperability governance body of the State of the recipient'';

(C) by striking paragraph (14);

(D) by redesignating paragraphs (6) through (13) as paragraphs (8) through (15), respectively;

(E) by inserting after paragraph (5) the following new paragraphs:

''(6) enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities, including the development and maintenance of an initial pharmaceutical stockpile, including medical kits and diagnostics sufficient to protect first responders (as defined in section 2004(f)), their families, immediate victims, and vulnerable populations from a chemical or biological event;

''(7) enhancing cybersecurity, including preparing for and responding to cybersecurity risks and incidents (as such terms are defined in section 2209) and developing statewide cyber threat information analysis and dissemination activities;'';

(F) in paragraph (8), as so redesignated, by striking ''Homeland Security Advisory System'' and inserting ''National Terrorism Advisory System'';

(G) in paragraph (14), as so redesignated—

(i) by striking ''3'' and inserting ''5''; and

(ii) by adding ''and'' at the end; and

(H) in paragraph (15), as so redesignated, by striking ''; and'' and inserting a period;

(2) in subsection (b)—

(A) in paragraph (3)(B), by striking ''(a)(10)'' and inserting ''(a)(12)''; and

(B) in paragraph (4)(B)(i), by striking ''target'' and inserting ''core''; and

(3) in subsection (c), by striking ''target'' and inserting ''core''.

SEC. 1407. APPROVAL OF CERTAIN EQUIPMENT.

(a) IN GENERAL.—Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) in subsection (f)—

(A) by striking ''If an applicant'' and inserting the following:

''(1) APPLICATION REQUIREMENT.—If an applicant''; and

(B) by adding at the end the following:

''(2) REVIEW PROCESS.—The Administrator shall implement a uniform process for reviewing applications that, in accordance with paragraph (1), contain explanations for a proposal to use grants provided under section 2003 or 2004 to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards developed under section 647 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 747).

''(3) FACTORS.—In carrying out the review process under paragraph (2), the Administrator shall consider the following:

''(A) Current or past use of proposed equipment or systems by Federal agencies or the Armed Forces.

''(B) The absence of a national voluntary consensus standard for such equipment or systems.

''(C) The existence of an international consensus standard for such equipment or systems, and whether such equipment or systems meets such standard.

''(D) The nature of the capability gap identified by the applicant, and how such equipment or systems will address such gap.

''(E) The degree to which such equipment or systems will serve the needs of the applicant better than equipment or systems that meet or exceed existing consensus standards.

''(F) Any other factor determined appropriate by the Administrator.''; and

(2) by adding at the end the following new subsection:

''(g) REVIEW PROCESS.—The Administrator shall implement a uniform process for reviewing applications to use grants provided under section 2003 or 2004 to purchase equipment or systems not included on the Authorized Equipment List maintained by the Administrator.''.

(b) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report assessing the implementation of the review process established under paragraph (2) of subsection (f) of section 2008 of the Homeland Security Act of 2002 (as added by subsection (a) of this section), including information on the following:

(1) The number of requests to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standard evaluated under such review process.

(2) The capability gaps identified by applicants and the number of such requests granted or denied.

(3) The processing time for the review of such requests.

SEC. 1408. AUTHORITY FOR EXPLOSIVE ORDNANCE DISPOSAL UNITS TO ACQUIRE NEW OR EMERGING TECHNOLOGIES AND CAPABILITIES.

The Secretary of Homeland Security may authorize an explosive ordnance disposal unit to acquire new or emerging technologies and capabilities that are not specifically provided for in the authorized equipment allowance for the unit, as such allowance is set forth in the Authorized Equipment List maintained by the Administrator of the Federal Emergency Management Agency.

SEC. 1409. MEMORANDA OF UNDERSTANDING.

(a) IN GENERAL.—Subtitle B of title XX of the Homeland Security Act of 2002 (6 U.S.C. 611 et seq.) is amended by adding at the end the following new section:

''SEC. 2024. MEMORANDA OF UNDERSTANDING WITH DEPARTMENTAL COMPONENTS AND OFFICES REGARDING THE POLICY AND GUIDANCE.

''The Administrator shall enter into memoranda of understanding with the heads of the following departmental components and offices delineating the roles and responsibilities of such components and offices regarding the policy and guidance for grants under section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135), sections 2003 and 2004 of this Act, and section 70107 of title 46, United States Code, as appropriate:

''(1) The Commissioner of U.S. Customs and Border Protection.

''(2) The Administrator of the Transportation Security Administration.

''(3) The Commandant of the Coast Guard.

''(4) The Under Secretary for Intelligence and Analysis.

''(5) The Assistant Director for Emergency Communications.

''(6) The Assistant Secretary for State and Local Law Enforcement.

''(7) The Countering Violent Extremism Coordinator.

''(8) The Officer for Civil Rights and Civil Liberties.

''(9) The Chief Medical Officer.

''(10) The heads of other components or offices of the Department, as determined by the Secretary.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2023 the following new item:

''Sec. 2024. Memoranda of understanding with departmental components and offices regarding the policy and guidance.''.

SEC. 1410. GRANTS METRICS.

(a) IN GENERAL.—To determine the extent to which grants under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 603, 604) have closed capability gaps identified in State Preparedness Reports required under subsection (c) of section 652 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 752; title VI of the Department of Homeland Security Appropriations Act, 2007; Public Law 109–295) and Threat and Hazard Identification and Risk Assessments required under subsections (e) and (f) of such sections 2003 and 2004, respectively, as added by this Act, from each State and high-risk urban area, the Administrator of the Federal Emergency Management Agency shall conduct and submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of information provided in those reports and assessments.

(b) ASSESSMENT REQUIREMENTS.—The assessment required under subsection (a) shall include—

(1) a comparison of successive State Preparedness Reports and Threat and Hazard Identification and Risk Assessments that aggregates results across the States and high-risk urban areas; and

(2) an assessment of the value and usefulness of State Preparedness Reports and Threat and Hazard Identification and Risk Assessments, including—

(A) the degree to which such reports and assessments are data-driven and empirically supported;

(B) the degree to which such reports and assessments have informed grant award decisions by the Federal Emergency Management Agency;

(C) the degree to which grant award decisions by the Federal Emergency Management Agency have demonstrably reduced the risks identified in such reports and assessments;

(D) the degree to which such reports and assessments align with Federal risk assessments, including counterterrorism risk assessments, and the degree to which grant award decisions by the Federal Emergency Management Agency have reduced those federally identified risks;

(E) the degree to which capability gaps identified in such reports and assessments have been mitigated; and

(F) options for improving State Preparedness Reports and Threat and Hazard Identification and Risk Assessments so that they better inform and align with grant award decisions by the Federal Emergency Management Agency.

(c) INSPECTOR GENERAL EVALUATION.—The Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report evaluating the assessment conducted by the Administrator of the Federal Emergency Management Agency under subsection (a).

SEC. 1411. GRANT MANAGEMENT BEST PRACTICES.

The Administrator of the Federal Emergency Management Agency shall include on the website of the Federal Emergency Management Agency the following:

(1) A summary of findings identified by the Office of the Inspector General of the Department of Homeland Security in audits of grants under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 603, 604) and methods to address areas identified for improvement, including opportunities for technical assistance.

(2) Innovative projects and best practices instituted by grant recipients.

SEC. 1412. PROHIBITION ON CONSOLIDATION.

(a) IN GENERAL.—The Secretary of Homeland Security may not implement the National Preparedness Grant Program or any successor consolidated grant program unless the Secretary receives prior authorization from Congress permitting such implementation.

(b) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security shall conduct a study of consolidating preparedness grant programs to—

(1) determine if the consolidated grant program would be more efficient, effective, and cost effective; and

(2) assess whether the responsibility for managing the preparedness grant programs should be relocated within the Department of Homeland Security.

SEC. 1413. MAINTENANCE OF GRANT INVESTMENTS.

Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609), as amended by section 1407, is amended by adding at the end the following new subsection:

''(h) MAINTENANCE OF EQUIPMENT.—Any applicant for a grant under section 2003 or 2004 seeking to use funds to purchase equipment, including pursuant to paragraphs (3), (4), (5), or (12) of subsection (a) of this section, shall by the time of the receipt of such grant develop a plan for the maintenance of such equipment over its life-cycle that includes information identifying which entity is responsible for such maintenance.''.

SEC. 1414. TRANSIT SECURITY GRANT PROGRAM.

Section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135) is amended—

(1) in subsection (b)(2)(A), by inserting ''and costs associated with filling the positions of employees receiving training during their absence'' after ''security training''; and

(2) by striking subsection (m) and inserting the following new subsections:

''(m) PERIODS OF PERFORMANCE.—Funds provided pursuant to a grant awarded under this section for a use specified in subsection (b) shall remain available for use by a grant recipient for a period of not fewer than 36 months.''.

SEC. 1415. PORT SECURITY GRANT PROGRAM.

Section 70107 of title 46, United States Code, is amended by—

(1) striking subsection (l);

(2) redesignating subsection (m) as subsection (l); and

(3) by adding at the end the following new subsections:

''(m) PERIOD OF PERFORMANCE.—The Secretary shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.''.

SEC. 1416. CYBER PREPAREDNESS.

(a) IN GENERAL.—Section 2209 of the Homeland Security Act of 2002, as so redesignated by section 1601(g), is amended—

(1) in subsection (c)—

(A) in paragraph (5)(B), by inserting '', including the National Network of Fusion Centers (as defined in section 210A), as appropriate'' before the semicolon at the end;

(B) in paragraph (7), in the matter preceding subparagraph (A), by striking ''information and recommendations'' each place it appears and inserting ''information, recommendations, and best practices''; and

(C) in paragraph (9), by inserting ''best practices,'' after ''defensive measures,''; and

(2) in subsection (d)(1)(B)(ii), by inserting ''and State, local, and regional fusion centers (as defined in section 201A), as appropriate'' before the semicolon at the end.

(b) SENSE OF CONGRESS.—It is the sense of Congress that to facilitate the timely dissemination to appropriate State, local, and private sector stakeholders of homeland security information related to cyber threats, the Secretary of Homeland Security should, to the greatest extent practicable, work to share actionable information in an unclassified form related to such threats.

SEC. 1417. OPERATION STONEGARDEN.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended by adding at the end the following:

''SEC. 2009. OPERATION STONEGARDEN.

''(a) ESTABLISHMENT.—There is established in the Department a program to be known as 'Operation Stonegarden'. Under such program, the Secretary, acting through the Administrator, shall make grants to eligible law enforcement agencies, through the State Administrative Agency, to enhance border security in accordance with this section.

''(b) ELIGIBLE RECIPIENTS.—To be eligible to receive a grant under this section, a law enforcement agency shall—

''(1) be located in—

''(A) a State bordering either Canada or Mexico; or

''(B) a State or territory with a maritime border; and

''(2) be involved in an active, ongoing U.S. Customs and Border Protection operation coordinated through a sector office.

''(c) PERMITTED USES.—The recipient of a grant under this section may use such grant for any of the following:

''(1) Equipment, including maintenance and sustainment costs.

''(2) Personnel costs, including overtime and backfill, directly incurred in support of enhanced border law enforcement activities.

''(3) Any activity permitted for Operation Stonegarden under the Department of Homeland Security's Fiscal Year 2016 Homeland Security Grant Program Notice of Funding Opportunity.

''(4) Any other appropriate activity, as determined by the Administrator, in consultation with the Commissioner of U.S. Customs and Border Protection.

''(d) PERIOD OF PERFORMANCE.—The Secretary shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.

''(e) COLLECTION OF INFORMATION.—For any fiscal year beginning on or after the date that is 30 days after the date of enactment of this section for which grants are made under Operation Stonegarden, the Administrator shall separately collect and maintain financial information with respect to grants awarded under Operation Stonegarden, which shall include—

''(1) the amount of the awards;

''(2) the amount obligated for the awards;

''(3) the amount of outlays under the awards;

''(4) financial plans with respect to the use of the awards;

''(5) any funding transfers or reallocations; and

''(6) any adjustments to spending plans or reprogramming.

''(f) OVERSIGHT BY THE ADMINISTRATOR.—

''(1) IN GENERAL.—The Administrator shall establish and implement guidelines—

''(A) to ensure that amounts made available under Operation Stonegarden are used in accordance with grant guidance and Federal laws;

''(B) to improve program performance reporting and program performance measurements to facilitate designing, implementing, and enforcing procedures under Operation Stonegarden; and

''(C) that require the recording of standardized performance data regarding program output.

''(2) SUBMISSION.—Not later than 90 days after the date of enactment of this section, the Administrator shall submit to the Committee on Homeland Security and the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the guidelines established under paragraph (1).

''(g) FINANCIAL REVIEW GUIDELINES.—

''(1) IN GENERAL.—The Administrator, in coordination with the Commissioner of U.S. Customs and Border Protection, shall develop and implement guidelines establishing procedures for implementing the auditing and reporting requirements under section 2022 with respect to Operation Stonegarden.

''(2) SUBMISSION.—Not later than 90 days after the date of enactment of this section, the Administrator shall submit to the Committee on Homeland Security and the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the guidelines established under paragraph (1).

''(h) REPORT AND BRIEFING.—The Administrator, in coordination with the Commissioner of U.S. Customs and Border Protection, shall, at least annually during each of fiscal years 2018 through 2022, submit to the Committee on Homeland Security and the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report and briefing including—

''(1) for the period covered by the report—

''(A) information on how each recipient of a grant under Operation Stonegarden expended amounts received under the grant;

''(B) a list of all operations carried out using amounts made available under Operation Stonegarden; and

''(C) for each operation described in subparagraph (B)—

''(i) whether the operation is active or completed;

''(ii) the targeted purpose of the operation;

''(iii) the location of the operation; and

''(iv) the total number of hours worked by employees of the grant recipient and by employees of U.S. Customs and Border Protection with respect to the operation, including the number of hours for which such employees received basic pay and the number of hours for which such employees received premium pay, by type of premium pay; and

''(2) in the first report submitted under this subsection—

''(A) an examination of the effects changing the Operation Stonegarden Program to award multi-year grants would have on the mission of the program; and

''(B) the findings and recommendations of the Administrator regarding what changes could improve the program to better serve the program mission, which may include feedback from grant recipients.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2008 the following:

''Sec. 2009. Operation Stonegarden.''.

SEC. 1418. NON-PROFIT SECURITY GRANT PROGRAM.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.), as amended by section 1417 of this Act, is amended by adding at the end the following:

''SEC. 2010. NON-PROFIT SECURITY GRANT PROGRAM.

''(a) ESTABLISHMENT.—There is established in the Department a program to be known as the 'Non-Profit Security Grant Program' (in this section referred to as the 'Program'). Under the Program, the Secretary, acting through the Administrator, shall make grants to eligible nonprofit organizations described in subsection (b), through the State in which such organizations are located, for target hardening and other security enhancements to protect against terrorist attacks.

''(b) ELIGIBLE RECIPIENTS.—Eligible nonprofit organizations described in this subsection (a) are organizations that are—

''(1) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

''(2) determined to be at risk of a terrorist attack by the Administrator.

''(c) PERMITTED USES.—The recipient of a grant under this section may use such grant for any of the following:

''(1) Target hardening activities, including physical security enhancement equipment and inspection and screening systems.

''(2) Fees for security training relating to physical security and cybersecurity, target hardening, terrorism awareness, and employee awareness.

''(3) Any other appropriate activity related to security or security training, as determined by the Administrator.

''(d) ALLOCATION.—The Administrator shall ensure that not less than an amount equal to 30 percent of the total funds appropriated for grants under the Program for each fiscal year is used for grants to eligible nonprofit organizations described in subsection (b) that are located in jurisdictions not receiving funding under section 2003.

''(e) PERIOD OF PERFORMANCE.—The Administrator shall make funds provided under this section available for use by a recipient

of a grant for a period of not less than 36 months.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of section 2002 of the Homeland Security Act of 2002 (6 U.S.C. 603) is amended by striking ''sections 2003 and 2004'' and inserting ''sections 2003, 2004, and 2010''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1417(b), is amended by inserting after the item relating to section 2009 the following:

''Sec. 2010. Non-Profit Security Grant Program.''.

SEC. 1419. STUDY OF THE USE OF GRANT FUNDS FOR CYBERSECURITY.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on the use of grant funds awarded pursuant to section 2003 and section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604, 605), including information on the following:

(1) The amount of grant funds invested or obligated annually during fiscal years 2006 through 2016 to support efforts to prepare for and respond to cybersecurity risks and incidents (as such terms are defined in section 2209 of such Act, as so redesignated by section 1601(g) of this Act).

(2) The degree to which grantees identify cybersecurity as a capability gap in the Threat and Hazard Identification and Risk Assessment required under subsections (e) and (f) of sections 2003 and 2004 of such Act (6 U.S.C. 604, 605), as added by this Act.

(3) Obstacles and challenges related to using grant funds to improve cybersecurity.

(4) Plans for future efforts to encourage grantees to use grant funds to improve cybersecurity capabilities.

SEC. 1420. JOINT COUNTERTERRORISM AWARENESS WORKSHOP SERIES.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following:

''SEC. 529. JOINT COUNTERTERRORISM AWARENESS WORKSHOP SERIES.

''(a) IN GENERAL.—The Administrator, in consultation with the Director of the National Counterterrorism Center and the Director of the Federal Bureau of Investigation, shall establish a Joint Counterterrorism Awareness Workshop Series (in this section referred to as the 'Workshop Series') to—

''(1) address emerging terrorist threats; and

''(2) enhance the ability of State and local jurisdictions to prevent, protect against, respond to, and recover from terrorist attacks.

''(b) PURPOSE.—The Workshop Series established under subsection (a) shall include—

''(1) reviewing existing preparedness, response, and interdiction plans, policies, and procedures related to terrorist attacks of the participating jurisdictions and identifying gaps in those plans, operational capabilities, response resources, and authorities;

''(2) identifying Federal, State, and local resources available to address the gaps identified under paragraph (1);

''(3) providing assistance, through training, exercises, and other means, to build or sustain, as appropriate, the capabilities to close those identified gaps;

''(4) examining the roles and responsibilities of participating agencies and respective communities in the event of a terrorist attack;

''(5) improving situational awareness and information sharing among all participating agencies in the event of a terrorist attack; and

''(6) identifying and sharing best practices and lessons learned from the Workshop Series.

''(c) DESIGNATION OF PARTICIPATING CITIES.—The Administrator shall select jurisdictions to host a Workshop Series from those cities that—

''(1) are currently receiving, or that previously received, funding under section 2003; and

''(2) have requested to be considered.

''(d) WORKSHOP SERIES PARTICIPANTS.—Individuals from State and local jurisdictions and emergency response providers in cities designated under subsection (c) shall be eligible to participate in the Workshop Series, including—

''(1) senior elected and appointed officials;

''(2) law enforcement;

''(3) fire and rescue;

''(4) emergency management;

''(5) emergency medical services;

''(6) public health officials;

''(7) private sector representatives;

''(8) representatives of nonprofit organizations; and

''(9) other participants as deemed appropriate by the Administrator.

''(e) REPORTS.—

''(1) WORKSHOP SERIES REPORT.—The Administrator, in consultation with the Director of the National Counterterrorism Center, the Director of the Federal Bureau of Investigation, and officials from the city in which a Workshop Series is held, shall develop and submit to all of the agencies participating in the Workshop Series a report after the conclusion of the Workshop Series that addresses—

''(A) key findings about lessons learned and best practices from the Workshop Series; and

''(B) potential mitigation strategies and resources to address gaps identified during the Workshop Series.

''(2) ANNUAL REPORTS.—Not later than 1 year after the date of enactment of this section and annually thereafter for 5 years, the Administrator, in consultation with the Director of the National Counterterrorism Center and the Director of the Federal Bureau of Investigation, 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 comprehensive summary report of the key themes, lessons learned, and best practices identified during the Workshop Series held during the previous year.

''(f) AUTHORIZATION.—There is authorized to be appropriated $1,000,000 for each of fiscal years 2018 through 2022 to carry out this section.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 528 the following:

''Sec. 529. Joint Counterterrorism Awareness Workshop Series.''.

SEC. 1421. EXERCISE ON TERRORIST AND FOREIGN FIGHTER TRAVEL; NATIONAL EXERCISE PROGRAM.

(a) EXERCISE ON TERRORIST AND FOREIGN FIGHTER TRAVEL.—

(1) IN GENERAL.—In addition to, or as part of, exercise programs carried out by the Department of Homeland Security as of the date of enactment of this Act, to enhance domestic preparedness for and collective response to terrorism, promote the dissemination of homeland security information, and test the security posture of the United States, the Secretary of Homeland Security, through appropriate offices and components of the Department of Homeland Security and in coordination with the relevant Federal departments and agencies, shall, not later than 1 year after the date of enactment of this Act, develop and conduct an exercise related to the terrorist and foreign fighter threat.

(2) EXERCISE REQUIREMENTS.—The exercise required under paragraph (1) shall include—

(A) a scenario involving—

(i) persons traveling from the United States to join or provide material support or resources to a terrorist organization abroad; and

(ii) terrorist infiltration into the United States, including United States citizens and foreign nationals; and

(B) coordination with relevant Federal departments and agencies, foreign governments, and State, local, tribal, territorial, and private sector stakeholders.

(3) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the completion of the exercise required under paragraph (1), the Secretary of Homeland Security shall, consistent with the protection of classified information, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives an after-action report presenting the initial findings of the exercise, including any identified or potential vulnerabilities in United States defenses and any legislative changes requested in light of the findings.

(B) FORM.—The report required under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(b) EMERGING THREATS IN THE NATIONAL EXERCISE PROGRAM.—Section 648(b)(2)(A) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 748(b)(2)(A)) is amended—

(1) in clause (v), by striking ''and'' at the end; and

(2) by adding after clause (vi) the following:

''(vii) designed, to the extent practicable, to include exercises addressing emerging terrorist threats, such as scenarios involving United States citizens departing the United States to enlist with or provide material support or resources to terrorist organizations abroad or terrorist infiltration into the United States, including United States citizens and foreign nationals; and''.

(c) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to carry out the requirements of this section and the amendments made by this section. The requirements of this section and the amendments made by this section shall be carried out using amounts otherwise authorized.

SEC. 1422. GRANTS ACCOUNTABILITY.

Section 2022 of the Homeland Security Act of 2002 (6. U.S.C. 612) is amended—

(1) in subsection (a)(1)(B)—

(A) by striking ''The Department'' and inserting the following:

''(i) IN GENERAL.—The Department''; and

(B) by adding at the end the following:

''(ii) INSPECTOR GENERAL REVIEW.—With respect to each grant awarded, the Inspector General of the Department may—

''(I) examine any records of the contractor or grantee, any of its subcontractors or subgrantees, or any State or local agency or other entity in receipt of or administering any grant awarded, that pertain to, and involve transactions relating to the contract, subcontract, grant, or subgrant; and

''(II) interview any officer or employee of the contractor or grantee, any of its subcontractors or subgrantees, or any State or local agency or other entity in receipt of or administering any grant awarded, regarding transactions relating to the contract, subcontract, grant, or subgrant.

''(iii) RULE OF CONSTRUCTION.—Nothing in clause (ii) may be construed to limit or restrict the authority of the Inspector General of the Department.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''a grant under section 2003 or 2004'' and inserting ''a covered grant, any recipient, including'';

(II) by inserting a comma after ''tribe''; and

(III) by inserting ''or the Secretary, as appropriate under the covered grant,'' after ''Administrator'';

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting ''recipient, including any'' after ''for the applicable'';

(II) in clause (i), by striking ''section 2003 or 2004'' and inserting ''the covered grant'';

(III) in clause (ii)—

(aa) by striking ''section 2003 or 2004'' and inserting ''the covered grant''; and

(bb) by striking ''and'' at the end;

(IV) in clause (iii)—

(aa) by striking ''summary'' and inserting ''detailed''; and

(bb) by striking ''such funds'' and all that follows through the period at the end and inserting the following: ''such funds, including—

''(I) the name of the recipient and the project or activity;

''(II) a detailed description of the project or activity;

''(III) an evaluation of the completion status of the project or activity;

''(IV) in the case of an infrastructure investment—

''(aa) the purpose, total expected cost, and rationale for funding the infrastructure investment with funds made available; and

''(bb) the name of the point of contact for the recipient if there are questions concerning the infrastructure investment; and

''(V) detailed information from each subgrantee, including the information described in subparagraphs (I) through (IV), on any subgrant awarded by the recipient; and''; and

(V) by adding at the end the following:

''(iv) the total amount of funds received to date under each covered grant.'';

(iii) in subparagraph (C)—

(I) in the matter preceding clause (i)—

(aa) by striking ''subparagraph (A) by a'' and inserting ''subparagraph (A) by any recipient, including any'';

(bb) by inserting a comma after ''tribe''; and

(cc) by inserting '', in addition to the contents required under subparagraph (B)'' after ''shall include'';

(II) in clause (ii)—

(aa) by inserting ''total'' before ''amount''; and

(bb) by adding ''and'' at the end;

(III) in clause (iii)—

(aa) by striking ''apply within'' and inserting ''apply to or within any recipient, including''; and

(bb) by striking ''; and'' and inserting a period; and

(IV) by striking clause (iv); and

(B) by adding at the end the following:

''(3) REQUIRED REPORTING FOR PRIOR AWARDED GRANTS.—Not later than 180 days after the end of the quarter following the date of enactment of this paragraph, each recipient of a covered grant awarded before the date of enactment of this paragraph shall provide the information required under this subsection and thereafter comply with the requirements of this subsection.

''(4) ASSISTANCE IN REPORTING.—The Administrator or the Secretary, as appropriate under the covered grant, in coordination with the Director of the Office of Management and Budget, shall provide for user-friendly means for grant recipients to comply with the reporting requirements of this subsection.

''(5) SUBGRANTEE REPORTING.—Each grant recipient required to report information under paragraph (1)(B)(iii)(V) shall register with the System for Award Management database or complete other registration requirements as determined necessary by the Director of the Office of Management and Budget.

''(6) PUBLICATION OF INFORMATION.—Not later than 7 days after the date on which the Administrator or the Secretary, as the case may be, receives the reports required to be submitted under this subsection, the Administrator and the Secretary shall make the information in the reports publicly available, in a searchable database, on the website of the Federal Emergency Management Agency or Department, as appropriate.

''(7) COVERED GRANT DEFINED.—In this subsection, the term 'covered grant' means a grant awarded under—

''(A) this Act; or

''(B) a program described in paragraphs (1) through (6) of section 2002(b) that is administered by the Department.''; and

(3) by adding at the end the following:

''(d) SUNSET AND DISPOSITION OF UNEXPENDED GRANT AMOUNTS.—

''(1) IN GENERAL.—Except as may be otherwise provided in the authorizing statute of a grant program, effective on the date that is 5 years after the date on which grant funds are distributed by the Administrator or the Secretary, as appropriate, under a covered grant (as defined in subsection (b)(7)), the authority of a covered grant recipient, including any grantee or subgrantee, to obligate, provide, make available, or otherwise expend those funds is terminated.

''(2) RETURN OF UNEXPENDED GRANT AMOUNTS.—Upon the termination of authority under paragraph (1), any grant amounts that have not been expended shall be returned to the Administrator or the Secretary, as the case may be. The Administrator or the Secretary, as the case may be, shall deposit any grant amounts returned under this paragraph in the General Fund of the Treasury in accordance with section 3302 of title 31, United States Code.

''(3) AWARDS TO RECIPIENTS RETURNING GRANT FUNDS.—On and after the date on which the authority of a covered grant recipient is terminated under paragraph (1) with respect to a grant under a covered grant program, the Administrator or the Secretary, as appropriate, may award a grant under the covered grant program to the covered grant recipient, only pursuant to the submission of a new grant application, in accordance with the requirements of the grant program.

''(4) APPLICABILITY.—This subsection shall apply to any grant awarded under a covered grant program on or after the date of enactment of this subsection.''.

Subtitle B—Communications

SEC. 1431. RESPONSIBILITIES OF ASSISTANT DIRECTOR FOR EMERGENCY COMMUNICATIONS.

(a) IN GENERAL.—Section 1801(c) of the Homeland Security Act of 2002 (6 U.S.C. 571(c)) is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraphs (4) through (14) as paragraphs (3) through (13), respectively;

(3) by redesignating paragraph (15) as paragraph (16);

(4) in paragraph (8), as so redesignated, by striking '', in cooperation with the National Communications System,'';

(5) in paragraph (11), as so redesignated, by striking ''Assistant Secretary for Grants and Training'' and inserting ''Administrator of the Federal Emergency Management Agency'';

(6) in paragraph (13), as so redesignated, by striking ''and'' at the end; and

(7) by inserting after paragraph (13) the following:

''(14) administer the Government Emergency Telecommunications Service (GETS) and Wireless Priority Service (WPS) programs, or successor programs;

''(15) assess the impact of emerging technologies on interoperable emergency communications; and''.

(b) PERFORMANCE OF PREVIOUSLY TRANSFERRED FUNCTIONS.—Section 1801(d) of the Homeland Security Act of 2002 (6 U.S.C. 571(d)) is amended by—

(1) striking paragraph (2); and

(2) redesignating paragraph (3) as paragraph (2).

SEC. 1432. ANNUAL REPORTING ON ACTIVITIES OF THE EMERGENCY COMMUNICATIONS DIVISION.

Section 1801(f) of the Homeland Security Act of 2002 (6 U.S.C. 571(f)) is amended to read as follows:

''(f) ANNUAL REPORTING OF DIVISION ACTIVITIES.—The Assistant Director for Emergency Communications shall, not later than 1 year after the date of the enactment of this subsection and annually thereafter for each of the next 4 years, report to the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the activities and programs of the Emergency Communications Division, including specific information on efforts to carry out paragraphs (3), (4), and (5) of subsection (c).''.

SEC. 1433. NATIONAL EMERGENCY COMMUNICATIONS PLAN.

Section 1802 of the Homeland Security Act of 2002 (6 U.S.C. 572) is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking '', and in cooperation with the Department of National Communications System (as appropriate),''; and

(B) by inserting '', but not less than once every 5 years,'' after ''periodically''; and

(2) in subsection (c)—

(A) by redesignating paragraphs (3) through (10) as paragraphs (4) through (11), respectively; and

(B) by inserting after paragraph (2) the following new paragraph:

''(3) consider the impact of emerging technologies on the attainment of interoperable emergency communications;''.

SEC. 1434. TECHNICAL EDIT.

Section 1804(b)(1) of the Homeland Security Act of 2002 (6 U.S.C. 574(b)(1)) is amended, in the matter preceding subparagraph (A), by striking ''Assistant Secretary for Grants and Planning'' and inserting ''Administrator of the Federal Emergency Management Agency''.

SEC. 1435. COMMUNICATIONS TRAINING.

The Under Secretary for Management of the Department of Homeland Security, in coordination with the appropriate component heads, shall develop a mechanism, consistent with the strategy required pursuant to section 4 of the Department of Homeland Security Interoperable Communications Act (Public Law 114–29; 6 U.S.C. 194 note), to verify that radio users within the Department receive initial and ongoing training on the use of the radio systems of such components, including interagency radio use protocols.

Subtitle C—Other Matters

SEC. 1451. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TITLE V.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended as follows:

(1) In section 501 (6 U.S.C. 311)—

(A) by redesignating paragraphs (9) through (14) as paragraphs (10) through (15), respectively; and

(B) by inserting after paragraph (8) the following new paragraph:

''(9) the term 'Nuclear Incident Response Team' means a resource that includes—

''(A) those entities of the Department of Energy that perform nuclear or radiological emergency support functions (including accident response, search response, advisory, and technical operations functions), radiation exposure functions at the medical assistance facility known as the Radiation Emergency Assistance Center/Training Site (REAC/TS), radiological assistance functions, and related functions; and

''(B) those entities of the Environmental Protection Agency that perform such support functions (including radiological emergency response functions) and related functions.''.

(2) By striking section 502 (6 U.S.C. 312).

(3) In section 504(a)(3)(B) (6 U.S.C. 314(a)(3)(B)), by striking '', the National Disaster Medical System,''.

(4) In section 506 (6 U.S.C. 316)—

(A) by striking subsection (b);

(B) by redesignating subsections (c) and (d) as subsections (b) and (c) respectively; and

(C) in subsection (b), as so redesignated, by striking ''section 708'' each place it appears and inserting ''section 707''.

(5) In section 509(c)(2) (6 U.S.C. 319(c)(2)), in the matter preceding subparagraph (A), by striking ''section 708'' and inserting ''section 707''.

(b) TITLE XX.—Title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended—

(1) in section 2001 (6 U.S.C. 601)—

(A) by striking paragraph (13);

(B) by redesignating paragraphs (3) through (12) as paragraphs (4) through (13), respectively; and

(C) by inserting after paragraph (2) the following:

''(3) CORE CAPABILITIES.—The term 'core capabilities' means the capabilities for Federal, State, local, and tribal government preparedness for which guidelines are required to be established under section 646(a) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 746(a)).'';

(2) in subsection (k)(1) of section 2005 (6 U.S.C. 606), as so redesignated by section 1403, by striking ''target'' and inserting ''core''; and

(3) in section 2021(d)(3) (6 U.S.C. 611(d)(3)), by striking ''target'' each place it appears and inserting ''core''.

(c) IMPLEMENTING RECOMMENDATIONS OF THE 9/11 COMMISSION ACT OF 2007.—Section 1204 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1102) is amended—

(1) in subsection (b)(4), by striking ''Rescue'' and inserting ''Recovery''; and

(2) in subsection (d)(2), by striking ''Rescue'' and inserting ''Recovery''.

TITLE V—FEDERAL EMERGENCY MANAGEMENT AGENCY

SEC. 1501. SHORT TITLE.

This title may be cited as the ''FEMA Reauthorization Act of 2018''.

SEC. 1502. REAUTHORIZATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY.

Section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 811) is amended—

(1) by striking ''administration and operations'' each place the term appears and inserting ''management and administration'';

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

(3) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(4) for fiscal year 2018, $1,049,000,000;

''(5) for fiscal year 2019, $1,065,784,000; and

''(6) for fiscal year 2020, $1,082,836,544.''.

SEC. 1503. NATIONAL DOMESTIC PREPAREDNESS CONSORTIUM.

Section 1204 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1102) is amended—

(1) in subsection (c), by inserting ''to the extent practicable, provide training in settings that simulate real response environments, such as urban areas,'' after ''levels,'';

(2) in subsection (d), by striking paragraphs (1) and (2) and inserting the following:

''(1) for the Center for Domestic Preparedness—

''(A) $63,939,000 for fiscal year 2018;

''(B) $64,962,024 for fiscal year 2019; and

''(C) $66,001,416 for fiscal year 2020; and

''(2) for the members of the National Domestic Preparedness Consortium described in paragraphs (2) through (7) of subsection (b)—

''(A) $101,000,000 for fiscal year 2018;

''(B) $102,606,000 for fiscal year 2019; and

''(C) $104,247,856 for fiscal year 2020.''; and

(3) in subsection (e)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''each of the following entities'' and inserting ''members of the National Domestic Preparedness Consortium enumerated in subsection (b)''; and

(ii) by striking ''2007—'' and inserting ''2015.'' and

(B) by striking paragraphs (1) through (5).

SEC. 1504. RURAL DOMESTIC PREPAREDNESS CONSORTIUM.

(a) IN GENERAL.—The Secretary of Homeland Security is authorized to establish a Rural Domestic Preparedness Consortium within the Department of Homeland Security consisting of universities and nonprofit organizations qualified to provide training to emergency response providers (as defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101)) from rural communities (as defined by the Federal Emergency Management Agency).

(b) DUTIES.—The Rural Domestic Preparedness Consortium authorized under subsection (a) shall identify, develop, test, and deliver training to State, local, and tribal emergency response providers from rural communities, provide on-site and mobile training, and facilitate the delivery of training by the training partners of the Department of Homeland Security.

(c) AUTHORIZATION OF APPROPRIATIONS.—Of amounts appropriated for Continuing Training Grants of the Department of Homeland Security, $5,000,000 is authorized to be used for the Rural Domestic Preparedness Consortium authorized under subsection (a).

SEC. 1505. CENTER FOR FAITH-BASED AND NEIGHBORHOOD PARTNERSHIPS.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.), as amended by section 1420 of this Act, is amended by adding at the end the following:

''SEC. 530. CENTER FOR FAITH-BASED AND NEIGHBORHOOD PARTNERSHIPS.

''(a) IN GENERAL.—There is established in the Agency a Center for Faith-Based and Neighborhood Partnerships, headed by a Director appointed by the Secretary.

''(b) MISSION.—The mission of the Center shall be to develop and coordinate departmental outreach efforts with faith-based and community organizations and serve as a liaison between those organizations and components of the Department for activities related to securing facilities, emergency preparedness and response, and combating human trafficking.

''(c) RESPONSIBILITIES.—In support of the mission of the Center for Faith-Based and Neighborhood Partnerships, the Director shall—

''(1) develop exercises that engage faith-based and community organizations to test capabilities for all hazards, including active shooter incidents;

''(2) coordinate the delivery of guidance and training to faith-based and community organizations related to securing their facilities against natural disasters, acts of terrorism, and other man-made disasters;

''(3) conduct outreach to faith-based and community organizations regarding guidance, training, and exercises and departmental capabilities available to assist faith-based and community organizations to secure their facilities against natural disasters, acts of terrorism, and other man-made disasters;

''(4) facilitate engagement and coordination among the emergency management community and faith-based and community organizations;

''(5) deliver training and technical assistance to faith-based and community organizations and provide subject-matter expertise related to anti-human trafficking efforts to help communities successfully partner with other components of the Blue Campaign of the Department; and

''(6) perform any other duties as assigned by the Administrator.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1420, is amended by inserting after the item relating to section 529 the following:

''Sec. 530. Center For Faith-Based And Neighborhood Partnerships.''.

SEC. 1506. EMERGENCY SUPPORT FUNCTIONS.

(a) UPDATE.—Paragraph (14) of section 504(a) of the Homeland Security Act of 2002 (6 U.S.C. 314(a)), as so redesignated by section 1520, is amended by inserting '', periodically updating (but not less often than once every 5 years),'' after ''administering''.

(b) EMERGENCY SUPPORT FUNCTIONS.—Section 653 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 753) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following:

''(d) COORDINATION.—The President, acting through the Administrator, shall develop and provide to Federal departments and agencies with coordinating, primary, or supporting responsibilities under the National Response Framework performance metrics to ensure readiness to execute responsibilities under the emergency support functions of the National Response Framework.''.

SEC. 1507. REVIEW OF NATIONAL INCIDENT MANAGEMENT SYSTEM.

Section 509(b)(2) of the Homeland Security Act of 2002 (6 U.S.C. 319(b)(2)) is amended, in the matter preceding subparagraph (A), by inserting '', but not less often than once every 5 years,'' after ''periodically''.

SEC. 1508. REMEDIAL ACTION MANAGEMENT PROGRAM.

Section 650 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 750) is amended to read as follows:

''SEC. 650. REMEDIAL ACTION MANAGEMENT PROGRAM.

''(a) IN GENERAL.—The Administrator, in coordination with the National Council on

Disability and the National Advisory Council, shall establish a remedial action management program to—

''(1) analyze training, exercises, and real world events to identify lessons learned, corrective actions, and best practices;

''(2) generate and disseminate, as appropriate, the lessons learned, corrective actions, and best practices described in paragraph (1); and

''(3) conduct remedial action tracking and long-term trend analysis.

''(b) FEDERAL CORRECTIVE ACTIONS.—The Administrator, in coordination with the heads of appropriate Federal departments and agencies, shall—

''(1) utilize the program established under subsection (a) to collect information on corrective actions identified by such Federal departments and agencies during exercises and the response to natural disasters, acts of terrorism, and other man-made disasters; and

''(2) not later than 1 year after the date of the enactment of the FEMA Reauthorization Act of 2018 and annually thereafter for each of the next 4 years, submit to Congress a report on the status of those corrective actions.

''(c) DISSEMINATION OF AFTER ACTION REPORTS.—The Administrator shall provide electronically, to the maximum extent practicable, to Congress and Federal, State, local, tribal, and private sector officials after-action reports and information on lessons learned and best practices from responses to acts of terrorism, natural disasters, capstone exercises conducted under the national exercise program under section 648(b), and other emergencies or exercises.''.

SEC. 1509. CENTER FOR DOMESTIC PREPAREDNESS.

The Administrator of the Federal Emergency Management Agency shall—

(1) develop an implementation plan, including benchmarks and milestones, to address the findings and recommendations of the 2017 Management Review Team that issued a report on May 8, 2017, regarding live agent training at the Chemical, Ordnance, Biological and Radiological Training Facility; and

(2) provide to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate updates and information on efforts to implement recommendations related to the management review of the Chemical, Ordnance, Biological, and Radiological Training Facility of the Center for Domestic Preparedness of the Federal Emergency Management Agency, including, as necessary, information on additional resources or authority needed to implement such recommendations.

SEC. 1510. FEMA SENIOR LAW ENFORCEMENT ADVISOR.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.), as amended by section 1505 of this Act, is amended by adding at the end the following:

''SEC. 531. SENIOR LAW ENFORCEMENT ADVISOR.

''(a) ESTABLISHMENT.—The Administrator shall appoint a Senior Law Enforcement Advisor to serve as a qualified expert to the Administrator for the purpose of strengthening the Agency's coordination among State, local, and tribal law enforcement.

''(b) QUALIFICATIONS.—The Senior Law Enforcement Advisor shall have an appropriate background with experience in law enforcement, information sharing, and other emergency response functions.

''(c) RESPONSIBILITIES.—The Senior Law Enforcement Advisor shall—

''(1) coordinate on behalf of the Administrator with the Office for State and Local Law Enforcement under section 2006 for the purpose of ensuring State, local, and tribal law enforcement receive consistent and appropriate consideration in policies, guidance, training, and exercises related to preventing, preparing for, protecting against, and responding to natural disasters, acts of terrorism, and other man-made disasters within the United States;

''(2) work with the Administrator and the Office for State and Local Law Enforcement under section 2006 to ensure grants to State, local, and tribal government agencies, including programs under sections 2003, 2004, and 2006(a), appropriately focus on terrorism prevention activities; and

''(3) serve other appropriate functions as determined by the Administrator.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by section 1505, is amended by inserting after the item relating to section 530 the following:

''Sec. 531. Senior Law Enforcement Advisor.''.

SEC. 1511. TECHNICAL EXPERT AUTHORIZED.

Section 503(b)(2) of the Homeland Security Act of 2002 (6 U.S.C. 313(b)(2)) is amended—

(1) in subparagraph (G), by striking ''and'' at the end;

(2) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(I) identify and integrate the needs of children into activities to prepare for, protect against, respond to, recover from, and mitigate against natural disasters, acts of terrorism, and other man-made disasters, including catastrophic incidents, including by appointing a technical expert, who may consult with relevant outside organizations and experts, as necessary, to coordinate such activities, as necessary.''.

SEC. 1512. MISSION SUPPORT.

(a) ESTABLISHMENT.—The Administrator of the Federal Emergency Management Agency shall designate an individual to serve as the chief management official and principal advisor to the Administrator on matters related to the management of the Federal Emergency Management Agency, including management integration in support of emergency management operations and programs.

(b) MISSION AND RESPONSIBILITIES.—The Administrator of the Federal Emergency Management Agency, acting through the official designated pursuant to subsection (a), shall be responsible for the management and administration of the Federal Emergency Management Agency, including with respect to the following:

(1) Procurement.

(2) Human resources and personnel.

(3) Information technology and communications systems.

(4) Real property investment and planning, facilities, accountable personal property (including fleet and other material resources), records and disclosure, privacy, safety and health, and sustainability and environmental management.

(5) Security for personnel, information technology and communications systems, facilities, property, equipment, and other material resources.

(6) Any other management duties that the Administrator may designate.

(c) MOUNT WEATHER EMERGENCY OPERATIONS AND ASSOCIATED FACILITIES.—Nothing in this section shall be construed as limiting or otherwise affecting the role or responsibility of the Assistant Administrator for National Continuity Programs with respect to the matters described in subsection (b) as such matters relate to the Mount Weather Emergency Operations Center and associated facilities. The management and administration of the Mount Weather Emergency Operations Center and associated facilities remain the responsibility of the Assistant Administrator for National Continuity Programs.

(d) REPORT.—Not later than 270 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes—

(1) a review of financial, human capital, information technology, real property planning, and acquisition management of headquarters and all regional offices of the Federal Emergency Management Agency; and

(2) a strategy for capturing financial, human capital, information technology, real property planning, and acquisition data.

SEC. 1513. STRATEGIC HUMAN CAPITAL PLAN.

Section 10102(c) of title 5, United States Code, is amended by striking ''2007'' and inserting ''2019''.

SEC. 1514. OFFICE OF DISABILITY INTEGRATION AND COORDINATION OF DEPARTMENT OF HOMELAND SECURITY.

(a) OFFICE OF DISABILITY INTEGRATION AND COORDINATION.—

(1) IN GENERAL.—Section 513 of the Homeland Security Act of 2002 (6 U.S.C. 321b) is amended to read as follows:

''SEC. 513. OFFICE OF DISABILITY INTEGRATION AND COORDINATION.

''(a) IN GENERAL.—There is established within the Agency an Office of Disability Integration and Coordination (in this section referred to as the 'Office'), which shall be headed by a Director.

''(b) MISSION.—The mission of the Office is to ensure that individuals with disabilities and other access and functional needs are included in emergency management activities throughout the Agency by providing guidance, tools, methods, and strategies for the purpose of equal physical program and effective communication access.

''(c) RESPONSIBILITIES.—In support of the mission of the Office, the Director shall—

''(1) provide guidance and coordination on matters related to individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

''(2) oversee Office employees responsible for disability integration in each regional office with respect to carrying out the mission of the Office;

''(3) liaise with other employees of the Agency, including nonpermanent employees, organizations representing individuals with disabilities, other agencies of the Federal Government, and State, local, and tribal government authorities regarding the needs of individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

''(4) coordinate with the technical expert on the needs of children within the Agency to provide guidance and coordination on matters related to children with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

''(5) consult with organizations representing individuals with disabilities about access and functional needs in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

''(6) ensure the coordination and dissemination of best practices and model evacuation plans for individuals with disabilities;

''(7) collaborate with Agency leadership responsible for training to ensure that qualified experts develop easily accessible training materials and a curriculum for the training of emergency response providers, State, local, and tribal government officials, and others on the needs of individuals with disabilities;

''(8) coordinate with the Emergency Management Institute, the Center for Domestic Preparedness, Center for Homeland Defense and Security, the United States Fire Administration, the national exercise program described in section 648(b) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 748(b)), and the National Domestic Preparedness Consortium to ensure that content related to persons with disabilities, access and functional needs, and children are integrated into existing and future emergency management trainings;

''(9) promote the accessibility of telephone hotlines and websites regarding emergency preparedness, evacuations, and disaster relief;

''(10) work to ensure that video programming distributors, including broadcasters, cable operators, and satellite television services, make emergency information accessible to individuals with hearing and vision disabilities;

''(11) ensure the availability of accessible transportation options for individuals with disabilities in the event of an evacuation;

''(12) provide guidance and implement policies to ensure that the rights and feedback of individuals with disabilities regarding post-evacuation residency and relocation are respected;

''(13) ensure that meeting the needs of individuals with disabilities are included in the components of the national preparedness system established under section 644 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 744); and

''(14) perform any other duties as assigned by the Administrator.

''(d) DIRECTOR.—After consultation with organizations representing individuals with disabilities, the Administrator shall appoint a Director. The Director shall report directly to the Administrator, in order to ensure that the needs of individuals with disabilities are being properly addressed in emergency preparedness and disaster relief.

''(e) ORGANIZATIONS REPRESENTING INDIVIDUALS WITH DISABILITIES DEFINED.—For purposes of this section, the term 'organizations representing individuals with disabilities' means the National Council on Disabilities, the Interagency Coordinating Council on Preparedness and Individuals with Disabilities, and other appropriate disability organizations.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 513 and inserting the following:

''513. Office of Disability Integration and Coordination.''.

(b) REPORT TO CONGRESS.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to Congress a report on the funding and staffing needs of the Office of Disability Integration and Coordination under section 513 of the Homeland Security Act of 2002, as amended by subsection (a).

SEC. 1515. MANAGEMENT COSTS.

Section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165b) is amended—

(1) in subsection (a), by striking ''any administrative expense, and any other expense not directly chargeable to'' and inserting ''direct administrative cost, and any other administrative expense associated with''; and

(2) in subsection (b)—

(A) by striking ''Notwithstanding'' and inserting the following:

''(1) IN GENERAL.—Notwithstanding'';

(B) in paragraph (1), as so designated, by striking ''establish'' and inserting ''implement''; and

(C) by adding at the end the following:

''(2) SPECIFIC MANAGEMENT COSTS.—The Administrator shall provide for management costs, in addition to the eligible project costs, to cover direct and indirect costs of administering the following programs:

''(A) HAZARD MITIGATION.—A grantee under section 404 may be reimbursed for direct and indirect administrative costs in a total amount of not more than 15 percent of the total amount of the grant award under such section of which not more than 10 percent may be used by the grantee and 5 percent by the subgrantee for such costs.

''(B) PUBLIC ASSISTANCE.—A grantee under sections 403, 406, 407, and 502 may be reimbursed direct and indirect administrative costs in a total amount of not more than 12 percent of the total award amount under such sections, of which not more than 7 percent may be used by the grantee and 5 percent by the subgrantee for such costs.''.

SEC. 1516. PERFORMANCE OF SERVICES.

Section 306 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149) is amended by adding at the end the following:

''(c) The Administrator of the Federal Emergency Management Agency may appoint temporary personnel, after serving continuously for 3 years, to positions in the Federal Emergency Management Agency in the same manner that competitive service employees with competitive status are considered for transfer, reassignment, or promotion to such positions. An individual appointed under this subsection shall become a career-conditional employee, unless the employee has already completed the service requirements for career tenure.''.

SEC. 1517. STUDY TO STREAMLINE AND CONSOLIDATE INFORMATION COLLECTION.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall—

(1) in coordination with the Small Business Administration, the Department of Housing and Urban Development, and other appropriate agencies, conduct a study and develop a plan, consistent with law, under which the collection of information from disaster assistance applicants and grantees will be modified, streamlined, expedited, consolidated, and simplified to be less burdensome, duplicative, and time consuming, and more efficient and flexible, for applicants and grantees;

(2) in coordination with the Small Business Administration, the Department of Housing and Urban Development, and other appropriate agencies, develop a plan for the regular collection and reporting of information on Federal disaster assistance awarded, including the establishment and maintenance of a website for presenting the information to the public; and

(3) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate—

(A) the plans developed under paragraphs (1) and (2); and

(B) recommendations, if any, of the Administrator for legislative changes to streamline or consolidate the collection or reporting of information, as described in paragraphs (1) and (2).

SEC. 1518. AGENCY ACCOUNTABILITY.

Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following:

''SEC. 430. AGENCY ACCOUNTABILITY.

''(a) PUBLIC ASSISTANCE.—Not later than 5 days after the date on which an award of a public assistance grant is made under section 406 that is in excess of $1,000,000, the Administrator of the Federal Emergency Management Agency (referred to in this section as the 'Administrator') shall publish on the website of the Federal Emergency Management Agency (referred to in this section as the 'Agency') the specifics of each such grant award, including identifying—

''(1) the Federal Emergency Management Agency Region;

''(2) the major disaster or emergency declaration number;

''(3) the State, county, and applicant name;

''(4) if the applicant is a private nonprofit organization;

''(5) the damage category code;

''(6) the amount of the Federal share obligated; and

''(7) the date of the award.

''(b) MISSION ASSIGNMENTS.—

''(1) IN GENERAL.—Not later than 5 days after the date on which a mission assignment or mission assignment task order is issued under section 402(1) or section 502(a)(1), the Administrator shall publish on the website of the Agency any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster in excess of $1,000,000, including—

''(A) the name of the impacted State or Indian tribe;

''(B) the major disaster declaration for such State or Indian tribe;

''(C) the assigned agency;

''(D) the assistance requested;

''(E) a description of the major disaster;

''(F) the total cost estimate;

''(G) the amount obligated;

''(H) the State or tribal cost share, if applicable;

''(I) the authority under which the mission assignment or mission assignment task order was directed; and

''(J) if applicable, the date on which a State or Indian tribe requested the mission assignment.

''(2) RECORDING CHANGES.—Not later than 10 days after the last day of each month until a mission assignment or mission assignment task order described in paragraph (1) is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated.

''(c) DISASTER RELIEF MONTHLY REPORT.—Not later than 10 days after the first day of each month, the Administrator shall publish reports on the website of the Agency, including a specific description of the methodology and the source data used in developing such reports, including—

''(1) an estimate of the amounts for the fiscal year covered by the President's most recent budget pursuant to section 1105(a) of title 31, United States Code, including—

''(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

''(B) the unobligated balance of funds to be carried over from the budget year to the year after the budget year;

''(C) the amount of obligations for noncatastrophic events for the budget year;

''(D) the amount of obligations for the budget year for catastrophic events, as defined under the National Response Framework, delineated by event and by State;

''(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current fiscal year, the budget year, and each fiscal year thereafter;

''(F) the amount of previously obligated funds that will be recovered for the budget year;

''(G) the amount that will be required for obligations for emergencies, major disasters, fire management assistance grants, as described in section 420, surge activities, and disaster readiness and support activities; and

''(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii));

''(2) a summary of the amount for disaster relief of—

''(A) appropriations made available by source;

''(B) the transfers executed;

''(C) the previously allocated funds recovered; and

''(D) the commitments, allocations, and obligations made;

''(3) a table of disaster relief activity delineated by month, including—

''(A) the beginning and ending balances;

''(B) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

''(C) the obligations for catastrophic events delineated by event and by State; and

''(D) the amount of previously obligated funds that are recovered;

''(4) a summary of allocations, obligations, and expenditures for catastrophic events delineated by event;

''(5) the cost with respect to—

''(A) public assistance;

''(B) individual assistance;

''(C) mitigation;

''(D) administrative activities;

''(E) operations; and

''(F) any other relevant category (including emergency measures and disaster resources) delineated by major disaster; and

''(6) the date on which funds appropriated will be exhausted.

''(d) CONTRACTS.—

''(1) INFORMATION.—

''(A) IN GENERAL.—Not later than 10 days after the first day of each month, the Administrator shall publish on the website of the Agency the specifics of each contract in excess of $1,000,000 that the Agency enters into during the previous month, including—

''(i) the name of the party;

''(ii) the date the contract was awarded;

''(iii) the amount and scope of the contract;

''(iv) if the contract was awarded through competitive bidding process;

''(v) if no competitive bidding process was used, the reason why competitive bidding was not used; and

''(vi) the authority used to bypass the competitive bidding process.

''(B) REQUIREMENT.—The information required to be published under subparagraph (A) shall be delineated by major disaster, if applicable, and specify the damage category code, if applicable.

''(2) REPORT.—Not later than 10 days after the last day of the fiscal year, the Administrator shall provide a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives summarizing the following information for the preceding fiscal year:

''(A) The number of contracts awarded without competitive bidding.

''(B) The reasons why a competitive bidding process was not used.

''(C) The total amount of contracts awarded with no competitive bidding.

''(D) The damage category codes, if applicable, for contracts awarded without competitive bidding.''.

SEC. 1519. NATIONAL PUBLIC INFRASTRUCTURE PREDISASTER HAZARD MITIGATION.

(a) PREDISASTER HAZARD MITIGATION.—Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended—

(1) in subsection (c) by inserting ''Public Infrastructure'' after ''the National'';

(2) in subsection (e)(1)(B)—

(A) in clause (ii), by striking ''or'' at the end;

(B) in clause (iii), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(iv) to establish and carry out enforcement activities to implement the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety, and general welfare of the buildings' users against disasters.'';

(3) in subsection (f)—

(A) in paragraph (1) by inserting ''for mitigation activities that are cost effective'' after ''competitive basis''; and

(B) by adding at the end the following:

''(3) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The President may—

''(A) withdraw amounts of financial assistance made available to a State (including amounts made available to local governments of a State) under this subsection that remain unobligated by the end of the third fiscal year after the fiscal year for which the amounts were allocated; and

''(B) in the fiscal year following a fiscal year in which amounts were withdrawn under subparagraph (A), add the amounts to any other amounts available to be awarded on a competitive basis pursuant to paragraph (1).'';

(4) in subsection (g), in the matter preceding paragraph (1), by inserting ''provide financial assistance only in States that have received a major disaster declaration during the previous 7-year period and'' after ''President shall'';

(5) by striking subsection (i) and inserting the following:

''(i) NATIONAL PUBLIC INFRASTRUCTURE PREDISASTER MITIGATION ASSISTANCE.—

''(1) IN GENERAL.—The President may set aside from the Disaster Relief Fund, with respect to each major disaster, an amount equal to 6 percent of the estimated aggregate amount of the grants to be made pursuant to sections 403, 406, 407, 408, 410, and 416 for the major disaster in order to provide technical and financial assistance under this section.

''(2) ESTIMATED AGGREGATE AMOUNT.—Not later than 180 days after each major disaster declaration pursuant to this Act, the estimated aggregate amount of grants for purposes of paragraph (1) shall be determined by the President and such estimated amount need not be reduced, increased, or changed due to variations in estimates.

''(3) NO REDUCTION IN AMOUNTS.—The amount set aside pursuant to paragraph (1) shall not reduce the amounts otherwise made available for sections 403, 404, 406, 407, 408, 410, and 416 under this Act.'';

(6) by striking subsections (j) and (m); and

(7) by redesignating subsections (k), (l), and (n) as subsections (j), (k), and (l), respectively.

(b) APPLICABILITY.—The amendments made to section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) by paragraphs (3) and (5) of subsection (a) of this Act shall apply to funds appropriated after the date of enactment of this Act.

(c) REPORT.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Administrator'' means the Administrator of the Federal Emergency Management Agency;

(B) the term ''appropriate committees of Congress'' means—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

(ii) the Committee on Appropriations of the Senate;

(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

(iv) the Committee on Appropriations of the House of Representatives; and

(C) the term ''public assistance grant program'' means the public assistance grant program authorized under sections 403, 406, 407, 418, 419, 428, and 502(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173, 5185, 5186, 5189f, and 5192(a)).

(2) REPORT.—Not later than 120 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report detailing the implications of the amendments made by subsection (a) on the fiscal health of the Disaster Relief Fund, including—

(A) a justification, cost-benefit analysis, and impact statement of the percentage utilized to fund the amendments;

(B) an assessment of the extent to which the extra spending could place stress on the Disaster Relief Fund, as calculated under section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 2985 (2 U.S.C. 901(b)(2)(D)), increase the pace of spending, and impact whether supplemental funding would be required more frequently to deal with future major disasters declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170);

(C) an expenditure plan detailing—

(i) anticipated application guidelines for grantees;

(ii) a period of performance schedule;

(iii) anticipated project life cycle costs and expected expenditure rates;

(iv) planning requirements for grantees;

(v) a program schedule to ensure that the annual fund carryover does not exceed $100,000,000; and

(vi) a program review and investigation schedule to prevent waste, fraud, and abuse;

(D) an assessment of how the amendments could be implemented to encourage mitigation that addresses risks to the most costly disaster impacts in order to reduce—

(i) impacts on the Disaster Relief Fund and the public assistance grant program, in particular grants to mitigate damage to infrastructure and buildings; and

(ii) Federal expenditures for future major disasters declared under section 401 the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); and

(E) an assessment of the appropriate balance of expenditures under section 203(i) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(i)), as amended by subsection (a), for planning and for projects; and

(F) the strategy by which project will be weighted and applications assessed to include repetitive loss, location, elevation, overall risk, and the ability for a grantee to make complementary investments in other mitigation efforts.

SEC. 1520. TECHNICAL AMENDMENTS TO NATIONAL EMERGENCY MANAGEMENT.

(a) HOMELAND SECURITY ACT OF 2002.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) in section 501(8) (6 U.S.C. 311(8))—

(A) by striking ''National Response Plan'' each place the term appears and inserting ''National Response Framework''; and

(B) by striking ''502(a)(6)'' and inserting ''504(a)(6)'';

(2) in section 503(b)(2)(A) (6 U.S.C. 313(b)(2)(A)) by inserting ''and incidents impacting critical infrastructure'' before the semicolon;

(3) in section 504(a) (6 U.S.C. 314(a))—

(A) in paragraph (3) by striking '', including—'' and inserting ''(which shall include incidents impacting critical infrastructure), including—'';

(B) in paragraph (4) by inserting '', including incidents impacting critical infrastructure'' before the semicolon;

(C) in paragraph (5) by striking ''and local'' and inserting ''local, and tribal'';

(D) in paragraph (6) by striking ''national response plan'' and inserting ''national response framework, which shall be reviewed and updated as required but not less than every 5 years'';

(E) by redesignating paragraphs (7) through (21) as paragraphs (8) through (22), respectively;

(F) by inserting after paragraph (6) the following:

''(7) developing integrated frameworks, to include consolidating existing Government plans addressing prevention, protection, mitigation, and recovery with such frameworks reviewed and updated as required, but not less than every 5 years;''; and

(G) in paragraph (14), as redesignated, by striking ''National Response Plan'' each place the term appears and inserting ''National Response Framework'';

(4) in section 507 (6 U.S.C. 317)—

(A) in subsection (c)—

(i) in paragraph (2)(E), by striking ''National Response Plan'' and inserting ''National Response Framework''; and

(ii) in paragraph (3)(A), by striking ''National Response Plan'' and inserting ''National Response Framework''; and

(B) in subsection (f)(1)(G), by striking ''National Response Plan'' and inserting ''National Response Framework'';

(5) in section 508 (6 U.S.C. 318)—

(A) in subsection (b)(1), by striking ''National Response Plan'' and inserting ''National Response Framework''; and

(B) in subsection (d)(2)(A), by striking ''The Deputy Administrator, Protection and National Preparedness'' and inserting ''A Deputy Administrator'';

(6) in section 509 (6 U.S.C. 319)—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) by striking ''National Response Plan'' and inserting ''National Response Framework, National Protection Framework, National Prevention Framework, National Mitigation Framework, National Recovery Framework'';

(II) by striking ''successor'' and inserting ''successors''; and

(III) by striking ''plan'' at the end of that paragraph and inserting ''framework''; and

(ii) in paragraph (2), by striking ''National Response Plan'' each place the term appears and inserting ''National Response Framework''; and

(B) in subsection (c)(1)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by striking ''NATIONAL RESPONSE PLAN'' and inserting ''NATIONAL RESPONSE FRAMEWORK''; and

(II) by striking ''National Response Plan'' and inserting ''National Response Framework''; and

(ii) in subparagraph (B), by striking ''National Response Plan'' and inserting ''National Response Framework'';

(7) in section 510 (6 U.S.C. 320)—

(A) in subsection (a), by striking ''enter into a memorandum of understanding'' and inserting ''partner'';

(B) in subsection (b)(1)(A), by striking ''National Response Plan'' and inserting ''National Response Framework''; and

(C) in subsection (c), by striking ''National Response Plan'' and inserting ''National Response Framework'';

(8) in section 515(c)(1) (6 U.S.C. 321d(c)(1)), by striking ''and local'' each place the term appears and inserting '', local, and tribal'';

(9) by striking section 524 (6 U.S.C. 321m);

(10) in section 525 (6 U.S.C. 321n), by striking ''Secretary'' each place it appears and inserting ''Administrator''; and

(11) in section 706(b)(1), as redesignated by section 1142 of this Act, by striking ''National Response Plan'' and inserting ''National Response Framework''.

(b) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 524.

(c) POST-KATRINA EMERGENCY MANAGEMENT REFORM ACT OF 2006.—

(1) CITATION CORRECTION.—Section 602(13) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 701(13)) is amended—

(A) by striking ''National Response Plan'' each place the term appears and inserting ''National Response Framework''; and

(B) by striking ''502(a)(6)'' and inserting ''504(a)(6)''.

(2) CHANGE OF REFERENCE.—Chapter 1 of subtitle C of title VI of the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295) is amended by striking ''National Response Plan'' each place the term appears and inserting ''National Response Framework''.

(d) PUBLIC HEALTH SERVICE ACT.—Section 2801(a) of the Public Health Service Act (42 U.S.C. 300hh(a)) is amended by striking ''the National Response Plan developed pursuant to section 502(6) of the Homeland Security Act of 2002'' and inserting ''the National Response Framework developed pursuant to section 504(a)(6) of the Homeland Security Act of 2002 (2 U.S.C. 314(a)(6))''.

(e) DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION ACT OF 1996.—Section 1414(b) of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2314(b)) is amended, in the first sentence, by striking ''National Response Plan prepared pursuant to section 502(6) of the Homeland Security Act of 2002 (6 U.S.C. 312(6))'' and inserting ''National Response Framework prepared pursuant to section 504(a)(6) of the Homeland Security Act of 2002 (6 U.S.C. 314(a)(6))''

(f) SAVINGS CLAUSE.—The amendments made by subsection (a) to section 503(b)(2)(A) and paragraphs (3) and (4) of section 504(a) of the Homeland Security Act of 2002 shall not be construed as affecting the authority, existing on the day before the date of enactment of this Act, of any other component of the Department of Homeland Security or any other Federal department or agency.

SEC. 1521. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM SUBCOMMITTEE.

(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 526 of the Homeland Security Act of 2002 (6 U.S.C. 321o); and

(4) 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. 327) is amended—

(1) in subsection (b)—

(A) in paragraph (6)(B)—

(i) in clause (i), by striking ''and'' at the end;

(ii) in clause (ii)(VII), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) recommendations for best practices of State, tribal, and local governments to follow to maintain the integrity of the public alert and warning system, including—

''(I) the procedures for State, tribal, and local government officials to authenticate civil emergencies and initiate, modify, and cancel alerts transmitted through the public alert and warning system, including protocols and technology capabilities for—

''(aa) the initiation, or prohibition on the initiation, of alerts by a single authorized or unauthorized individual; and

''(bb) testing a State, tribal, or local government incident management and warning tool without accidentally initiating an alert through the public alert and warning system;

''(II) the standardization, functionality, and interoperability of incident management and warning tools used by State, tribal, and local governments to notify the public of an emergency through the public alert and warning system;

''(III) the training and recertification of emergency management personnel on best practices for originating and transmitting an alert through the public alert and warning system; and

''(IV) 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 the Department of Homeland Security Authorization Act, the Subcommittee shall submit 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

(ii) in subparagraph (B), by striking ''report'' each place that term appears and inserting ''reports''; and

(C) in paragraph (8), by striking ''3'' and inserting ''5''; and

(2) in subsection (c), by striking ''and 2018'' and inserting ''2018, 2019, 2020, and 2021''.

(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 Act; and

(2) not later than 120 days after the date on which the recommendations described in paragraph (1) are submitted, establish minimum requirements for State, tribal, and local governments to participate in the public alert and warning system consistent with all public notice rules and regulations.

(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 lab;

(B) the ability to certify that an incident management and warning tool complies with the applicable cyber frameworks of the Department of Homeland Security and the National Institute of Standards and Technology;

(C) a process to certify developers of emergency management software; and

(D) requiring developers to provide the Administrator with a copy of and rights of use for ongoing testing of each version of incident management and warning tool software before the software is first used by a State, tribal, or local government.

(e) REVIEW AND UPDATE OF MEMORANDA OF UNDERSTANDING.—

(1) IN GENERAL.—The Administrator shall review the memoranda of understanding between the Agency and State, tribal, and local governments with respect to the public alert and warning system to ensure that all agreements ensure compliance with any minimum requirements established by the Administrator under subsection (c)(2).

(2) FUTURE MEMORANDA.—The Administrator shall ensure that any new memorandum of understanding entered into between the Agency and a State, tribal, or local government on or after the date of enactment of this Act with respect to the public alert and warning system ensures that the agreement requires compliance with any minimum requirements established by the Administrator under subsection (c)(2).

(f) MISSILE ALERT AND WARNING AUTHORITIES.—

(1) IN GENERAL.—

(A) AUTHORITY.—Beginning on the date that is 120 days after the date of enactment of this Act, the authority to originate an alert warning the public of a missile launch directed against a State using the public alert and warning system shall reside primarily with the Federal Government.

(B) DELEGATION OF AUTHORITY.—The Secretary of Homeland Security may delegate to a State, tribal, or local entity the authority described in subparagraph (A), if, not later than 60 days after the end of the 120-day period described in subparagraph (A), the Secretary of Homeland Security reports to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives 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, utilizing established authorities, protocols, and procedures, may activate the public alert and warning system.

(2) REQUIRED PROCESSES.—The Secretary of Homeland Security, acting through the Administrator, shall establish a process to promptly notify a State warning point, and any State entities that the Administrator determines appropriate, of follow-up actions to a missile launch alert so the State may take appropriate action to protect the health, safety, and welfare of the residents of the State following the issuance of an alert described in paragraph (1)(A) for that State.

(3) GUIDANCE.—The Secretary of Homeland Security, acting through the Administrator, shall work with the Governor of a State warning point to develop and implement appropriate protective action plans to respond to an alert described in paragraph (1)(A) for that State.

(4) STUDY AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security shall—

(A) examine the feasibility of establishing an alert designation 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 so that a State may activate related protective action plans; and

(B) submit a report of the findings under subparagraph (A), including of the costs and timeline for taking action to implement an alert designation described in paragraph (1), 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;

(iii) the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives; and

(iv) the Committee on Homeland Security of the House of Representatives.

(g) AWARENESS OF ALERTS AND WARNINGS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(1) conduct a review of—

(A) the Emergency Operations Center of the Agency; and

(B) the National Watch Center and each Regional Watch Center of the Agency; and

(2) 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 on the review conducted under paragraph (1), which shall include—

(A) an assessment of the technical capability of the Emergency Operations Center and the National and Regional Watch Centers described in paragraph (1) to be notified of alerts and warnings issued by a State through the public alert and warning system;

(B) a determination of which State alerts and warnings the Emergency Operations Center and the National and Regional Watch Centers described in paragraph (1) should be aware of; and

(C) recommendations for improving the ability of the National and Regional Watch Centers described in paragraph (1) to receive any State alerts and warnings that the Administrator determines are appropriate.

(h) TIMELINE FOR COMPLIANCE.—Each State shall be given a reasonable amount of time to comply with any new rules, regulations, or requirements imposed under this section or the amendments made by this section.

TITLE VI—CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

SEC. 1601. CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

"TITLE XXII—CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

"Subtitle A—Cybersecurity and Infrastructure Security

"SEC. 2201. DEFINITIONS.

''In this subtitle:

''(1) CRITICAL INFRASTRUCTURE INFORMATION.—The term 'critical infrastructure information' has the meaning given the term in section 2222.

''(2) CYBERSECURITY RISK.—The term 'cybersecurity risk' has the meaning given the term in section 2209.

''(3) CYBERSECURITY THREAT.—The term 'cybersecurity threat' has the meaning given the term in section 102(5) of the Cybersecurity Act of 2015 (contained in division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501)).

''(4) NATIONAL CYBERSECURITY ASSET RESPONSE ACTIVITIES.—The term 'national cybersecurity asset response activities' means—

''(A) furnishing cybersecurity technical assistance to entities affected by cybersecurity risks to protect assets, mitigate vulnerabilities, and reduce impacts of cyber incidents;

''(B) identifying other entities that may be at risk of an incident and assessing risk to the same or similar vulnerabilities;

''(C) assessing potential cybersecurity risks to a sector or region, including potential cascading effects, and developing courses of action to mitigate such risks;

''(D) facilitating information sharing and operational coordination with threat response; and

''(E) providing guidance on how best to utilize Federal resources and capabilities in a timely, effective manner to speed recovery from cybersecurity risks.

''(5) SECTOR-SPECIFIC AGENCY.—The term 'Sector-Specific Agency' means a Federal department or agency, designated by law or presidential directive, with responsibility for providing institutional knowledge and specialized expertise of a sector, as well as leading, facilitating, or supporting programs and associated activities of its designated critical infrastructure sector in the all hazards environment in coordination with the Department.

''(6) SHARING.—The term 'sharing' has the meaning given the term in section 2209.

"SEC. 2202. CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

''(a) REDESIGNATION.—

''(1) IN GENERAL.—The National Protection and Programs Directorate of the Department shall, on and after the date of the enactment of this subtitle, be known as the 'Cybersecurity and Infrastructure Security Agency' (in this subtitle referred to as the 'Agency').

''(2) REFERENCES.—Any reference to the National Protection and Programs Directorate of the Department in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Cybersecurity and Infrastructure Security Agency of the Department.

''(b) DIRECTOR.—

''(1) IN GENERAL.—The Agency shall be headed by a Director of Cybersecurity and

Infrastructure Security (in this subtitle referred to as the 'Director'), who shall report to the Secretary.

''(2) REFERENCE.—Any reference to an Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and any other related program of the Department as described in section 103(a)(1)(H) as in effect on the day before the date of enactment of this subtitle in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Director of Cybersecurity and Infrastructure Security of the Department.

''(c) RESPONSIBILITIES.—The Director shall—

''(1) lead cybersecurity and critical infrastructure security programs, operations, and associated policy for the Agency, including national cybersecurity asset response activities;

''(2) coordinate with Federal entities, including Sector-Specific Agencies, and non-Federal entities, including international entities, to carry out the cybersecurity and critical infrastructure activities of the Agency, as appropriate;

''(3) carry out the responsibilities of the Secretary to secure Federal information and information systems consistent with law, including subchapter II of chapter 35 of title 44, United States Code, and the Cybersecurity Act of 2015 (contained in division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113));

''(4) coordinate a national effort to secure and protect against critical infrastructure risks, consistent with subsection (e)(1)(E);

''(5) oversee the EMP and GMD planning and protection and preparedness activities of the Agency;

''(6) upon request, provide analyses, expertise, and other technical assistance to critical infrastructure owners and operators and, where appropriate, provide those analyses, expertise, and other technical assistance in coordination with Sector-Specific Agencies and other Federal departments and agencies;

''(7) develop and utilize mechanisms for active and frequent collaboration between the Agency and Sector-Specific Agencies to ensure appropriate coordination, situational awareness, and communications with Sector-Specific Agencies;

''(8) maintain and utilize mechanisms for the regular and ongoing consultation and collaboration among the Divisions of the Agency to further operational coordination, integrated situational awareness, and improved integration across the Agency in accordance with this Act;

''(9) develop, coordinate, and implement—

''(A) comprehensive strategic plans for the activities of the Agency; and

''(B) risk assessments by and for the Agency;

''(10) carry out emergency communications responsibilities, in accordance with title XVIII;

''(11) carry out cybersecurity, infrastructure security, and emergency communications stakeholder outreach and engagement and coordinate that outreach and engagement with critical infrastructure Sector-Specific Agencies, as appropriate;

''(12) oversee an integrated analytical approach to physical and cyber infrastructure analysis; and

''(13) carry out such other duties and powers prescribed by law or delegated by the Secretary.

''(d) DEPUTY DIRECTOR.—There shall be in the Agency a Deputy Director of Cybersecurity and Infrastructure Security who shall—

''(1) assist the Director in the management of the Agency; and

''(2) report to the Director.

''(e) CYBERSECURITY AND INFRASTRUCTURE SECURITY AUTHORITIES OF THE SECRETARY.—

''(1) IN GENERAL.—The responsibilities of the Secretary relating to cybersecurity and infrastructure security shall include the following:

''(A) To access, receive, and analyze law enforcement information, intelligence information, and other information from Federal Government agencies, State, local, tribal, and territorial government agencies, including law enforcement agencies, and private sector entities, and to integrate that information, in support of the mission responsibilities of the Department, in order to—

''(i) identify and assess the nature and scope of terrorist threats to the homeland;

''(ii) detect and identify threats of terrorism against the United States; and

''(iii) understand those threats in light of actual and potential vulnerabilities of the homeland.

''(B) To carry out comprehensive assessments of the vulnerabilities of the key resources and critical infrastructure of the United States, including the performance of risk assessments to determine the risks posed by particular types of terrorist attacks within the United States, including an assessment of the probability of success of those attacks and the feasibility and potential efficacy of various countermeasures to those attacks. At the discretion of the Secretary, such assessments may be carried out in coordination with Sector-Specific Agencies.

''(C) To integrate relevant information, analysis, and vulnerability assessments, regardless of whether the information, analysis, or assessments are provided or produced by the Department, in order to make recommendations, including prioritization, for protective and support measures by the Department, other Federal Government agencies, State, local, tribal, and territorial government agencies and authorities, the private sector, and other entities regarding terrorist and other threats to homeland security.

''(D) To ensure, pursuant to section 202, the timely and efficient access by the Department to all information necessary to discharge the responsibilities under this title, including obtaining that information from other Federal Government agencies.

''(E) To develop, in coordination with the Sector-Specific Agencies with available expertise, a comprehensive national plan for securing the key resources and critical infrastructure of the United States, including power production, generation, and distribution systems, information technology and telecommunications systems (including satellites), electronic financial and property record storage and transmission systems, emergency communications systems, and the physical and technological assets that support those systems.

''(F) To recommend measures necessary to protect the key resources and critical infrastructure of the United States in coordination with other Federal Government agencies, including Sector-Specific Agencies, and in cooperation with State, local, tribal, and territorial government agencies and authorities, the private sector, and other entities.

''(G) To review, analyze, and make recommendations for improvements to the policies and procedures governing the sharing of information relating to homeland security within the Federal Government and between Federal Government agencies and State, local, tribal, and territorial government agencies and authorities.

''(H) To disseminate, as appropriate, information analyzed by the Department within the Department to other Federal Government agencies with responsibilities relating to homeland security and to State, local, tribal, and territorial government agencies and private sector entities with those responsibilities in order to assist in the deterrence, prevention, or preemption of, or response to, terrorist attacks against the United States.

''(I) To consult with State, local, tribal, and territorial government agencies and private sector entities to ensure appropriate exchanges of information, including law enforcement-related information, relating to threats of terrorism against the United States.

''(J) To ensure that any material received pursuant to this Act is protected from unauthorized disclosure and handled and used only for the performance of official duties.

''(K) To request additional information from other Federal Government agencies, State, local, tribal, and territorial government agencies, and the private sector relating to threats of terrorism in the United States, or relating to other areas of responsibility assigned by the Secretary, including the entry into cooperative agreements through the Secretary to obtain that information.

''(L) To establish and utilize, in conjunction with the Chief Information Officer of the Department, a secure communications and information technology infrastructure, including data-mining and other advanced analytical tools, in order to access, receive, and analyze data and information in furtherance of the responsibilities under this section, and to disseminate information acquired and analyzed by the Department, as appropriate.

''(M) To coordinate training and other support to the elements and personnel of the Department, other Federal Government agencies, and State, local, tribal, and territorial government agencies that provide information to the Department, or are consumers of information provided by the Department, in order to facilitate the identification and sharing of information revealed in their ordinary duties and the optimal utilization of information received from the Department.

''(N) To coordinate with Federal, State, local, tribal, and territorial law enforcement agencies, and the private sector, as appropriate.

''(O) To exercise the authorities and oversight of the functions, personnel, assets, and liabilities of those components transferred to the Department pursuant to section 201(g).

''(P) To carry out the functions of the national cybersecurity and communications integration center under section 2209.

''(Q) To carry out the requirements of the Chemical Facility Anti-Terrorism Standards Program established under title XXI and the secure handling of ammonium nitrate program established under subtitle J of title VIII, or any successor programs.

''(2) REALLOCATION.—The Secretary may reallocate within the Agency the functions specified in sections 2203(b) and 2204(b), consistent with the responsibilities provided in paragraph (1), upon certifying to and briefing the appropriate congressional committees, and making available to the public, not less than 60 days before the reallocation that the reallocation is necessary for carrying out the activities of the Agency.

''(3) STAFF.—

''(A) IN GENERAL.—The Secretary shall provide the Agency with a staff of analysts having appropriate expertise and experience to assist the Agency in discharging the responsibilities of the Agency under this section.

''(B) PRIVATE SECTOR ANALYSTS.—Analysts under this subsection may include analysts from the private sector.

''(C) SECURITY CLEARANCES.—Analysts under this subsection shall possess security clearances appropriate for their work under this section.

''(4) DETAIL OF PERSONNEL.—

''(A) IN GENERAL.—In order to assist the Agency in discharging the responsibilities of the Agency under this section, personnel of the Federal agencies described in subparagraph (B) may be detailed to the Agency for the performance of analytic functions and related duties.

''(B) AGENCIES.—The Federal agencies described in this subparagraph are—

''(i) the Department of State;

''(ii) the Central Intelligence Agency;

''(iii) the Federal Bureau of Investigation;

''(iv) the National Security Agency;

''(v) the National Geospatial-Intelligence Agency;

''(vi) the Defense Intelligence Agency;

''(vii) Sector-Specific Agencies; and

''(viii) any other agency of the Federal Government that the President considers appropriate.

''(C) INTERAGENCY AGREEMENTS.—The Secretary and the head of a Federal agency described in subparagraph (B) may enter into agreements for the purpose of detailing personnel under this paragraph.

''(D) BASIS.—The detail of personnel under this paragraph may be on a reimbursable or non-reimbursable basis.

''(f) COMPOSITION.—The Agency shall be composed of the following divisions:

''(1) The Cybersecurity Division, headed by an Assistant Director.

''(2) The Infrastructure Security Division, headed by an Assistant Director.

''(3) The Emergency Communications Division under title XVIII, headed by an Assistant Director.

''(g) CO-LOCATION.—

''(1) IN GENERAL.—To the maximum extent practicable, the Director shall examine the establishment of central locations in geographical regions with a significant Agency presence.

''(2) COORDINATION.—When establishing the central locations described in paragraph (1), the Director shall coordinate with component heads and the Under Secretary for Management to co-locate or partner on any new real property leases, renewing any occupancy agreements for existing leases, or agreeing to extend or newly occupy any Federal space or new construction.

''(h) PRIVACY.—

''(1) IN GENERAL.—There shall be a Privacy Officer of the Agency with primary responsibility for privacy policy and compliance for the Agency.

''(2) RESPONSIBILITIES.—The responsibilities of the Privacy Officer of the Agency shall include—

''(A) ensuring that the use of technologies by the Agency sustain, and do not erode, privacy protections relating to the use, collection, and disclosure of personal information;

''(B) ensuring that personal information contained in systems of records of the Agency is handled in full compliance as specified in section 552a of title 5, United States Code (commonly known as the 'Privacy Act of 1974');

''(C) evaluating legislative and regulatory proposals involving collection, use, and disclosure of personal information by the Agency; and

''(D) conducting a privacy impact assessment of proposed rules of the Agency on the privacy of personal information, including the type of personal information collected and the number of people affected.

''(i) SAVINGS.—Nothing in this title may be construed as affecting in any manner the authority, existing on the day before the date of enactment of this title, of any other component of the Department or any other Federal department or agency.

''SEC. 2203. CYBERSECURITY DIVISION.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—There is established in the Agency a Cybersecurity Division.

''(2) ASSISTANT DIRECTOR.—The Cybersecurity Division shall be headed by an Assistant Director for Cybersecurity (in this section referred to as the 'Assistant Director'), who shall—

''(A) be at the level of Assistant Secretary within the Department;

''(B) be appointed by the President without the advice and consent of the Senate; and

''(C) report to the Director.

''(3) REFERENCE.—Any reference to the Assistant Secretary for Cybersecurity and Communications in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Assistant Director for Cybersecurity.

''(b) FUNCTIONS.—The Assistant Director shall—

''(1) direct the cybersecurity efforts of the Agency;

''(2) carry out activities, at the direction of the Director, related to the security of Federal information and Federal information systems consistent with law, including subchapter II of chapter 35 of title 44, United States Code, and the Cybersecurity Act of 2015 (contained in division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113));

''(3) fully participate in the mechanisms required under section 2202(c)(7); and

''(4) carry out such other duties and powers as prescribed by the Director.

''SEC. 2204. INFRASTRUCTURE SECURITY DIVISION.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—There is established in the Agency an Infrastructure Security Division.

''(2) ASSISTANT DIRECTOR.—The Infrastructure Security Division shall be headed by an Assistant Director for Infrastructure Security (in this section referred to as the 'Assistant Director'), who shall—

''(A) be at the level of Assistant Secretary within the Department;

''(B) be appointed by the President without the advice and consent of the Senate; and

''(C) report to the Director.

''(3) REFERENCE.—Any reference to the Assistant Secretary for Infrastructure Protection in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Assistant Director for Infrastructure Security.

''(b) FUNCTIONS.—The Assistant Director shall—

''(1) direct the critical infrastructure security efforts of the Agency;

''(2) carry out, at the direction of the Director, the Chemical Facilities Anti-Terrorism Standards Program established under title XXI and the secure handling of ammonium nitrate program established under subtitle J of title VIII, or any successor programs;

''(3) fully participate in the mechanisms required under section 2202(c)(7); and

''(4) carry out such other duties and powers as prescribed by the Director.''.

(b) TREATMENT OF CERTAIN POSITIONS.—

(1) UNDER SECRETARY.—The individual serving as the Under Secretary appointed pursuant to section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H)) of the Department of Homeland Security on the day before the date of enactment of this Act may continue to serve as the Director of Cybersecurity and Infrastructure Security of the Department on and after such date.

(2) DIRECTOR FOR EMERGENCY COMMUNICATIONS.—The individual serving as the Director for Emergency Communications of the Department of Homeland Security on the day before the date of enactment of this Act may continue to serve as the Assistant Director for Emergency Communications of the Department on and after such date.

(3) ASSISTANT SECRETARY FOR CYBERSECURITY AND COMMUNICATIONS.—The individual serving as the Assistant Secretary for Cybersecurity and Communications on the day before the date of enactment of this Act may continue to serve as the Assistant Director for Cybersecurity on and after such date.

(4) ASSISTANT SECRETARY FOR INFRASTRUCTURE PROTECTION.—The individual serving as the Assistant Secretary for Infrastructure Protection on the day before the date of enactment of this Act may continue to serve as the Assistant Director for Infrastructure Security on and after such date.

(c) REFERENCE.—Any reference to—

(1) the Office of Emergency Communications in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Emergency Communications Division; and

(2) the Director for Emergency Communications in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Assistant Director for Emergency Communications.

(d) OVERSIGHT.—The Director of Cybersecurity and Infrastructure Security of the Department of Homeland Security shall provide to Congress, in accordance with the deadlines specified in paragraphs (1) through (6), information on the following:

(1) Not later than 60 days after the date of enactment of this Act, a briefing on the activities of the Agency relating to the development and use of the mechanisms required pursuant to section 2202(c)(7) of the Homeland Security Act of 2002 (as added by subsection (a)).

(2) Not later than 1 year after the date of the enactment of this Act, a briefing on the activities of the Agency relating to the use and improvement by the Agency of the mechanisms required pursuant to section 2202(c)(7) of the Homeland Security Act of 2002 and how such activities have impacted coordination, situational awareness, and communications with Sector-Specific Agencies.

(3) Not later than 90 days after the date of the enactment of this Act, information on the mechanisms of the Agency for regular and ongoing consultation and collaboration, as required pursuant to section 2202(c)(8) of the Homeland Security Act of 2002 (as added by subsection (a)).

(4) Not later than 1 year after the date of the enactment of this Act, information on the activities of the consultation and collaboration mechanisms of the Agency as required pursuant to section 2202(c)(8) of the Homeland Security Act of 2002, and how such mechanisms have impacted operational coordination, situational awareness, and integration across the Agency.

(5) Not later than 180 days after the date of enactment of this Act, information, which shall be made publicly available and updated as appropriate, on the mechanisms and structures of the Agency responsible for stakeholder outreach and engagement, as required under section 2202(c)(11) of the Homeland Security Act of 2002 (as added by subsection (a)).

(6) Not later than 1 year after the date of enactment of this Act, and annually thereafter, information on EMP and GMD (as defined in section 2 of the Homeland Security Act (6 U.S.C. 101)), which shall include—

(A) a summary of the threats and consequences, as of the date of the information, of electromagnetic events to the critical infrastructure of the United States;

(B) Department of Homeland Security efforts as of the date of the information, including with respect to—

(i) risk assessments;

(ii) mitigation actions;

(iii) coordinating with the Department of Energy to identify critical electric infrastructure assets subject to EMP or GMD risk; and

(iv) current and future plans for engagement with the Department of Energy, the Department of Defense, the National Oceanic and Atmospheric Administration, and other relevant Federal departments and agencies;

(C) as of the date of the information, current collaboration, and plans for future engagement, with critical infrastructure owners and operators;

(D) an identification of internal roles to address electromagnetic risks to critical infrastructure; and

(E) plans for implementation and protecting and preparing United States critical infrastructure against electromagnetic threats.

(e) CYBER WORKFORCE.—Not later than 90 days after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, in coordination with the Director of the Office of Personnel Management, shall submit to Congress a report detailing how the Agency is meeting legislative requirements under the Cybersecurity Workforce Assessment Act (Public Law 113–246; 128 Stat. 2880) and the Homeland Security Cybersecurity Workforce Assessment Act (6 U.S.C. 146 note; Public Law 113–277) to address cyber workforce needs.

(f) FACILITY.—Not later than 180 days after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security shall report to Congress on the most efficient and effective methods of consolidating Agency facilities, personnel, and programs to most effectively carry out the mission of the Agency.

(g) TECHNICAL AND CONFORMING AMENDMENTS TO THE HOMELAND SECURITY ACT OF 2002.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) by amending section 103(a)(1)(H) (6 U.S.C. 113(a)(1)(H)) to read as follows:

''(H) A Director of the Cybersecurity and Infrastructure Security Agency.'';

(2) in title II (6 U.S.C. 121 et seq.)—

(A) in the title heading, by striking ''**AND INFRASTRUCTURE PROTECTION**'';

(B) in the subtitle A heading, by striking ''**and Infrastructure Protection**'';

(C) in section 201 (6 U.S.C. 121)—

(i) in the section heading, by striking ''**AND INFRASTRUCTURE PROTECTION**'';

(ii) in subsection (a)—

(I) in the subsection heading, by striking ''AND INFRASTRUCTURE PROTECTION''; and

(II) by striking ''and an Office of Infrastructure Protection'';

(iii) in subsection (b)—

(I) in the subsection heading, by striking ''AND ASSISTANT SECRETARY FOR INFRASTRUCTURE PROTECTION''; and

(II) by striking paragraph (3);

(iv) in subsection (c)—

(I) by striking ''and infrastructure protection''; and

(II) by striking ''or the Assistant Secretary for Infrastructure Protection, as appropriate'';

(v) in subsection (d)—

(I) in the subsection heading, by striking ''AND INFRASTRUCTURE PROTECTION'';

(II) in the matter preceding paragraph (1), by striking ''and infrastructure protection'';

(III) by striking paragraphs (5), (6), and (25);

(IV) by redesignating paragraphs (7) through (24) as paragraphs (5) through (22), respectively;

(V) by redesignating paragraph (26) as paragraph (23); and

(VI) in paragraph (23)(B)(i), as so redesignated, by striking ''section 319'' and inserting ''section 320'';

(vi) in subsection (e)(1), by striking ''and the Office of Infrastructure Protection'';

(vii) in subsection (f)(1), by striking ''and the Office of Infrastructure Protection''; and

(viii) in subsection (g), in the matter preceding paragraph (1), by striking ''and the Office of Infrastructure Protection'';

(D) in section 202 (6 U.S.C. 122)—

(i) in subsection (c), in the matter preceding paragraph (1), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''; and

(ii) in subsection (d)(2), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence'';

(E) in section 204 (6 U.S.C. 124a)—

(i) in subsection (c)(1), in the matter preceding subparagraph (A), by striking ''Assistant Secretary for Infrastructure Protection'' and inserting ''Director of the Cybersecurity and Infrastructure Security Agency''; and

(ii) in subsection (d)(1), in the matter preceding subparagraph (A), by striking ''Assistant Secretary for Infrastructure Protection'' and inserting ''Director of the Cybersecurity and Infrastructure Security Agency'';

(F) by redesignating section 210E (6 U.S.C. 124l) as section 2214 and transferring such section to appear after section 2213 (as redesignated by subparagraph (I));

(G) in subtitle B, by redesignating sections 211 through 215 (6 U.S.C. 101 note, and 131 through 134) as sections 2221 through 2225, respectively, and transferring such subtitle, including the enumerator and heading of subtitle B and such sections, to appear after section 2214 (as redesignated by subparagraph (G));

(H) by redesignating sections 223 through 230 (6 U.S.C. 143 through 151) as sections 2205 through 2213, respectively, and transferring such sections to appear after section 2204, as added by this Act;

(I) by redesignating section 210F as section 210E; and

(J) by redesignating subtitles C and D as subtitles B and C, respectively;

(3) in title III (6 U.S.C. 181 et seq.)—

(A) in section 302 (6 U.S.C. 182)—

(i) by striking ''biological,,'' each place that term appears and inserting ''biological,''; and

(ii) in paragraph (3), by striking ''Assistant Secretary for Infrastructure Protection'' and inserting ''Director of the Cybersecurity and Infrastructure Security Agency'';

(B) by redesignating the second section 319 (6 U.S.C. 195f) (relating to EMP and GMD mitigation research and development) as section 320; and

(C) in section 320(c)(1), as so redesignated, by striking ''Section 214'' and inserting ''Section 2224'';

(4) in title V (6 U.S.C. 311 et seq.)—

(A) in section 508(d)(2)(D) (6 U.S.C. 318(d)(2)(D)), by striking ''The Director of the Office of Emergency Communications of the Department of Homeland Security'' and inserting ''The Assistant Director for Emergency Communications'';

(B) in section 514 (6 U.S.C. 321c)—

(i) by striking subsection (b); and

(ii) by redesignating subsection (c) as subsection (b); and

(C) in section 523 (6 U.S.C. 321l)—

(i) in subsection (a), in the matter preceding paragraph (1), by striking ''Assistant Secretary for Infrastructure Protection'' and inserting ''Director of Cybersecurity and Infrastructure Security''; and

(ii) in subsection (c), by striking ''Assistant Secretary for Infrastructure Protection'' and inserting ''Director of Cybersecurity and Infrastructure Security'';

(5) in title VIII (6 U.S.C. 361 et seq.)—

(A) in section 884(d)(4)(A)(ii) (6 U.S.C. 464(d)(4)(A)(ii)), by striking ''Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department'' and inserting ''Director of Cybersecurity and Infrastructure Security''; and

(B) in section 899B(a) (6 U.S.C. 488a(a)), by adding at the end the following: ''Such regulations shall be carried out by the Cybersecurity and Infrastructure Security Agency.'';

(6) in title XVIII (6 U.S.C. 571 et seq.)—

(A) in section 1801 (6 U.S.C. 571)—

(i) in the section heading, by striking ''**OFFICE OF EMERGENCY COMMUNICATIONS**'' and inserting ''**EMERGENCY COMMUNICATIONS DIVISION**'';

(ii) in subsection (a)—

(I) by striking ''Office of Emergency Communications'' and inserting ''Emergency Communications Division''; and

(II) by adding at the end the following: ''The Division shall be located in the Cybersecurity and Infrastructure Security Agency.'';

(iii) by amending subsection (b) to read as follows:

''(b) ASSISTANT DIRECTOR.—The head of the Division shall be the Assistant Director for Emergency Communications. The Assistant Director shall report to the Director of Cybersecurity and Infrastructure Security. All decisions of the Assistant Director that entail the exercise of significant authority shall be subject to the approval of the Director of Cybersecurity and Infrastructure Security.'';

(iv) in subsection (c)—

(I) in the matter preceding paragraph (1), by inserting ''Assistant'' before ''Director'';

(II) in paragraph (15), as added by section 1431(a)(7), by striking ''and'' at the end;

(III) by redesignating paragraph (16), as so redesignated by section 1431(a)(3), as paragraph (17); and

(IV) by inserting after paragraph (15) the following:

''(16) fully participate in the mechanisms required under section 2202(c)(8); and'';

(v) in subsection (d), in the matter preceding paragraph (1), by inserting ''Assistant'' before ''Director''; and

(vi) in subsection (e), in the matter preceding paragraph (1), by inserting ''Assistant'' before ''Director'';

(B) in sections 1802 through 1805 (6 U.S.C. 572 through 575), by striking ''Director for Emergency Communications'' each place that term appears and inserting ''Assistant Director for Emergency Communications'';

(C) in section 1809 (6 U.S.C. 579)—

(i) by striking ''Director of Emergency Communications'' each place that term appears and inserting ''Assistant Director for Emergency Communications'';

(ii) in subsection (b)—

(I) by striking ''Director for Emergency Communications'' and inserting ''Assistant Director for Emergency Communications''; and

(II) by striking ''Office of Emergency Communications'' and inserting ''Emergency Communications Division'';

(iii) in subsection (e)(3), by striking ''the Director'' and inserting ''the Assistant Director''; and

(iv) in subsection (m)(1)—

(I) by striking ''The Director'' and inserting ''The Assistant Director'';

(II) by striking ''the Director determines'' and inserting ''the Assistant Director determines''; and

(III) by striking ''Office of Emergency Communications'' and inserting ''Cybersecurity and Infrastructure Security Agency'';

(D) in section 1810 (6 U.S.C. 580)—

(i) in subsection (a)(1), by striking ''Director of the Office of Emergency Communications (referred to in this section as the 'Director')'' and inserting ''Assistant Director for Emergency Communications (referred to in this section as the 'Assistant Director')'';

(ii) in subsection (c), by striking ''Office of Emergency Communications'' and inserting ''Emergency Communications Division''; and

(iii) by striking ''Director'' each place that term appears and inserting ''Assistant Director'';

(7) in title XX (6 U.S.C. 601 et seq.)—

(A) in paragraph (5)(A)(iii)(II) of section 2001 (6 U.S.C. 601), as so redesignated by section 1451(b), by striking ''section 210E(a)(2)'' and inserting ''section 2214(a)(2)'';

(B) in section 2008(a)(3) (6 U.S.C. 609(a)(3)), by striking ''section 210E(a)(2)'' and inserting ''section 2214(a)(2)''; and

(C) in section 2021 (6 U.S.C. 611)—

(i) by striking subsection (c); and

(ii) by redesignating subsection (d) as subsection (c);

(8) in title XXI (6 U.S.C. 621 et seq.)—

(A) in section 2102(a)(1) (6 U.S.C. 622(a)(1)), by inserting '', which shall be located in the Cybersecurity and Infrastructure Security Agency'' before the period at the end; and

(B) in section 2104(c)(2) (6 U.S.C. 624(c)(2)), by striking ''Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department appointed under section 103(a)(1)(H)'' and inserting ''Director of Cybersecurity and Infrastructure Security''; and

(9) in title XXII, as added by this Act—

(A) in subtitle A—

(i) in section 2205, as so redesignated—

(I) in the matter preceding paragraph (1)—

(aa) by striking ''section 201'' and inserting ''section 2202''; and

(bb) by striking ''Under Secretary appointed under section 103(a)(1)(H)'' and inserting ''Director of Cybersecurity and Infrastructure Security''; and

(II) in paragraph (1)(B), by striking ''and'' at the end;

(ii) in section 2206, as so redesignated, by striking ''Assistant Secretary for Infrastructure Protection'' and inserting ''Director of Cybersecurity and Infrastructure Security'';

(iii) in section 2209, as so redesignated—

(I) by striking ''Under Secretary appointed under section 103(a)(1)(H)'' each place that term appears and inserting ''Director'';

(II) in subsection (a)(4), by striking ''section 212(5)'' and inserting ''section 2222(5)'';

(III) in subsection (b), by adding at the end the following: ''The Center shall be located in the Cybersecurity and Infrastructure Security Agency. The head of the Center shall report to the Assistant Director for Cybersecurity.''; and

(IV) in subsection (c)(11), by striking ''Office of Emergency Communications'' and inserting ''Emergency Communications Division'';

(iv) in section 2210, as so redesignated—

(I) by striking ''section 227'' each place that term appears and inserting ''section 2209''; and

(II) in subsection (c)—

(aa) by striking ''Under Secretary appointed under section 103(a)(1)(H)'' and inserting ''Director of Cybersecurity and Infrastructure Security''; and

(bb) by striking ''section 212(5)'' and inserting ''section 2222(5)'';

(v) in section 2211, as so redesignated—

(I) in subsection (b)(2)(A), by striking ''the section 227'' and inserting ''section 2209''; and

(II) in subsection (c)(1)(C), by striking ''section 707'' and inserting ''section 706'';

(vi) in section 2212, as so redesignated, by striking ''section 212(5)'' and inserting ''section 2222(5)'';

(vii) in section 2213(a), as so redesignated—

(I) in paragraph (3), by striking ''section 228'' and inserting ''section 2210''; and

(II) in paragraph (4), by striking ''section 227'' and inserting ''section 2209''; and

(viii) in section 2214, as so redesignated—

(I) by striking subsection (e); and

(II) by redesignating subsection (f) as subsection (e); and

(B) in subtitle B—

(i) in section 2222(8), as so redesignated, by striking ''section 227'' and inserting ''section 2209''; and

(ii) in section 2224(h), as so redesignated, by striking ''section 213'' and inserting ''section 2223'';

(h) TECHNICAL AND CONFORMING AMENDMENTS TO OTHER LAWS.—

(1) CYBERSECURITY ACT OF 2015.—The Cybersecurity Act of 2015 (6 U.S.C. 1501 et seq.) is amended—

(A) in section 202(2) (6 U.S.C. 131 note)—

(i) by striking ''section 227'' and inserting ''section 2209''; and

(ii) by striking '', as so redesignated by section 223(a)(3) of this division'';

(B) in section 207(2) (Public Law 114–113; 129 Stat. 2962)—

(i) by striking ''section 227'' and inserting ''section 2209''; and

(ii) by striking '', as redesignated by section 223(a) of this division,'';

(C) in section 208 (Public Law 114–113; 129 Stat. 2962), by striking ''Under Secretary appointed under section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H))'' and inserting ''Director of Cybersecurity and Infrastructure Security of the Department'';

(D) in section 222 (6 U.S.C. 1521)—

(i) in paragraph (2)—

(I) by striking ''section 228'' and inserting ''section 2210''; and

(II) by striking '', as added by section 223(a)(4) of this division''; and

(ii) in paragraph (4)—

(I) by striking ''section 227'' and inserting ''section 2209''; and

(II) by striking '', as so redesignated by section 223(a)(3) of this division'';

(E) in section 223(b) (6 U.S.C. 151 note)—

(i) by striking ''section 230(b)(1) of the Homeland Security Act of 2002, as added by subsection (a)'' each place that term appears and inserting ''section 2213(b)(1) of the Homeland Security Act of 2002''; and

(ii) in paragraph (1)(B), by striking ''section 230(b)(2) of the Homeland Security Act of 2002, as added by subsection (a)'' and inserting ''section 2213(b)(2) of the Homeland Security Act of 2002'';

(F) in section 226 (6 U.S.C. 1524)—

(i) in subsection (a)—

(I) in paragraph (1)—

(aa) by striking ''section 230'' and inserting ''section 2213''; and

(bb) by striking '', as added by section 223(a)(6) of this division'';

(II) in paragraph (4)—

(aa) by striking ''section 228(b)(1)'' and inserting ''section 2210(b)(1)''; and

(bb) by striking '', as added by section 223(a)(4) of this division''; and

(III) in paragraph (5)—

(aa) by striking ''section 230(b)'' and inserting ''section 2213(b)''; and

(bb) by striking '', as added by section 223(a)(6) of this division''; and

(ii) in subsection (c)(1)(A)(vi)—

(I) by striking ''section 230(c)(5)'' and inserting ''section 2213(c)(5)''; and

(II) by striking '', as added by section 223(a)(6) of this division'';

(G) in section 227 (6 U.S.C. 1525)—

(i) in subsection (a)—

(I) by striking ''section 230'' and inserting ''section 2213''; and

(II) by striking '', as added by section 223(a)(6) of this division,''; and

(ii) in subsection (b)—

(I) by striking ''section 230(d)(2)'' and inserting ''section 2213(d)(2)''; and

(II) by striking '', as added by section 223(a)(6) of this division,''; and

(H) in section 404 (6 U.S.C. 1532)—

(i) by striking ''Director for Emergency Communications'' each place that term appears and inserting ''Assistant Director for Emergency Communications''; and

(ii) in subsection (a)—

(I) by striking ''section 227'' and inserting ''section 2209''; and

(II) by striking '', as redesignated by section 223(a)(3) of this division,''.

(2) SMALL BUSINESS ACT.—Section 21(a)(8)(B) of the Small Business Act (15 U.S.C. 648(a)(8)(B)) is amended by striking ''section 227(a) of the Homeland Security Act of 2002 (6 U.S.C. 148(a))'' and inserting ''section 2209(a) of the Homeland Security Act of 2002''.

(3) TITLE 5.—Subchapter II of chapter 53 of title 5, United States Code, is amended—

(A) in section 5314, by inserting after ''Under Secretaries, Department of Homeland Security.'' the following:

''Director, Cybersecurity and Infrastructure Security Agency.''; and

(B) in section 5315, by inserting after ''Assistant Secretaries, Department of Homeland Security.'' the following:

''Assistant Director for Cybersecurity, Cybersecurity and Infrastructure Security Agency.

''Assistant Director for Infrastructure Security, Cybersecurity and Infrastructure Security Agency.''.

(i) TABLE OF CONTENTS AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended—

(1) by striking the item relating to title II and inserting the following:

''TITLE II—INFORMATION ANALYSIS'';

(2) by striking the item relating to subtitle A of title II and inserting the following:

''Subtitle A—Information and Analysis; Access to Information'';

(3) by striking the item relating to section 201 and inserting the following:

''Sec. 201. Information and analysis.'';

(4) by striking the items relating to sections 210E and 210F and inserting the following:

''Sec. 210E. Classified Information Advisory Officer.'';

(5) by striking the items relating to subtitle B of title II and sections 211 through 215;

(6) by striking the items relating to section 223 through section 230;

(7) by striking the item relating to subtitle C and inserting the following:

''Subtitle B—Information Security'';

(8) by striking the item relating to subtitle D and inserting the following:

''Subtitle C—Office of Science and Technology'';

(9) by striking the items relating to sections 317, 319, 318, and 319 and inserting the following:

''Sec. 317. Promoting antiterrorism through international cooperation program.

''Sec. 318. Social media working group.
''Sec. 319. Transparency in research and development.
''Sec. 320. EMP and GMD mitigation research and development.'';

(10) by striking the item relating to section 1801 and inserting the following:

''Sec. 1801. Emergency Communications Division.''; and

(11) by adding at the end the following:

''TITLE XXII—CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

''Subtitle A—Cybersecurity and Infrastructure Security

''Sec. 2201. Definitions.
''Sec. 2202. Cybersecurity and Infrastructure Security Agency.
''Sec. 2203. Cybersecurity Division.
''Sec. 2204. Infrastructure Security Division.
''Sec. 2205. Enhancement of Federal and non-Federal cybersecurity.
''Sec. 2206. Net guard.
''Sec. 2207. Cyber Security Enhancement Act of 2002.
''Sec. 2208. Cybersecurity recruitment and retention.
''Sec. 2209. National cybersecurity and communications integration center.
''Sec. 2210. Cybersecurity plans.
''Sec. 2211. Cybersecurity strategy.
''Sec. 2212. Clearances.
''Sec. 2213. Federal intrusion detection and prevention system.
''Sec. 2214. National Asset Database.

''Subtitle B—Critical Infrastructure Information

''Sec. 2221. Short title.
''Sec. 2222. Definitions.
''Sec. 2223. Designation of critical infrastructure protection program.
''Sec. 2224. Protection of voluntarily shared critical infrastructure information.
''Sec. 2225. No private right of action.''.

SEC. 1602. TRANSFER OF OTHER ENTITIES.

(a) OFFICE OF BIOMETRIC IDENTITY MANAGEMENT.—The Office of Biometric Identity Management of the Department of Homeland Security located in the National Protection and Programs Directorate of the Department of Homeland Security on the day before the date of enactment of this Act is hereby transferred to the Management Directorate of the Department.

(b) FEDERAL PROTECTIVE SERVICE.—

(1) IN GENERAL.—Not later than 90 days following the completion of the Government Accountability Office review of the organizational placement of the Federal Protective Service, as requested by Congress, the Secretary of Homeland Security shall submit to the Director of the Office of Management and Budget and the appropriate committees of Congress a recommendation regarding the appropriate placement of the Federal Protective Service within the executive branch of the Federal Government.

(2) CONSULTATION AND ASSESSMENT.—The recommendation described in paragraph (1) shall—

(A) be developed after consultation with the head of any executive branch entity that the Secretary intends to recommend for the placement of the Federal Protective Service; and

(B) include—

(i) an assessment of the how the Department of Homeland Security considered the Government Accountability Office review described in paragraph (1) and any other relevant analysis; and

(ii) an explanation of any statutory changes that may be necessary to effectuate the recommendation.

SEC. 1603. DHS REPORT ON CLOUD-BASED CYBERSECURITY.

(a) DEFINITION.—In this section, the term ''Department'' means the Department of Homeland Security.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary of Homeland Security, in coordination with the Director of the Office of Management and Budget and the Administrator of General Services, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform and the Committee on Homeland Security of the House of Representatives a report on the leadership role of the Department in cloud-based cybersecurity deployments for civilian Federal departments and agencies, which shall include—

(1) information on the plan of the Department for offering automated, software-based Security Operations Center as a service capabilities in accordance with the December 2017 Report to the President on Federal IT Modernization issued by the American Technology Council;

(2) information on what capabilities the Department will prioritize for those service capabilities, including—

(A) criteria the Department will use to evaluate capabilities offered by the private sector; and

(B) information on how government- and private sector-provided capabilities will be integrated to enable visibility and consistency of security capabilities across all cloud and on premise environments, as called for in the report described in paragraph (1); and

(3) information on how the Department will adapt the current capabilities of, and future enhancements to, the intrusion detection and prevention system of the Department and the Continuous Diagnostics and Mitigation Program of the Department to secure civilian government networks in a cloud environment.

SEC. 1604. RULE OF CONSTRUCTION.

Nothing in this title or an amendment made by this title may be construed as—

(1) conferring new authorities to the Secretary of Homeland Security, including programmatic, regulatory, or enforcement authorities, outside of the authorities in existence on the day before the date of enactment of this Act;

(2) reducing or limiting the programmatic, regulatory, or enforcement authority vested in any other Federal agency by statute; or

(3) affecting in any manner the authority, existing on the day before the date of enactment of this Act, of any other Federal agency or component of the Department of Homeland Security.

SEC. 1605. PROHIBITION ON ADDITIONAL FUNDING.

No additional funds are authorized to be appropriated to carry out this title or the amendments made by this title. This title and the amendments made by this title shall be carried out using amounts otherwise authorized.

TITLE VII—OTHER MATTERS

Subtitle A—Miscellaneous

SEC. 1701. AUTHORIZATION OF APPROPRIATIONS FOR OFFICE OF INSPECTOR GENERAL.

There is authorized to be appropriated for the Office of the Inspector General of the Department of Homeland Security $175,000,000 for each of fiscal years 2018 and 2019.

SEC. 1702. CANINE TEAMS.

Components of the Department of Homeland Security may request additional canine teams when there is a justified and documented shortage and such additional canine teams would be effective for drug detection or to enhance security.

SEC. 1703. REPORT ON RESOURCE REQUIREMENTS TO RESPOND TO CONGRESSIONAL REQUESTS.

(a) DEFINITIONS.—In this section—

(1) the term ''Department'' means the Department of Homeland Security; and

(2) the term ''Secretary'' means the Secretary of Homeland Security.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, and every year thereafter, the Secretary shall submit to Congress a report on requests made by Congress to the Department that shall include, with respect to the fiscal year preceding the report or, if available, the preceding 5 fiscal years—

(1) the total number of congressional requests to the Department, including a breakdown of the number of requests made by committees, subcommittees, and caucuses;

(2) the total number of congressional responses for which the Department was required to prepare, including a breakdown of the number of hearings, briefings, and outreach events for the Department and each component of the Department;

(3) the total number of requests for similar or duplicative briefings, hearings, and other events that were made by multiple committees of Congress, including—

(A) a breakdown of the number of requests for the Department and each component of the Department; and

(B) a breakdown of the number of requests for hearings by topic and by the requesting committees and subcommittees of Congress;

(4) the total number of written testimony before committees and reports that the Department had to prepare for or respond to, including—

(A) a breakdown of the number of written testimony before committees and reports that the Department and each component of the Department had to prepare for or respond to; and

(B) a breakdown of the number of written testimony before committees and reports that the Department and each component of the Department had to prepare for or respond to by topic, as determined by the Secretary;

(5) the total number and a list of congressional document requests and subpoenas sent to the Department, including all pending document requests and subpoenas, including—

(A) whether a request is currently pending;

(B) how long it took the Department to respond fully to each request, or, for pending requests, how long the request has been outstanding; and

(C) the reason for any response time greater than 90 days from the date on which the original request was received;

(6) the total number and a list of congressional questions for the record sent to the Department, including all pending questions for the record, including—

(A) whether a question for the record is currently pending;

(B) how long it took the Department to respond fully to each question for the record, or, for pending questions for the record, how long the request has been outstanding; and

(C) the reason for any response time greater than 90 days from the date on which the original question for the record was received; and

(7) the total number and a list of congressional letter requests for information, not including requests for documents or questions for the record, sent to the Department, including all pending requests for information, including—

(A) whether the request for information is currently pending;

(B) how long it took the Department to respond fully to each request for information, or, pending requests for information, how long the request has been outstanding; and

(C) the reason for any response time greater than 90 days from the date on which the

original request for information was received; and

(8) any additional information as determined by the Secretary.

(c) TERMINATION.—This section shall terminate on the date that is 5 years after the date of enactment of this Act.

SEC. 1704. REPORT ON COOPERATION WITH THE PEOPLE'S REPUBLIC OF CHINA TO COMBAT ILLICIT OPIOID SHIPMENTS.

Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Attorney General and the Secretary of State, shall submit to Congress a report on current and planned cooperation with the Government of the People's Republic of China to end opioid smuggling, including through online sellers, which shall include a discussion of—

(1) plans to leverage high-level partnerships with Chinese officials established through the United States–China Law Enforcement and Cybersecurity Dialogue to combat the shipment of illicit opioids to the United States;

(2) the current status and expected time frame for scheduling additional illicit opioids as illegal;

(3) the current status and expected time frame for shutting down smuggling routes and methods, including online sellers located in China; and

(4) any additional forums or diplomatic channels that should be used to further cooperation with other foreign governments to combat illicit opioid shipments.

Subtitle B—Commission to Review the Congressional Oversight of the Department of Homeland Security

SEC. 1711. SHORT TITLE.

This subtitle may be cited as the ''Congressional Commission to Review the Congressional Oversight of the Department of Homeland Security Act of 2018''.

SEC. 1712. ESTABLISHMENT.

There is established in the legislative branch a commission to be known as the ''Congressional Commission to Review Congressional Oversight of the Department of Homeland Security'' (in this subtitle referred to as the ''Commission'').

SEC. 1713. MEMBERS OF THE COMMISSION.

(a) MEMBERS.—The Commission shall be composed of 6 members, of whom—

(1) 1 member shall be appointed by the Majority Leader of the Senate, in consultation with the leader of the House of Representatives who is a member of the political party of which the Majority Leader is a member, who shall serve as chairperson of the Commission;

(2) 1 member shall be appointed by the Minority Leader of the Senate, in consultation with the leader of the House of Representatives who is a member of the political party of which the Minority Leader is a member, who shall serve as vice chairperson of the Commission;

(3) 1 member shall be appointed by the Majority Leader of the Senate;

(4) 1 member shall be appointed by the Minority Leader of the Senate;

(5) 1 member shall be appointed by the Majority Leader of the House of Representatives; and

(6) 1 member shall be appointed by the Minority Leader of the House of Representatives.

(b) EXPERTISE.—In making appointments under this section, the individual making the appointment shall give consideration to—

(1) individuals with expertise in homeland security and congressional oversight; and

(2) individuals with prior senior leadership experience in the executive or legislative branch.

(c) TIMING OF APPOINTMENTS.—Appointments to the Commission shall be made not later than 45 days after the date of enactment of this Act.

(d) TERMS; VACANCIES.—Each member shall be appointed for the duration of the Commission. Any vacancy in the Commission shall not affect the powers of the Commission, and shall be filled in the manner in which the original appointment was made.

(e) COMPENSATION.—Members of the Commission shall serve without pay.

(f) TRAVEL EXPENSES.—Each member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(g) SECURITY CLEARANCES.—The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the members and employees of the Commission appropriate security clearances to the extent possible, pursuant to existing procedures and requirements, except that no person shall be provided with access to classified information under this subtitle without the appropriate security clearances.

SEC. 1714. DUTIES OF THE COMMISSION.

(a) STUDY OF THE DEPARTMENT OF HOMELAND SECURITY.—The Commission shall conduct a comprehensive study of the congressional oversight of the Department of Homeland Security, including its components, subcomponents, directorates, agencies, and any other entities within the Department to—

(1) review the congressional oversight of the Department of Homeland Security; and

(2) make recommendations on how congressional committee jurisdictions in the Senate and House of Representatives could be modified to promote homeland security and the efficiency and congressional oversight of the Department.

(b) REPORT.—Upon the affirmative vote of not less than 4 of the members of the Commission, the Commission shall submit to the President and Congress a detailed statement of the findings and conclusions of the Commission based on the study carried out under subsection (a), together with the recommendations of the Commission for such legislation or administrative actions as the Commission considers appropriate in light of the results of the study.

(c) DEADLINE.—The Commission shall submit the report under subsection (b) not later than 9 months after the date on which a majority of the members of the Commission are appointed.

SEC. 1715. OPERATION AND POWERS OF THE COMMISSION.

(a) EXECUTIVE BRANCH ASSISTANCE.—The heads of the following agencies shall advise and consult with the Commission on matters within their respective areas of responsibility:

(1) The Department of Homeland Security.

(2) The Department of Justice.

(3) The Department of State.

(4) The Office of Management and Budget.

(5) Any other agency, as determined by the Commission.

(b) MEETINGS.—The Commission shall meet—

(1) not later than 30 days after the date on which a majority of the members of the Commission have been appointed; and

(2) at such times thereafter, at the call of the chairperson or vice chairperson.

(c) RULES OF PROCEDURE.—The chairperson and vice chairperson shall, with the approval of a majority of the members of the Commission, establish written rules of procedure for the Commission, which shall include a quorum requirement to conduct the business of the Commission.

(d) HEARINGS.—The Commission may, for the purpose of carrying out this subtitle, hold hearings, sit, and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(e) CONTRACTS.—The Commission may contract with and compensate government and private agencies or persons for any purpose necessary to enable it to carry out this subtitle.

(f) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(g) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(h) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the functions of the Commission.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance under paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

SEC. 1716. FUNDING.

(a) IN GENERAL.—Subject to subsection (b) and the availability of appropriations, at the request of the chairperson of the Commission, the Secretary of Homeland Security shall transfer funds, as specified in advance in appropriations Acts and in a total amount not to exceed $1,000,000, to the Commission for purposes of carrying out the activities of the Commission as provided in this subtitle.

(b) DURATION OF AVAILABILITY.—Amounts transferred to the Commission under subsection (a) shall remain available until the date on which the Commission terminates.

(c) PROHIBITION ON NEW FUNDING.—No additional funds are authorized to be appropriated to carry out this Act. This Act shall be carried out using amounts otherwise available for the Department of Homeland Security and transferred under subsection (a).

SEC. 1717. PERSONNEL.

(a) EXECUTIVE DIRECTOR.—The Commission shall have an Executive Director who shall be appointed by the chairperson with the concurrence of the vice chairperson. The Executive Director shall be paid at a rate of pay established by the chairperson and vice chairperson, not to exceed the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) STAFF OF THE COMMISSION.—The Executive Director of the Commission may appoint and fix the pay of additional staff as the Executive Director considers appropriate.

(c) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(d) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 1718. TERMINATION.

The Commission shall terminate not later than 1 year after the date of enactment of this Act.

Subtitle C—Technical and Conforming Amendments

SEC. 1731. TECHNICAL AMENDMENTS TO THE HOMELAND SECURITY ACT OF 2002.

(a) TITLE IV.—Title IV of the Homeland Security Act of 2002 (6 U.S.C. 201 et seq.) is amended as follows:

(1) In section 427 (6 U.S.C. 235), by striking subsection (c).

(2) By striking section 431 (6 U.S.C. 239).

(3) In section 476 (6 U.S.C. 296)—

(A) by striking ''the Bureau of Citizenship and Immigration Services'' each place the term appears and inserting ''United States Citizenship and Immigration Services''; and

(B) by striking ''the Bureau of Border Security'' each place the term appears and inserting ''U.S. Immigration and Customs Enforcement''.

(4) In section 478 (6 U.S.C. 298)—

(A) in the section heading, by inserting ''**ANNUAL REPORT ON**'' before ''**IMMIGRATION**'';

(B) by striking subsection (b);

(C) in subsection (a)—

(i) by striking ''REPORT.—'' and all that follows through ''One year'' and inserting ''REPORT.—One year''; and

(ii) by redesignating paragraph (2) as subsection (b) and adjusting the margin accordingly; and

(D) in subsection (b), as so redesignated—

(i) in the heading, by striking ''MATTER INCLUDED'' and inserting ''MATTER INCLUDED''; and

(ii) by redesignating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively, and adjusting the margin accordingly.

(b) TITLE VIII.—Section 812 of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2222; 5 U.S.C. App., note to section 6 of Public Law 95–452) is amended as follows:

(1) By redesignating such section 812 as section 811.

(2) By striking subsections (a) and (c).

(3) In subsection (b)—

(A) by striking ''(as added by subsection (a) of this section)'' each place it appears;

(B) by redesignating paragraphs (2), (3), and (4) as subsections (b), (c), and (d), respectively, and adjusting the margin accordingly;

(C) in paragraph (1), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and adjusting the margin accordingly; and

(D) by striking ''(b) PROMULGATION OF INITIAL GUIDELINES.—'' and all that follows through ''In this subsection'' and inserting the following:

''(a) DEFINITION.—In this section''.

(4) In subsection (b), as so redesignated, by striking ''IN GENERAL'' and inserting ''IN GENERAL''.

(5) In subsection (c), as so redesignated, by striking ''MINIMUM REQUIREMENTS'' and inserting ''MINIMUM REQUIREMENTS''.

(6) In subsection (d), as so redesignated, by striking ''NO LAPSE OF AUTHORITY'' and inserting ''NO LAPSE OF AUTHORITY''.

(c) TITLE IX.—Section 903(a) of the Homeland Security Act of 2002 (6 U.S.C. 493(a)) is amended in the subsection heading by striking ''MEMBERS—'' and inserting ''MEMBERS.—''.

(d) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended as follows:

(1) By striking the item relating to section 478 and inserting the following:

''Sec. 478. Annual report on immigration functions.''.

(2) By striking the items relating to sections 811 and 812 and inserting the following:

''Sec. 811. Law enforcement powers of Inspector General agents.''.

SA 2672. Mr. ROUNDS 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 III, add the following:

SEC. 352. UNITED STATES TRANSPORTATION COMMAND ASSESSMENTS OF TRANSPORTATION INFRASTRUCTURE.

(a) RESPONSIBILITIES.—In coordination with the Secretary of Transportation, the Commander of the United States Transportation Command shall make available to the appropriate congressional committees a description and assessment of the condition of the defense transportation sector functions, systems, assets, and dependencies as they relate to supporting Department of Defense operational capabilities and assets, including any related Transportation Engineering Agency Infrastructure Assessments.

(b) IDENTIFICATION OF RESOURCE REQUIREMENTS.—In coordination with the Secretary of Transportation, the Commander shall identify and submit to the appropriate congressional committees consolidated and prioritized resource requirements for transportation infrastructure at the same time the President submits to Congress the budget for the next fiscal year under section 1105 of title 31, United States Code. The submission from the Commander shall include a synopsis of the En Route Infrastructure Master Plan and other information necessary to provide a single source comprehensive set of resource requirements for transportation infrastructure.

(c) DEFINITIONS.—In this section, the term ''appropriate congressional committees'' means the congressional defense committees, the Committee on Commerce, Science and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives.

SA 2673. Mr. ROUNDS 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 II, insert the following:

SEC. _____. NATIONAL DEFENSE ACCELERATOR NETWORK PILOT.

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

(1) Defense Innovation Unit Experimental (DIUx) has spurred investment from private venture capital into new non-traditional companies that focus on national defense solutions. Since June 2016, seven startups supported by Defense Innovation Unit Experimental have raised close to $720,000,000 in subsequent rounds of private venture capital funding.

(2) An innovation ecosystem can be developed based on a hub and spoke network closely aligned to public research universities in partnership with the government and private capital.

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

(1) while Defense Innovation Unit Experimental has been able to attract early stage private capital to dual-use start-ups, more needs to be done to re-establish a dual use innovation ecosystem in the United States similar to what was created in the 1950s and early 1960s in radar and microelectronics technologies;

(2) this older ecosystem eventually evolved into the globally dominant commercial information technology industry primarily based in Silicon Valley but was initially jump-started based on a partnership between the Government, leading universities, and the private sector; and

(3) new innovation networks should be developed and incubated that would be comprised of emerging non-traditional defense companies to enable the Department of Defense to stabilize and then hopefully begin to close the digital and technological gap that is beginning to emerge in many key areas with United States competitors.

(c) PILOT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a pilot program to assess innovation network capabilities.

(2) ESTABLISHMENT OF NETWORK.—In carrying out the pilot program required by paragraph (1), the Secretary shall establish a network of the dual-use startups produced under the pilot program. Such network would be known as the ''National Defense Accelerator Network''.

(3) INITIAL TEST PHASE.—In carrying out the pilot program required by paragraph (1), the Secretary may carry out an initial test phase at one leading university that—

(A) has an established leadership team that is intimately familiar with the workings of In-Q-Tel and Defense Innovation Unit Experimental; and

(B) has established relationships with leading venture capital firms and other sources of early stage financial capital.

(4) PRODUCING DUAL-USE STARTUPS.—The pilot program required by paragraph (1) shall be a pilot program to assess the ability to produce dual-use startups focused on priority defense technology that attract seed and round A financing from premier venture capital firms in the United States.

(5) SCALABILITY.—The Secretary shall ensure that the pilot program conducted under paragraph (1) is designed to be scalable and, if successful, enlarged to consist of at least 10 and not more than 20 leading regionally-based public research universities.

(d) SEMIANNUAL REPORTS.—Not less frequently than once every six months for the first two years of the pilot program conducted under subsection (c), the Secretary shall brief the congressional defense committees on the progress of the Secretary in carrying out the pilot program.

(e) FUNDING.—Of the amounts appropriated or otherwise made available by this Act for the Industrial Base Analysis and Sustainment program (IBAS), Defense Innovation Unit Experimental, the Rapid Innovation Fund (RIF), and for any purpose relating to strengthening and improving the defense industrial base, $5,000,000 shall be available to carry out the pilot program required by subsection (c).

SA 2674. 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 G of title XII, add the following:

SEC. 12___. MODIFICATION TO RECOVERY OF EXCESS RIFLES, AMMUNITION, AND PARTS GRANTED TO FOREIGN COUNTRIES AND TRANSFER TO CERTAIN PERSONS.

Section 40728B(a)(1)(A) of title 36, United States Code, is amended by striking ''provided to any country'' and inserting ''sold to any country through foreign military sales or provided''.

SA 2675. 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 E of title XII, add the following:

SEC. 1250. SENSE OF SENATE ON INCORPORATION OF NAVAL PROPULSION AND TECHNOLOGY SYSTEMS MANUFACTURED IN THE UNITED STATES INTO THE NAVAL VESSELS OF UNITED STATES ALLIES IN THE INDO-PACIFIC REGION.

It is the sense of the Senate that, consistent with the Conventional Arms Transfer Policy of the United States Government recently updated to promote policies that strengthen our allies and partners around the world and preserve peace while creating American manufacturing jobs—

(1) it is in the interest of the United States that naval propulsion and technology systems manufactured in the United States be incorporated into warships of navies of close allies of the United States, including Australia, Canada, India, South Korea, Taiwan, and other countries pursuing the modernization of their fleets; and

(2) naval cooperation arising from the incorporation of such systems into such warships will—

(A) help guarantee interoperability and commonality of warfighting systems between the United States and our allies in the Indo-Pacific region; and

(B) promote the expansion of the dynamism and innovation of the defense industry manufacturing supply chain in the United States.

SA 2676. Mr. MENENDEZ (for himself, Mr. NELSON, Mr. WARNER, Mr. WYDEN, Ms. WARREN, Mr. UDALL, and Mrs. MURRAY) 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. DISCLOSURE OF PRIVATE BUSINESS TRANSACTIONS WITH FOREIGN PERSONS.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) is amended by adding at the end the following:

''(o) DISCLOSURE OF PRIVATE BUSINESS TRANSACTIONS WITH FOREIGN PERSONS.—

''(1) IN GENERAL.—Not less frequently than every 90 days, each covered officer shall disclose to the public any covered private business transaction during the preceding 90 days between—

''(A)(i) the covered officer;

''(ii) the spouse of the covered officer; or

''(iii) a covered private business with respect to the covered officer; and

''(B) a foreign person.

''(2) MATTERS TO BE INCLUDED.—For any private business transaction disclosed under paragraph (1), the covered officer shall include in the disclosure the following:

''(A) The name of the foreign person with which the transaction was conducted.

''(B) The amount of any funds received from or owed to the foreign person.

''(C) The date of the transaction.

''(D) A detailed summary of the purpose of the transaction.

''(E) The name of any United States entity through which the transaction was processed or funds relating to the transaction were transferred.

''(3) PUBLICATION.—Any disclosure made under paragraph (1) shall be made available on the publicly available internet website of the Department of the Treasury.

''(4) DEFINITIONS.—In this subsection:

''(A) COVERED OFFICER.—The term 'covered officer' means the President, the Vice President, and each member of the Committee.

''(B) COVERED PRIVATE BUSINESS.—The term 'covered private business'—

''(i) means—

''(I) a sole proprietorship or business entity in which a covered officer or the spouse of the covered officer holds an ownership interest; and

''(II) an entity in which—

''(aa) a covered officer holds a position required to be reported under section 102(a)(6) of the Ethics in Government Act of 1978 (5 U.S.C. App.); or

''(bb) the spouse of the covered officer holds a position that would be required to be reported under section 102(a)(6) of the Ethics in Government Act of 1978 (5 U.S.C. App.) if it were a position held by the covered officer;

''(ii) includes any private entity for which the covered officer is required to report an ownership interest of the covered officer or the spouse of the covered officer under section 102(a)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.); and

''(iii) does not include—

''(I) a publicly traded entity; or

''(II) an entity described in clause (i)(I) or (ii) if the ownership interest is held in a qualified blind trust, as defined in section 101(f)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.).

''(C) COVERED PRIVATE BUSINESS TRANSACTION.—The term 'covered private business transaction' means—

''(i) the exchange of anything with a value of more than $200; and

''(ii) incurring a liability that would be required to be reported under section 102(a)(4) of the Ethics in Government Act of 1978 (5 U.S.C. App.) if it were a liability of the covered officer.''.

SA 2677. 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 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 XI, add the following:

SEC. 1107. EXTENSION OF OVERTIME RATE AUTHORITY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR-POWERED AIRCRAFT CARRIER FORWARD DEPLOYED IN JAPAN.

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking ''September 30, 2019'' and inserting ''September 30, 2021''.

SA 2678. 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 D of title XII, add the following:

SEC. 1239. REPORT ON SECTION 231 OF THE COUNTERING RUSSIAN INFLUENCE IN EUROPE AND EURASIA ACT OF 2017.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a baseline report that describes those persons that the President has determined under section 231 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9525) have knowingly engaged, on or after August 2, 2017, in a significant transaction with a person that is part of, or operates for or on behalf of, the defense or intelligence sectors of the Government of the Russian Federation, as defined in guidance required under subsection (d) of that section.

(b) UPDATES.—Not later than 90 days after the date of the enactment of this Act and every 30 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

(c) ELEMENTS.—Each report required by subsection (a) or (b) shall contain the following:

(1) A list of persons that the President has determined under section 231 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9525) have knowingly engaged, on or after August 2, 2017, in a significant transaction with a person that is part of, or operates for or on behalf of, the

defense or intelligence sectors of the Government of the Russian Federation, as defined in guidance required under subsection (d) of that section.

(2) A year-by-year and country-by-country description of purchases from persons described in paragraph (1), dating back to August 2, 2012.

(3) A description of the significant transactions described in subsection (a), including, for each such transaction, types of material and equipment involved, the monetary value of the transaction, and the duration of any contract involved.

(4) A description of the diplomatic efforts by the United States to persuade persons to no longer conduct significant transactions with persons that are part of, or operate for or on behalf of, the defense or intelligence sectors of the Government of the Russian Federation, as defined in guidance required under subsection (d) of such section 231.

(5) A description of significant transactions with persons that are part of, or operate for or on behalf of, the defense or intelligence sectors of the Government of the Russian Federation that the United States was able to persuade, through diplomatic efforts, persons not to pursue, including a description of each such transaction and the monetary value of the transaction.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given that term in section 221 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9521).

SA 2679. 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 D of title XII, add the following:

SEC. 1239. SENSE OF CONGRESS ON IMPLEMENTATION OF SANCTIONS WITH RESPECT TO DEFENSE AND INTELLIGENCE SECTORS OF RUSSIAN FEDERATION.

It is the sense of Congress that the President—

(1) should acknowledge that the defense and intelligence sectors of the Russian Federation attacked the United States democratic process in 2016 and continue such activity to this day;

(2) should reiterate that the purpose of section 231 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9525) is to target those sectors with sanctions until the Government of the Russian Federation has made significant efforts to reduce the number and intensity of cyber intrusions conducted by that Government;

(3) should fully implement all mandatory provisions of the Countering America's Adversaries Through Sanctions Act (Public Law 115–144; 131 Stat. 866);

(4) should use the leverage provided in such section 231 to ensure that persons substantially reduce significant transactions with persons that are part of, or operate for or on behalf of, the defense or intelligence sectors of the Government of the Russian Federation, as defined in guidance required under subsection (d) of such section; and

(5) as provided for in subsection (c) of such section, may delay the imposition of sanctions under subsection (a) of such section with respect to a person if the President certifies to the appropriate congressional committees (as defined in section 221 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9521)), not less frequently than every 180 days while the delay is in effect, that the person is substantially reducing the number of significant transactions described in subsection (a) of such section 231 in which that person engages.

SA 2680. 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 C of title XII, add the following:

SEC. 1226. REPORT ON NON-DEFENSE AND NON-HUMANITARIAN ASSISTANCE IN SYRIA.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of State and the Administrator for the United States Agency for International Development shall submit to the appropriate committees of Congress a report on the status of non-defense and non-humanitarian United States assistance in Syria.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A statement of United States objectives, and any recent changes to objectives, for non-defense and non-humanitarian assistance in Syria.

(2) A statement of United States policy regarding the intent of the United States Government with respect to assistance for the activities and mission of the White Helmets in Syria.

(3) A list of non-defense and non-humanitarian programs and summary of activities funded by United States assistance in Syria for the last three fiscal years.

(4) A list of non-defense and non-humanitarian programs and summary of activities in Syria terminating in the current fiscal year, the anticipated timeline for closure, and a summary of the discussions with donors and beneficiaries regarding the drawdown of United States assistance and closure of United States programs and activities.

(5) A discussion of possible impacts of closure of non-defense and non-humanitarian United States assistance in northwest and northeast Syria, including—

(A) countering violent extremism;

(B) employment and unemployment of Syrians;

(C) security in local Syrian communities, including support to moderate armed opposition;

(D) self-governance in liberated areas;

(E) refugee-hosting countries; and

(F) implications of withdrawal of non-humanitarian and non-defense United States assistance on plans and activities of other donors.

(c) FORM.—The report required under subsection (a) may be submitted in classified form, but shall include an unclassified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations of the Senate; and

(3) the Committee on Foreign Affairs of the House of Representatives.

SA 2681. 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 XII, add the following:

SEC. ___. COMPREHENSIVE INTERNATIONAL STRATEGY FOR COMBATTING TRAFFICKING OF HEROIN AND FENTANYL.

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

(1) there is an opioid epidemic in the United States with more than 42,000 deaths in 2016 from opioid overdose, more than any previous year in history, according to the Center for Disease Control and Prevention;

(2) more than 20,000 of the 42,000 opioid-related deaths in 2016 were caused by fentanyl and fentanyl-like synthetic opioids, and nearly 15,500 were caused by heroin;

(3) the majority of illicit heroin and fentanyl in the United States enters through the 7,500 miles of shared border with Canada and Mexico, and 93 percent of the illicit heroin in the United States originates in Mexico;

(4) China produces 90 percent of the world's supply of the extremely dangerous and addictive synthetic opioid fentanyl and illegal shipments of fentanyl are increasingly entering the United States by mail from China;

(5) the strategic partnership between the United States Government, the Government of Mexico, and the Government of Canada, which must be based on mutual respect and the promotion of shared democratic values and principles, is essential to upholding national security and economic well-being of the United States;

(6) robust cooperation between the United States Government, the Government of Mexico, the Government of Canada, and the Government of China is indispensable to addressing the trafficking of illicit heroin and fentanyl into the United States; and

(7) the activities described in this section are intended to complement the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198), which—

(A) was signed into law on July 22, 2016;

(B) authorized over $181,000,000 to respond to the United States epidemic of opioid abuse; and

(C) increases prevention programs and the availability of treatment programs.

(b) STRATEGY.—The Secretary of State, in consultation with appropriate Federal agencies, shall develop a multiyear international strategy—

(1) to address the illicit cultivation of poppy flowers, including through eradication;

(2) to promote alternative economic opportunities for individuals and communities involved in the illicit cultivation of poppy flowers;

(3) to increase controls for precursor chemicals utilized for the production of illicit heroin and fentanyl;

(4) to decommission laboratories utilized for the production of illicit heroin and fentanyl;

(5) to combat the activities transnational criminal organizations involved in the production and trafficking of illicit heroin and fentanyl;

(6) to interdict the trafficking of illicit heroin and fentanyl;

(7) to advance the investigation, detention, and prosecution of the senior members of transnational criminal organizations involved in the production and trafficking of illicit heroin and fentanyl;

(8) to strengthen the capacity of judicial and law enforcement institutions in order to advance the activities described in paragraph (7);

(9) to carry out the judicial and internal oversight reforms necessary to reduce corruption in foreign agencies and security forces charged with combating heroin and fentanyl trafficking;

(10) to pursue the extradition of the senior members of transnational criminal organizations involved in the production and trafficking of illicit heroin and fentanyl;

(11) to carry out special financial investigations to identify and track the illicit financial proceeds from and money laundering related to heroin and fentanyl trafficking; and

(12) to combat the illegal smuggling of arms and bulk cash that fuel the illicit narcotics trade and the activities of transnational criminal organizations.

(c) SUBMITTAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit the strategy required by subsection (b) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

(d) ELEMENTS.—The strategy required by subsection (b) shall include a description of efforts to address the international trafficking of illicit heroin and fentanyl and related precursor chemicals—

(1) at seaports, airports, and ports of entry;

(2) in maritime and land-based trafficking routes; and

(3) through international and United States postal services.

(e) AGENCIES INVOLVED.—The strategy required by subsection (b) shall include input from—

(1) the United States Agency for International Development;

(2) the Department of Treasury;

(3) the Department of Justice;

(4) the Department of Homeland Security;

(5) the Department of Defense;

(6) the Drug Enforcement Administration;

(7) the Bureau of Alcohol, Tobacco, Firearms and Explosives;

(8) the Federal Bureau of Investigations; and

(9) the United States Postal Service.

(f) GEOGRAPHIC SCOPE.—The strategy required by subsection (b) shall—

(1) describe necessary cooperation with the Government of Mexico and the Government of Canada;

(2) describe necessary coordination with the Government China; and

(3) include information from consultations with the Government of Mexico, the Government of Canada, and the Government of China.

(g) ADDITIONAL PRIORITIZATION.—While maintaining the principal focus on heroin and fentanyl, the strategy required by subsection (b) shall also prioritize programs and initiatives that address challenges posed by use of other illicit narcotics, including cocaine and methamphetamine.

(h) COORDINATION.—The Assistant Secretary of State for International Narcotics and Law Enforcement Affairs shall—

(1) lead the interagency process to coordinate implementation of the strategy required by subsection (b);

(2) routinely consult with Congress and provide timely information about the activities of all participating agencies of the Government to carry out such strategy; and

(3) lead engagement with multilateral organizations and institutions, foreign governments, and domestic and international civil society organizations.

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of State $150,000,000 for fiscal year 2019 to carry out the activities set forth in the strategy required by subsection(b) in accordance with this section.

(2) NOTIFICATION REQUIREMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), amounts appropriated or otherwise made available pursuant to paragraph (1) may not be obligated until 15 days after the date on which the President provides notice to the committees described in subsection (c) of intent to obligate such funds.

(B) WAIVER.—

(i) IN GENERAL.—The Secretary of State may waive subparagraph (A) if the Secretary of State determines that such requirement would pose a substantial risk to human health or welfare.

(ii) NOTIFICATION REQUIREMENT.—If a waiver is invoked under clause (i), the President shall notify the committees described in subsection (c) of the intent to obligate funds under this section as early as practicable, but not later than three days after taking the action to which such notification requirement was applicable in the context of the circumstances necessitating such waiver.

SA 2682. 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 XII, add the following:

SEC. 12____. LIMITATION ON WAIVER OF NONRECURRING COSTS FOR FOREIGN MILITARY SALES PENDING NOTICE AND WAIT TO CONGRESS.

(a) IN GENERAL.—The President may not issue a waiver of nonrecurring costs for foreign military sales pursuant to section 21(e)(2)(B) of the Arms Export Control Act (22 U.S.C. 2761(e)(2)(B)) with respect to a sale to a country other than a member country of the North Atlantic Treaty Organization, Australia, Japan, the Republic of Korea, Israel, or New Zealand until 15 days after providing notice of the proposed waiver to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(b) ELEMENT.—The notice required by subsection (a) shall include a detailed justification for the proposed waiver.

(c) FORM.—Such notice shall be provided—

(1) in unclassified form, but may include a classified annex; and

(2) in accordance with the procedures described in section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394).

SA 2683. 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 XII, add the following:

SEC. 1257. REPORT ON ARMS EMBARGO ON CYPRUS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees a report on the current impact of the United States arms embargo on the Republic of Cyprus.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) A list of items that have been requested by Cyprus from the United States, but have been denied under the arms embargo referred to in such subsection.

(2) An analysis of the impact that lifting the arms embargo would have on United States interests related to the island of Cyprus and the Eastern Mediterranean region.

(3) An analysis of how the arms embargo is being complied with in areas controlled by Cyprus, and in occupied northern Cyprus, and whether any party has violated the letter or spirit of the arms embargo.

(4) An analysis of how the arms embargo against Cyprus impacts the ability of the United States and its partners to combat threats in the Mediterranean region.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SA 2684. Ms. STABENOW (for herself, Mr. GRASSLEY, and Mrs. MCCASKILL) 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:

After section 1715, insert the following:

SEC. 1716. CONSIDERATION BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF NATIONAL SECURITY EFFECTS OF TRANSACTIONS ON FOOD AND AGRICULTURE SECTORS.

Section 721(f)(6) of the Defense Production Act of 1950 (50 U.S.C. 4565(f)(6)) is amended by inserting after ''assets'' the following: ''and assets related to the food and agriculture sectors''.

SA 2685. 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 appropriate place in title XVI, insert the following:

SEC. _____. ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES OF AMOUNT AND DISTRIBUTION 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 combatant 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) where risks 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) whether the resources are optimally aligned with the 2018 National Defense Strategy; and

(ii) 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—

(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; and

(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.

(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 the 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, as well as how most effectively to buy-down significant strategic risks.

(3) FORM.—The report submitted under paragraph (1) shall include an unclassified summary, but may otherwise be classified, as appropriate.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to waive the requirements or applicability of section 348 of the Intelligence Authorization Act for Fiscal Year 2010 (50 U.S.C. 3308).

(d) 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. 3003).

SA 2686. Mrs. SHAHEEN (for herself, Mrs. MURRAY, and Ms. STABENOW) 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 USE BY DEPARTMENT OF DEFENSE OF QUALITY MEASURES TO ASSESS MATERNAL MORTALITY AND SERIOUS MORBIDITY.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of quality of care measures in assessing maternal and infant mortality and serious morbidity for active duty members of the Armed Forces.

(b) ELEMENTS.—The report required by subsection (a) shall include a comparison between care provided through military treatment facilities and care provided by the Department of Defense through private sector contracts as well as a comparison of quality of care measures between care provided by the Department and care provided to civilian populations.

SA 2687. Mr. THUNE 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 X, add the following:

SEC. 1037. EXCLUSION FROM ACTIVE-DUTY PERSONNEL END STRENGTH LIMITATIONS OF CERTAIN MILITARY PERSONNEL ASSIGNED FOR DUTY IN CONNECTION WITH THE FOREIGN MILITARY SALES PROGRAM.

(a) EXCLUSION.—Except as provided in subsection (c), members of the Armed Forces on active duty who are assigned to an entity specified in subsection (b) for duty in connection with the Foreign Military Sales (FMS) program shall not count toward any end strength limitation for active-duty personnel otherwise applicable to members of the Armed Forces on active duty.

(b) SPECIFIED ENTITIES.—The entities specified in this subsection are the following:

(1) The military departments.

(2) The Defense Security Cooperation Agency.

(3) The combatant commands.

(c) INAPPLICABILITY TO GENERAL AND FLAG OFFICERS.—Subsection (a) shall not apply with respect to any general or flag officer assigned as described in that subsection.

SA 2688. Mr. THUNE 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 X, add the following:

SEC. 1037. TRANSFER OF EXCESS AIR FORCE MQ–1 PREDATOR REMOTELY PILOTED AIRCRAFT AND RELATED EQUIPMENT TO DEPARTMENT OF HOMELAND SECURITY FOR U.S. CUSTOMS AND BORDER PATROL PURPOSES.

(a) OFFER OF FIRST REFUSAL OUTSIDE DOD.—

(1) IN GENERAL.—Upon a determination that aircraft or equipment specified in subsection (b) is also excess to the requirements of all components of the Department of Defense, the Secretary of the Air Force shall offer to the Secretary of Homeland Security to transfer such aircraft or equipment to the Secretary of Homeland Security for use by U.S. Customs and Border Patrol.

(2) TIMING OF OFFER.—Any offer under this subsection for aircraft or equipment shall be made before such aircraft or equipment is

otherwise disposed of outside the Department of Defense.

(b) AIRCRAFT AND EQUIPMENT.—The aircraft and equipment specified in this subsection is the following:

(1) Retired MQ–1 Predator remotely piloted aircraft of the Air Force that are excess to Department of the Air Force requirements.

(2) Initial spare MQ–1 Predator remotely pilot aircraft of the Air Force that are excess to such requirements.

(3) Ground support equipment of the Air Force for MQ–1 Predator remotely piloted aircraft that is excess to such requirements.

(c) TRANSFER.—If the Secretary of Homeland Security accepts an offer under subsection (a), the Secretary of the Air Force shall transfer the aircraft or equipment concerned to the Secretary of Homeland Security. The cost of any aircraft or equipment so transferred, and the cost of transfer, shall be borne by the Secretary of Homeland Security.

(d) DEMILITARIZATION.—Any aircraft or equipment transferred under this section shall be demilitarized before transfer. The cost of demilitarization shall be borne by the Secretary of the Air Force.

(e) USE OF TRANSFERRED AIRCRAFT AND EQUIPMENT.—Any aircraft or equipment transferred to the Secretary of Homeland Security pursuant to this section shall be used by the Commissioner of U.S. Customs and Border Patrol for border security, enforcement of the immigration laws, and related purposes.

SA 2689. Mr. HELLER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. _____. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF EFFECT OF OTHER-THAN-HONORABLE DISCHARGES ON VETERAN EMPLOYMENT OUTCOMES.

(a) REVIEW REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor, commence a review of the effect of discharges and releases from service in the active military, naval, or air service under conditions other than honorable on employment outcomes for veterans who were so discharged or released.

(b) ELEMENTS.—The review required by subsection (a) shall include the following:

(1) An assessment of the effect of a discharge or release described in subsection (a) on a veteran's employment outcomes.

(2) Development of recommendations for legislative or administrative action to reduce the negative effect of such a discharge or release on employment outcomes, including potential educational campaigns.

(3) An assessment of agency outreach or other relevant efforts to inform veterans of their ability to seek a change to their character of discharge through a discharge review board.

(4) An assessment of the progress of the Secretary of Defense in implementing the recommendations of the Comptroller General published in the Government Accountability Office report GAO–17–260 in May of 2017 on actions needed to ensure post-traumatic stress disorder and traumatic brain injury are considered in misconduct separations.

(5) A review and development of recommended areas for improvement in the implementation by the Department of Defense of its August 25, 2017, clarifying guidance to Military Discharge Review Boards and Board for Correction of Military/Naval Records related to mental health conditions, sexual assault, or sexual harassment. Such review shall include identifying statistics on the number of upgrades and discharge reliefs requested and granted and the average timeframe for review of such requests.

(c) REPORT.—Not later than 90 days after the date on which the Comptroller General completes the review required by subsection (a), the Comptroller General shall submit to Congress a report on the results of the review.

(d) DEFINITIONS.—In this section, the terms ''active military, naval, or air service'', ''discharge or release'', and ''veteran'' have the meaning given such terms in section 101 of title 38, United States Code.

SA 2690. 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:

In section 1725(b)(4)(C), add at the end the following:

(vi) The provision of support by a United States person in connection with the license of a patent, if the patent is widely licensed on a non-exclusive basis and the support is generally provided to licensees of the patent.

SA 2691. Mr. PORTMAN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) 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:

Strike section 1233 and insert the following:

SEC. 1233. EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068), as most recently amended by section 1234 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), is further amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(4) To assist Ukraine in improving the level of interoperability of the Ukrainian Armed Forces with the North Atlantic Treaty Organization.'';

(2) in subsection (b)—

(A) by striking paragraph (8);

(B) by redesignating paragraphs (9) through (15) as paragraphs (8) through (14), respectively; and

(C) by adding at the end the following new paragraphs:

''(15) Training and other support designed to enhance the air defense capabilities of the Ukrainian Armed Forces.

''(16) Training required to maintain and employ systems and capabilities described in paragraphs (1) through (15).'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''for fiscal year 2018 pursuant to subsection (f)(3)'' and inserting ''for fiscal year 2019 pursuant to subsection (f)(4)'';

(B) by amending paragraph (2) to read as follows:

''(2) CERTIFICATION.—

''(A) IN GENERAL.—The certification described in this paragraph is a certification by the Secretary of Defense, in coordination with the Secretary of State, that the Government of Ukraine has taken substantial actions to make defense institutional reforms for purposes of decreasing corruption, increasing accountability, and sustaining improvements of combat capability enabled by assistance under subsection (a).

''(B) REFORMS.—In consideration of the certification described in this paragraph, the Secretary of Defense shall consider defense institutional reforms, including—

''(i) strengthening civilian control of the military;

''(ii) enhanced cooperation and coordination with Verkhovna Rada efforts to exercise oversight of the Ministry of Defense and military forces;

''(iii) increased transparency and accountability in defense procurement;

''(iv) improvement in transparency, accountability, sustainment, and inventory management in the defense industrial sector;

''(v) improvement in life-cycle management;

''(vi) improvement in protection of proprietary or sensitive technologies; and

''(vii) progress in strengthening the authority of the Ministry of Defense to enter directly into contracts with foreign defense firms and import and maintain foreign defense equipment.

''(C) ASSESSMENT AND METHODOLOGY.—The certification shall include an assessment of the substantial actions taken to make such defense institutional reforms and the areas in which additional action is needed and a description of the methodology used to evaluate whether Ukraine has made progress in defense institutional reforms relative to previously established goals and objectives.'';

(C) in paragraph (3), by striking ''fiscal year 2018'' and inserting ''fiscal years 2018 and 2019'';

(D) by redesignating paragraph (4) as paragraph (5); and

(E) by inserting after paragraph (3) the following new paragraph (4):

''(4) DEFENSE INDUSTRY REFORM.—Of the amount made available for fiscal year 2019 under subsection (f), not more than $3,000,000 shall be available to provide advisory assistance relating to financial reform and accountability measures in the Ukrainian defense industry, including an independent audit of the state-owned defense concern of Ukraine, Ukroboronprom.'';

(4) in subsection (f), by adding at the end the following new paragraph:

''(4) For fiscal year 2019, $200,000,000.''; and

(5) in subsection (h), by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

SA 2692. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. DECREASE IN MAXIMUM AUTHORIZED ANNUAL PERCENTAGE RATE ON CREDIT FOR MEMBERS OF THE ARMED FORCES.

(a) DECREASE IN RATE.—Section 987(b) of title 10, United States Code, is amended by striking ''36 percent'' and inserting ''28 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) 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.

SEC. 643. ENHANCED PROTECTION AGAINST DEBT COLLECTOR HARASSMENT OF MEMBERS OF THE ARMED FORCES.

(a) COMMUNICATION IN CONNECTION WITH DEBT COLLECTION.—Section 805 of the Fair Debt Collection Practices Act (15 U.S.C. 1692c) is amended by adding at the end the following:

''(e) COMMUNICATIONS CONCERNING SERVICEMEMBER DEBTS.—

''(1) DEFINITION.—In this subsection, the term 'covered member' has the meaning given the term in section 987(i) of title 10, United States Code.

''(2) PROHIBITION.—A debt collector may not communicate, in connection with the collection of any debt, with the commanding officer or officer in charge of any covered member, including for the purpose of acquiring location information about the covered member.''.

(b) FALSE OR MISLEADING REPRESENTATIONS.—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 chapter 47 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 of an entity 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 2693. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) 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. DECREASE IN MAXIMUM AUTHORIZED ANNUAL PERCENTAGE RATE ON CREDIT FOR MEMBERS OF THE ARMED FORCES.

(a) DECREASE IN RATE.—Section 987(b) of title 10, United States Code, is amended by striking ''36 percent'' and inserting ''24 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) 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.

SEC. 643. ENHANCED PROTECTION AGAINST DEBT COLLECTOR HARASSMENT OF MEMBERS OF THE ARMED FORCES.

(a) COMMUNICATION IN CONNECTION WITH DEBT COLLECTION.—Section 805 of the Fair Debt Collection Practices Act (15 U.S.C. 1692c) is amended by adding at the end the following:

''(e) COMMUNICATIONS CONCERNING SERVICEMEMBER DEBTS.—

''(1) DEFINITION.—In this subsection, the term 'covered member' has the meaning given the term in section 987(i) of title 10, United States Code.

''(2) PROHIBITION.—A debt collector may not communicate, in connection with the collection of any debt, with the commanding officer or officer in charge of any covered member, including for the purpose of acquiring location information about the covered member.''.

(b) FALSE OR MISLEADING REPRESENTATIONS.—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 chapter 47 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 of an entity 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 2694. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) 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. ENHANCED PROTECTION AGAINST DEBT COLLECTOR HARASSMENT OF MEMBERS OF THE ARMED FORCES.

(a) COMMUNICATION IN CONNECTION WITH DEBT COLLECTION.—Section 805 of the Fair Debt Collection Practices Act (15 U.S.C. 1692c) is amended by adding at the end the following:

''(e) COMMUNICATIONS CONCERNING SERVICEMEMBER DEBTS.—

''(1) DEFINITION.—In this subsection, the term 'covered member' has the meaning given the term in section 987(i) of title 10, United States Code.

''(2) PROHIBITION.—A debt collector may not communicate, in connection with the collection of any debt, with the commanding officer or officer in charge of any covered member, including for the purpose of acquiring location information about the covered member.''.

(b) FALSE OR MISLEADING REPRESENTATIONS.—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 chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).''.

SEC. 643. 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 of an entity 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 2695. Ms. HEITKAMP (for herself, Mr. TESTER, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 XVI, add the following:

SEC. 1650. COMPREHENSIVE REVIEW OF SECURITY FORCES ASSIGNED TO INTERCONTINENTAL BALLISTIC MISSILE INSTALLATIONS.

(a) IN GENERAL.—The Secretary of the Air Force shall conduct a comprehensive review of the security forces assigned to installations at which intercontinental ballistic missiles are stored.

(b) ELEMENTS.—The review required by subsection (a) shall assess the following:

(1) Reenlistment rates and officer retention rates.

(2) Manning levels compared to past manning levels and the effect of any changes over time on workload, morale, and specialization.

(3) Actions to improve recruitment, retention, and morale, including recruitment and retention bonuses, incentive pay, and special assignment pay.

(4) The effect of the quality of working conditions, facilities, and equipment on morale.

(5) The extent to which personnel policies related to assignments, promotion timelines, performance evaluations, and other factors enable or inhibit professional development.

(6) A comparison to other Armed Forces security forces with respect to personnel policies, manpower authorization levels, administrative requirements, and degree of specialization.

(7) National Guard contributions and the potential to expand the use of National Guard security forces.

(8) Such other matters with respect to the security forces described in subsection (a) as the Secretary of the Air Force considers appropriate.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the results of the review required by subsection (a). The report shall include the following:

(A) The results of the review, including any findings of the Secretary as a result of the review.

(B) Any changes undertaken or to be undertaken by the Secretary in light of the review.

(C) Any recommendations for such legislative or administration action as the Secretary considers appropriate in light of the review.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

SA 2696. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 XII, add the following:

SEC. 1271. SENSE OF CONGRESS ON CONDITIONS PRECEDENT TO THE RUSSIAN FEDERATION REJOINING THE G7.

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

(1) The Group of Seven (G7) is a group of nations consisting of Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States, and which is joined by the European Union at annual G7 summits.

(2) The G7 states said in May 2017 in Taormina, Italy, that ''we are bound together by our shared values of freedom and democracy, peace, security, the rule of law, and respect for human rights. We are determined to coordinate our efforts in promoting the rules-based international order and global sustainable development.''

(3) On March 24, 2014, the current group of G7 states suspended the Russian Federation from what was then the Group of Eight nations, in response to the Russian Federation's illegal invasion and occupation of the Ukrainian territory of Crimea.

(4) The G7 states worked constructively toward the imposition of sanctions by the European Union and the United States, respectively, on the Russian Federation for its aggression against Ukraine, including the illegal occupation of Crimea and its violent aggression in the eastern part of the country.

(5) Two G7 member states, France and Germany, in close consultation with the United States and other allies, helped to negotiate the Minsk Agreements in September 2014 and February 2015, and have worked within the Normandy Group format to further implementation of these agreements by the Russian Federation and Ukraine.

(6) The Government of the Russian Federation has failed to fulfill its obligations under the Minsk Agreements, including with respect to a full ceasefire, the removal of heavy weaponry, permitting the monitoring and verification of a ceasefire regime, and ensuring access for humanitarian aid to conflict-affected individuals.

(7) The Government of the Russian Federation continues to illegally occupy Crimea.

(8) On June 9, 2018, the President of the United States said, ''It would be an asset to have Russia back in. I think it would be good for the world. I think it would be good for Russia. I think it would be good for the United States. I think it would be good for all of the countries of the current G7. I think the G8 would be better.''.

(9) The Government of the Russian Federation, since 2014, has expanded its aggression and undermined democratic institutions against the United States and other countries around the world, through election interference, cyberattacks, corrupt influence, disinformation, and other forms of malign interference.

(b) SENSE OF CONGRESS.—It is the Sense of Congress that the President should—

(1) welcome the steadfast commitment by G7 member states to the values of democracy, human rights, and rule of law that underpin the rules-based international order;

(2) condemn the actions of the Government of the Russian Federation that led to its suspension by G7 states from the group in 2014, and which continue to the present day;

(3) immediately retract his statement of June 9, 2018, in which he called for the readmission of the Russian Federation into the G7; and

(4) clearly declare that the Russian Federation will not be readmitted into the G7 until it immediately ceases efforts to undermine the rules-based international order and ends its illegal occupation of Crimea.

SA 2697. Mr. FLAKE 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 X, add the following:

SEC. 1037. INFORMATION ON DEPARTMENT OF DEFENSE FUNDING IN DEPARTMENT PRESS RELEASES AND RELATED PUBLIC STATEMENTS ON PROGRAMS, PROJECTS, AND ACTIVITIES FUNDED BY THE DEPARTMENT.

(a) INFORMATION REQUIRED.—

(1) IN GENERAL.—Subchapter II of chapter 134 of title 10, United States Code, is amended by inserting after section 2257 the following new section:

''§ 2258. Department of Defense press releases and related public statements on Department funded programs, projects, and activities

''Any press release, statement, or other document issued to the public by the Department of Defense that describes a program, project, or activity funded, whether in whole or in part, by amounts provided by the Department, including any project, project, or activity of a foreign, State, or local government, shall clearly state the following:

''(1) That the program, project, or activity is funded, in whole or in part (as applicable), by funds provided by the Department.

''(2) An estimate of the amount of funding from the Department that the program, project, or activity currently receives.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 134 of such title is amended by inserting after the item relating to section 2257 the following new item:

''2258. Department of Defense press releases and related public statements on Department funded programs, projects, and activities.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to programs, projects, and activities funded by the Department of Defense with amounts authorized to be appropriated for fiscal years after fiscal year 2019.

SA 2698. Mr. FLAKE (for himself and Mr. MCCAIN) 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 II, insert the following:

SEC. _____. PILOT PROGRAM ON CERTAIN LIMITED REIMBURSEMENT ARRANGEMENTS FOR USE OF MAJOR RANGE AND TEST FACILITY BASES.

(a) IN GENERAL.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of modifying reimbursement requirements for use of Major Range and Test Facility Bases.

(b) DURATION.—The Secretary shall carry out the pilot program during four fiscal years.

(c) LOCATIONS.—The Secretary shall carry out the pilot program at not more than six Major Range and Test Facility Bases and no more than two per military department.

(d) WAIVER OF FULL REIMBURSEMENT REQUIREMENT.—

(1) IN GENERAL.—Under the pilot program, the Secretary may, as the Secretary determines in the best interest of the Department of Defense, waive the requirements of section 2681(c) of title 10, United States Code, for small and medium sized businesses and not-for-profit organizations so that such businesses and organizations may reimburse the Department of Defense for use of a Major Range and Test Facility Base in amounts that only cover direct costs (as defined in section 232(b) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (116 Stat. 2490; Public Law 107–314)) to the United States associated with such use.

(2) INDIRECT COSTS.—Paragraph (1) shall not apply to reimbursement for indirect costs.

(e) REPORTS.—

(1) IN GENERAL.—At the end of the second fiscal year of the pilot program required by subsection (a) and not later than 30 days after the completion of the pilot program, the Secretary shall submit to the congressional defense committees a report on the pilot program.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) Recommendations for revisions to reimbursement arrangements for testing and evaluation activities at Major Range and Test Facility Bases.

(B) A review of authorities granted to commanders of Major Range and Test Facility Bases.

(C) An evaluation of limited reimbursement arrangements on the Test Resources Management Center and Major Range and Test Facility Bases.

(f) MAJOR RANGE AND TEST FACILITY BASE DEFINED.—In this section, the term ''Major Range and Test Facility Base'' means—

(1) a Major Range and Test Facility Installation as defined in section 2681(f) of title 10, United States Code; and

(2) a Major Range and Test Facility Base as defined in section 196(i) of such title.

SA 2699. Mr. FLAKE (for himself and Mr. JOHNSON) 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 X, add the following:

Subtitle G—Anti-Border Corruption Reauthorization Act

SEC. 1071. SHORT TITLE.

This subtitle may be cited as the ''Anti-Border Corruption Reauthorization Act of 2018''.

SEC. 1072. HIRING FLEXIBILITY.

Section 3 of the Anti-Border Corruption Act of 2010 (Public Law 111–376; 6 U.S.C. 221) is amended by striking subsection (b) and inserting the following new subsections:

''(b) WAIVER AUTHORITY.—The Commissioner of U.S. Customs and Border Protection may waive the application of subsection (a)(1) in the following circumstances:

''(1) In the case of a current, full-time law enforcement officer employed by a State or local law enforcement agency, if such officer—

''(A) has served as a law enforcement officer for not fewer than three years with no break in service;

''(B) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers for arrest or apprehension;

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

''(D) has, within the past ten years, successfully completed a polygraph examination as a condition of employment with such officer's current law enforcement agency.

''(2) In the case of a current, full-time Federal law enforcement officer, if such officer—

''(A) has served as a law enforcement officer for not fewer than three years with no break in service;

''(B) has authority to make arrests, conduct investigations, conduct searches, make seizures, carry firearms, and serve orders, warrants, and other processes;

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

''(D) holds a current Tier 4 background investigation or current Tier 5 background investigation.

''(3) In the case of an individual who is a member of the Armed Forces (or a reserve component thereof) or a veteran, if such individual—

''(A) has served in the Armed Forces for not fewer than three years;

''(B) holds, or has held within the past five years, a Secret, Top Secret, or Top Secret / Sensitive Compartmented Information clearance;

''(C) holds, or has undergone within the past five years, a current Tier 4 background investigation or current Tier 5 background investigation;

''(D) received, or is eligible to receive, an honorable discharge from service in the Armed Forces and has not engaged in criminal activity or committed a serious military or civil offense under the Uniform Code of Military Justice; and

''(E) was not granted any waivers to obtain the clearance referred to subparagraph (B).

''(c) TERMINATION OF WAIVER AUTHORITY.—The authority to issue a waiver under subsection (b) shall terminate on the date that is four years after the date of the enactment of the Anti-Border Corruption Reauthorization Act of 2018.''.

SEC. 1073. SUPPLEMENTAL COMMISSIONER AUTHORITY AND DEFINITIONS.

(a) SUPPLEMENTAL COMMISSIONER AUTHORITY.—Section 4 of the Anti-Border Corruption Act of 2010 (Public Law 111–376) is amended to read as follows:

''SEC. 4. SUPPLEMENTAL COMMISSIONER AUTHORITY.

''(a) NON-EXEMPTION.—An individual who receives a waiver under subsection (b) of section 3 is not exempt from other hiring requirements relating to suitability for employment and eligibility to hold a national security designated position, as determined by the Commissioner of U.S. Customs and Border Protection.

''(b) BACKGROUND INVESTIGATIONS.—Any individual who receives a waiver under subsection (b) of section 3 who holds a current Tier 4 background investigation shall be subject to a Tier 5 background investigation.

''(c) ADMINISTRATION OF POLYGRAPH EXAMINATION.—The Commissioner of U.S. Customs and Border Protection is authorized to administer a polygraph examination to an applicant or employee who is eligible for or receives a waiver under subsection (b) of section 3 if information is discovered prior to the completion of a background investigation that results in a determination that a polygraph examination is necessary to make a final determination regarding suitability for employment or continued employment, as the case may be.''.

(b) REPORT.—The Anti-Border Corruption Act of 2010 is amended by adding at the end the following new section:

''SEC. 5. REPORTING REQUIREMENTS.

''(a) ANNUAL REPORT.—Not later than one year after the date of the enactment of the Anti-Border Corruption Reauthorization Act of 2018, and annually thereafter while the waiver authority under section 3(b) is in effect, the Commissioner of U.S. Customs and Border Protection shall submit a report to Congress that includes, with respect to the reporting period—

''(1) the number of waivers requested, granted, and denied under section 3(b);

''(2) the reasons for any denials of such waiver;

''(3) the percentage of applicants who were hired after receiving a waiver;

''(4) the number of instances that a polygraph was administered to an applicant who initially received a waiver and the results of such polygraph;

''(5) an assessment of the current impact of the polygraph waiver program on filling law enforcement positions at U.S. Customs and Border Protection; and

''(6) additional authorities needed by U.S. Customs and Border Protection to better utilize the polygraph waiver program for its intended goals.

''(b) ADDITIONAL INFORMATION.—The first report submitted under subsection (a) shall include—

''(1) an analysis of other methods of employment suitability tests that detect deception and could be used in conjunction with traditional background investigations to evaluate potential employees for suitability; and

''(2) a recommendation regarding whether a test referred to in paragraph (1) should be adopted by U.S. Customs and Border Protection when the polygraph examination requirement is waived pursuant to section 3(b).''.

(c) DEFINITIONS.—The Anti-Border Corruption Act of 2010, as amended by subsection (b) of this section, is further amended by adding at the end the following new section:

''SEC. 6. DEFINITIONS.

''In this Act:

''(1) FEDERAL LAW ENFORCEMENT OFFICER.—The term 'Federal law enforcement officer' means a 'law enforcement officer', as defined in section 8331(20) or 8401(17) of title 5, United States Code.

''(2) VETERAN.—The term 'veteran' has the meaning given such term in section 101(2) of title 38, United States Code.

''(3) SERIOUS MILITARY OR CIVIL OFFENSE.—The term 'serious military or civil offense' means an offense for which—

''(A) a member of the Armed Forces may be discharged or separated from service in the Armed Forces; and

''(B) a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Courts-Martial, as pursuant to Army Regulation 635-200 chapter 14-12.

''(4) TIER 4; TIER 5.—The terms 'Tier 4' and 'Tier 5' with respect to background investigations have the meaning given such terms under the 2012 Federal Investigative Standards.''.

SA 2700. Mr. MCCONNELL (for Mr. TOOMEY (for himself, Mr. CORKER, Mr. SASSE, Mr. JOHNSON, and Mr. KENNEDY)) proposed an amendment to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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; as follows:

At the end of title XVII, add the following:

SEC. 1734. CONGRESSIONAL REVIEW OF REGULATIONS.

(a) CONGRESSIONAL REVIEW.—

(1) PUBLICATION AND SUBMISSION TO CONGRESS OF DRAFT REGULATIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of this title, before a regulation prescribed by the Committee on Foreign Investment in the United States (in this section referred to as the ''Committee'') to carry out this title or any amendment made by this title may take effect, the Committee shall—

(i) publish in the Federal Register a list of information on which the regulation is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online; and

(ii) submit to each House of Congress and to the Comptroller General of the United States a report containing—

(I) a copy of the regulation;

(II) a concise general statement relating to the regulation;

(III) a classification of the regulation as a major regulation or nonmajor regulation, including an explanation of the classification specifically addressing each criteria for a major regulation contained within subparagraphs (A) through (C) of subsection (e)(1);

(IV) a list of any other related regulatory actions intended to implement the same provision of or amendment made by this title, as well as the individual and aggregate economic effects of those actions; and

(V) the proposed effective date of the regulation.

(B) ADDITIONAL SUBMISSIONS.—On the date of the submission of the report under subparagraph (A), the Committee shall submit to the Comptroller General and make available to each House of Congress—

(i) a complete copy of the cost-benefit analysis of the regulation, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

(ii) the Committee's actions pursuant to sections 603, 604, 605, 607, and 609 of title 5, United States Code;

(iii) the Committee's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

(C) COPIES TO COMMITTEES OF CONGRESS.—Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the regulation is issued.

(2) REPORT BY GAO.—

(A) IN GENERAL.—The Comptroller General of the United States shall provide a report on each major regulation to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the Committee's compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major regulation imposes any new limits or mandates on private-sector activity.

(B) COOPERATION OF FEDERAL AGENCIES.—The Committee shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

(3) EFFECTIVE DATE OF REGULATIONS.—

(A) MAJOR REGULATIONS.—A major regulation relating to a report submitted under subsection (a) shall take effect upon enactment of a joint resolution of approval described in subsection (c) or as provided for in the regulation following enactment of a joint resolution of approval described in subsection (c), whichever is later.

(B) NONMAJOR REGULATIONS.—A nonmajor regulation shall take effect as provided by subsection (d) after submission to Congress under paragraph (1).

(4) PROHIBITION ON SUBSEQUENT CONSIDERATION OF SAME REGULATION.—If a joint resolution of approval relating to a major regulation is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same regulation may not be considered under this section in the same Congress by either the House of Representatives or the Senate.

(b) EFFECTIVENESS OF REGULATIONS.—

(1) IN GENERAL.—A major regulation shall not take effect unless the Congress enacts a joint resolution of approval described under subsection (c).

(2) EFFECT OF NOT ENACTING JOINT RESOLUTION OF APPROVAL.—If a joint resolution of approval described in subsection (c) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the regulation described in that resolution shall be deemed not to be approved and such regulation shall not take effect.

(3) TEMPORARY EFFECTIVENESS.—

(A) IN GENERAL.—Notwithstanding any other provision of this section (except subject to subparagraph (C)), a major regulation may take effect for one 90-calendar-day period if the President makes a determination under subparagraph (B) and submits written notice of such determination to Congress.

(B) DETERMINATION.—Subparagraph (A) applies to a determination made by the President by Executive order that a major regulation should take effect because such regulation is—

(i) necessary because of an imminent threat to health or safety or other emergency;

(ii) necessary for the enforcement of criminal laws;

(iii) necessary for national security; or

(iv) issued pursuant to any statute implementing an international trade agreement.

(C) EFFECT ON OTHER PROVISIONS.—An exercise by the President of the authority under this paragraph shall have no effect on the procedures under subsection (c).

(4) CONGRESSIONAL REVIEW AROUND ADJOURNMENTS OF CONGRESS.—

(A) IN GENERAL.—In addition to the opportunity for review otherwise provided under this section, in the case of any regulation for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

(i) in the case of the Senate, 60 session days, or

(ii) in the case of the House of Representatives, 60 legislative days,

before the date Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, subsection (c) or (d) shall apply to such rule in the succeeding session of Congress.

(B) SPECIAL RULES.—

(i) IN GENERAL.—In applying subsections (c) and (d) for purposes of such additional review, a regulation described in subparagraph (A) shall be treated as though—

(I) such regulation were published in the Federal Register on—

(aa) in the case of the Senate, the 15th session day, or

(bb) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

(II) a report on such regulation were submitted to Congress under subsection (a)(1) on such date.

(ii) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a regulation can take effect.

(C) EFFECT IN ACCORDANCE WITH LAW.—A regulation described in subparagraph (A) shall take effect as otherwise provided by law (including any other provision of this section).

(c) CONGRESSIONAL APPROVAL PROCEDURE FOR MAJOR REGULATIONS.—

(1) JOINT RESOLUTIONS.—

(A) JOINT RESOLUTION DEFINED.—For purposes of this subsection, the term ''joint resolution'' means only a joint resolution addressing a report classifying a regulation as a major regulation pursuant to subsection (a)(1)(A)(i)(III) that—

(i) bears no preamble;

(ii) bears the following title (with blanks filled as appropriate): ''Approving the regulation submitted by the Committee on Foreign Investment in the United States relating to _____.'';

(iii) includes after its resolving clause only the following (with blanks filled as appropriate): ''That Congress approves the regulation submitted by the Committee on Foreign Investment in the United States relating to _____.''; and

(iv) is introduced pursuant to subparagraph (B).

(B) INTRODUCTION.—After a House of Congress receives a report classifying a regulation as a major regulation pursuant to subsection (a)(1)(A)(i)(III), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in subparagraph (A)—

(i) in the case of the House of Representatives, within 3 legislative days, and

(ii) in the case of the Senate, within 3 session days.

(C) PROHIBITION ON AMENDMENTS.—A joint resolution described in subparagraph (A) shall not be subject to amendment at any stage of proceeding.

(2) REFERRAL.—A joint resolution described in paragraph (1) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the regulation is issued.

(3) DISCHARGE IN SENATE.—In the Senate, if the committee or committees to which a joint resolution described in paragraph (1) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

(4) FLOOR CONSIDERATION IN SENATE.—

(A) MOTIONS TO PROCEED.—In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under paragraph (3)) from further consideration of a joint resolution described in paragraph (1), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(B) DEBATE.—In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(C) VOTE ON FINAL PASSAGE.—In the Senate, immediately following the conclusion of the debate on a joint resolution described in paragraph (1), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(D) APPEALS FROM DECISIONS OF CHAIR.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in paragraph (1) shall be decided without debate.

(5) CONSIDERATION IN HOUSE OF REPRESENTATIVES.—In the House of Representatives, if any committee to which a joint resolution described in paragraph (1) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

(6) PROCEDURES UPON RECEIPT OF RESOLUTION FROM OTHER HOUSE.—

(A) IN GENERAL.—If, before passing a joint resolution described in paragraph (1), one House receives from the other a joint resolution having the same text, then—

(i) the joint resolution of the other House shall not be referred to a committee; and

(ii) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

(B) REVENUE MEASURES.—This paragraph shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

(7) FINAL VOTE.—If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in subsection (b)(2), then such vote shall be taken on that day.

(8) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection and subsection (d) are enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such are deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in paragraph (1) and superseding other rules only where explicitly so; and

(B) 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.

(d) CONGRESSIONAL DISAPPROVAL PROCEDURE FOR NONMAJOR REGULATIONS.—

(1) JOINT RESOLUTION DEFINED.—For purposes of this section, the term ''joint resolution'' means only a joint resolution introduced in the period beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: ''That Congress disapproves the nonmajor regulation submitted by the Committee on Foreign Investment in the United States relating to _____, and such regulation shall have no force or effect.'' (The blank spaces being appropriately filled in).

(2) REFERRAL.—A joint resolution described in paragraph (1) shall be referred to the committees in each House of Congress with jurisdiction.

(3) DISCHARGE IN SENATE.—In the Senate, if the committee to which is referred a joint resolution described in paragraph (1) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

(4) FLOOR CONSIDERATION IN THE SENATE.—

(A) MOTIONS TO PROCEED.—In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under paragraph (3)) from further consideration of a joint resolution described in paragraph (1), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(B) DEBATE.—In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business,

or a motion to recommit the joint resolution is not in order.

(C) VOTE ON FINAL PASSAGE.—In the Senate, immediately following the conclusion of the debate on a joint resolution described in paragraph (1), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(D) APPEALS FROM DECISIONS OF THE CHAIR.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

(5) SPECIAL RULE IN SENATE.—In the Senate, the procedure specified in paragraph (3) or (4) shall not apply to the consideration of a joint resolution respecting a nonmajor regulation—

(A) after the expiration of the 60 session days beginning with the applicable submission or publication date; or

(B) if the report under subsection (a)(1)(A) was submitted during the period referred to in subsection (b)(2), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

(6) RECEIPT OF RESOLUTION FROM OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House described in paragraph (1), that House receives from the other House a joint resolution described in paragraph (1), then the following procedures shall apply:

(A) The joint resolution of the other House shall not be referred to a committee.

(B) With respect to a joint resolution described in paragraph (1) of the House receiving the joint resolution—

(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(ii) the vote on final passage shall be on the joint resolution of the other House.

(e) DEFINITIONS.—In this section:

(1) MAJOR REGULATION.—The term ''major regulation'' means any regulation, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

(A) an annual effect on the economy of $100 million or more;

(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(C) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

(2) NONMAJOR REGULATION.—The term ''nonmajor regulation'' means any regulation that is not a major regulation.

(3) REGULATION.—The term ''regulation'' has the meaning given the term ''rule'' in section 551 of title 5, United States Code, except that such term does not include—

(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

(B) any rule relating to agency management or personnel; or

(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

(4) SUBMISSION OF PUBLICATION DATE.—The term ''submission or publication date'', except as otherwise provided in this section, means—

(A) in the case of a major regulation, the date on which Congress receives the report submitted under subsection (a)(1); and

(B) in the case of a nonmajor regulation, the later of—

(i) the date on which the Congress receives the report submitted under subsection (a)(1); and

(ii) the date on which the nonmajor regulation is published in the Federal Register, if so published.

(f) JUDICIAL REVIEW.—

(1) IN GENERAL.—No determination, finding, action, or omission under this section shall be subject to judicial review.

(2) DETERMINATION OF COMPLIANCE WITH REQUIREMENTS.—Notwithstanding subsection (a), a court may determine whether the Committee on Foreign Investment in the United States has completed the necessary requirements under this section for a regulation described in subsection (a)(1)(A) to take effect.

(3) EFFECT.—The enactment of a joint resolution of approval under subsection (c) shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a regulation, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a regulation, and shall not form part of the record before the court in any judicial proceeding concerning a regulation except for purposes of determining whether or not the regulation is in effect.

SA 2701. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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___. REPORTS ON IMPLEMENTATION BY DEPARTMENT OF VETERANS AFFAIRS OF RECOMMENDATIONS OF COMPTROLLER GENERAL OF THE UNITED STATES.

(a) BIENNIAL REPORT ON ACTIONS TAKEN TO ADDRESS AREAS OF CONCERN THAT LED TO INCLUSION OF VETERANS HEALTH CARE IN THE HIGH RISK LIST OF THE GOVERNMENT ACCOUNTABILITY OFFICE.—

(1) BIENNIAL REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act and in each session of Congress thereafter in which the High Risk List of the Government Accountability Office published in that session includes health care furnished under laws administered by the Secretary of Veterans Affairs, the Secretary shall submit to Congress, the appropriate committees of Congress, and the Comptroller General of the United States a report on the actions taken by the Secretary and the progress made by the Secretary in implementing the High Risk Action Plan of the Department of Veterans Affairs to address the areas of concern that led to the designation of such health care as high risk by the Comptroller General in the most recently published High Risk List.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

(A) The corrective measures and specific steps necessary for addressing root causes identified in the High Risk Action Plan for removal from the high-risk designation, including the progress of the Secretary in implementing those measures and steps. The specific measures and steps shall—

(i) address each root cause;

(ii) identify resources to implement corrective actions, including funding, stakeholders, technology, and the senior officials responsible for implementing the corrective actions and reporting results;

(iii) identify metrics that can be used to assess progress and assign responsibility for tracking progress, including the mechanism that will be used to keep senior leadership informed about progress made or challenges encountered;

(iv) list key outcomes and goals that demonstrate progress in addressing the concerns; and

(v) establish timeframes with overall and interim milestones.

(B) The progress of the Secretary in addressing the five criteria for removal from the High Risk List for each of the areas of concern identified by the Comptroller General.

(C) An explanation and course of action for each failure to fully adopt the Comptroller General's criteria for removal from the High Risk list.

(b) ANNUAL REPORT BY SECRETARY OF VETERANS AFFAIRS ON IMPLEMENTATION OF CERTAIN RECOMMENDATIONS OF COMPTROLLER GENERAL PERTAINING TO DEPARTMENT OF VETERANS AFFAIRS.—

(1) ANNUAL REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Secretary of Veterans Affairs shall submit to Congress, the appropriate committees of Congress, and the Comptroller General of the United States a report on implementation of recommendations of the Comptroller General that pertain to the Department of Veterans Affairs.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

(A) The progress of the Secretary in implementing all open priority recommendations of the Comptroller General for the Department of Veterans Affairs.

(B) An explanation for each instance in which the Secretary has decided not to implement, or has not fully implemented, an open priority recommendation of the Comptroller General for the Department.

(C) Courses of action for the Secretary to implement open priority recommendations of the Comptroller General, including—

(i) resources to implement corrective actions, including funding, stakeholders, technology, and the senior officials responsible for implementing the corrective actions and reporting results;

(ii) metrics that can be used to assess progress and assign responsibility for tracking progress, including the mechanism that will be used to keep senior leadership informed about progress made or challenges encountered;

(iii) key outcomes and goals that demonstrate progress in addressing the concerns; and

(iv) timeframes with respect to overall and interim milestones.

(3) SUPPLEMENT AND NOT SUPPLANT CURRENT REPORT REQUIREMENTS.—The requirements of this subsection shall supplement and not supplant the requirements of section 720 of title 31, United States Code.

(c) COMPTROLLER GENERAL REPORT ON ACTIONS TAKEN BY SECRETARY OF VETERANS AFFAIRS TO ADDRESS AREAS OF CONCERN WITH RESPECT TO VETERANS HEALTH CARE.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress and the appropriate committees of Congress a report on the implementation, the actions taken, and the progress made by the Secretary of Veterans Affairs in implementing the High Risk Action Plan of the Department of Veterans Affairs to address the areas of concern that led to the designation of health care furnished under laws administered by the Secretary as high risk by the Comptroller General in the High Risk List published by the Comptroller General in 2017.

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) An evaluation of the progress of the Secretary in implementing corrective measures and specific steps for addressing root causes identified in the High Risk Action Plan for removal of veterans health care from the High Risk List.

(B) An evaluation of the progress of the Secretary in addressing the five criteria for removal from the High Risk List for each of the areas of concern identified by the Comptroller General.

(C) An evaluation of the Secretary's explanations and courses of action for each failure to fully adopt the Comptroller General's criteria for removal from the High Risk List.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives.

SA 2702. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. STUDY ON EFFICACY OF VETERANS CRISIS LINE.

(a) STUDY.—The Secretary of Veterans Affairs shall conduct a study on the outcomes and the efficacy of the Veterans Crisis Line during the five-year period beginning January 1, 2014, based on an analysis of national suicide data and data collected from the Veterans Crisis Line.

(b) MATTERS INCLUDED.—The study under subsection (a) shall address the following:

(1) The efficacy of the Veterans Crisis Line in leading veterans to sustained mental health regimens, by determining—

(A) the number of veterans who, after contacting the Veterans Crisis Line and being referred to a suicide prevention specialist, begin and continue mental health care furnished by the Secretary of Veterans Affairs; and

(B) the number of veterans who, after contacting the Veterans Crisis Line and being referred to a suicide prevention specialist, either—

(i) begin mental health care furnished by the Secretary but do not continue such care; or

(ii) do not begin such care.

(2) The visibility of the Veterans Crisis Line, by determining—

(A) the number of veterans who contact the Veterans Crisis Line and have not previously received hospital care or medical services furnished by the Secretary; and

(B) the number of veterans who contact the Veterans Crisis Line and have previously received hospital care or medical services furnished by the Secretary.

(3) The role of the Veterans Crisis Line as part of the mental health care services of the Department, by determining, of the veterans who are enrolled in the health care system established under section 1705(a) of title 38, United States Code, who contact the Veterans Crisis Line, the number who are under the care of a mental health care provider of the Department at the time of such contact.

(4) Whether receiving sustained mental health care affects suicidality and whether veterans previously receiving mental health care furnished by the Secretary use the Veterans Crisis Line in times of crisis, with respect to the veterans described in paragraph (3), by determining the time frame between receiving such care and the time of such contact.

(5) The effectiveness of the Veterans Crisis Line in assisting veterans at risk for suicide when the Veterans Crisis Line is contacted by a non-veteran, by determining, of the number of non-veterans who contact the Veterans Crisis Line looking for support in assisting a veteran, how many of such individuals receive support in having a veteran begin to receive mental health care furnished by the Secretary.

(6) The overall efficacy of the Veterans Crisis Line in preventing suicides and whether the number of contacts affects the efficacy, by determining—

(A) the number of veterans who contact the Veterans Crisis Line who ultimately commit or attempt suicide; and

(B) of such veterans, how many times did a veteran contact the Veterans Crisis Line prior to committing or attempting suicide.

(7) The long-term efficacy of the Veterans Crisis Line in preventing repeated suicide attempts and whether the efficacy is temporary, by determining, of the number of veterans who contacted the Veterans Crisis Line and did not commit or attempt suicide during the following six-month period, the number who contacted the Veterans Crisis Line in crisis at a later time and thereafter did commit or attempt suicide.

(8) Whether referral to mental health care affects the risk of suicide, by determining—

(A) the number of veterans who contact the Veterans Crisis Line who are not referred to, or do not continue receiving, mental health care who commit suicide; and

(B) the number of veterans described in paragraph (1)(A) who commit or attempt suicide.

(9) The efficacy of the Veterans Crisis Line to promote continued mental health care in those veterans who are at high risk for suicide whose suicide was prevented, by determining, of the number of veterans who contacted the Veterans Crisis Line and did not commit or attempt suicide soon thereafter, the number that begin and continue to receive mental health care furnished by the Secretary.

(10) Such other matters as the Secretary determines appropriate.

(c) RULE OF CONSTRUCTION REGARDING DATA COLLECTION.—Nothing in this section may be construed to modify or affect the manner in which data is collected, or the kind or content of data collected, by the Secretary under the Veterans Crisis Line.

(d) SUBMISSION.—Not later than May 31, 2019, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives the study conducted under subsection (a).

(e) VETERANS CRISIS LINE DEFINED.—In this section, the term ''Veterans Crisis Line'' means the toll-free hotline for veterans established under section 1720F(h) of title 38, United States Code.

SA 2703. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 XII, add the following:

SEC. 12___. SENSE OF CONGRESS ON ESTABLISHMENT OF COMBINED MARITIME TASK FORCE PACIFIC.

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

(1) The Indo-Pacific region—

(A) represents nearly ½ of the global population;

(B) is home to some of the most dynamic economies in the world; and

(C) poses security challenges that threaten to undermine United States national security interests, regional peace, and global stability.

(2) The core tenets of the United States-backed international system are being challenged with increasingly coercive behavior, including—

(A) China's illegal construction and militarization of artificial features in the South China Sea;

(B) North Korea's acceleration of its nuclear and ballistic missile capabilities; and

(C) the increased presence throughout Southeast Asia of the Islamic State and other international terrorist organizations that threaten the United States.

(3) The economic order in the Indo-Pacific region continues to transform, presenting both opportunities and challenges to United States economic interests.

(4) The United States has a fundamental interest in defending human rights and promoting the rule of law in the Indo-Pacific region. Although many countries in the Indo-Pacific region have improved the treatment of their citizens, several Indo-Pacific countries continue to be human rights abusers and there are serious concerns with political rights and civil liberties throughout the Indo-Pacific region.

(5) Without strong leadership from the United States, the international system, fundamentally rooted in the rule of law, may wither, to the detriment of United States, regional, and global interests. It is imperative that the United States continue to play a leading role in the Indo-Pacific region by—

(A) defending peace and security;

(B) advancing economic prosperity; and

(C) promoting respect for fundamental human rights.

(6) In 2017, the Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy of the Committee on Foreign Relations of the Senate held a series of hearings on United States leadership in the Indo-Pacific region, in which—

(A) experts, including Representative Randy Forbes, Ambassador Robert Gallucci, Ms. Tami Overby, Dr. Robert Orr, Ambassador Derek Mitchell, Ambassador Robert King, Mr. Murray Hiebert, and others detailed the security challenges, economic opportunities, and imperatives of promoting

rule of law, human rights, and democracy, in the Indo-Pacific region; and

(B) Dr. Graham Allison, the Douglas Dillon Professor of Government at the John F. Kennedy School of Government at Harvard University, testified, ''As realistic students of history, Chinese leaders recognize that the role the U.S. has played since World War II as the architect and underwriter of regional stability and security has been essential to the rise of Asia, including China itself. But they believe that as the tide that brought the U.S. to Asia recedes, America must leave with it. Much as Britain's role in the Western Hemisphere faded at the beginning of the twentieth century, so must America's role in Asia as the region's historic superpower resumes its place.''.

(7) The United States National Security Strategy, which was released in December 2017, states

(A) ''A geopolitical competition between free and repressive visions of world order is taking place in the Indo-Pacific region. The region, which stretches from the west coast of India to the western shores of the United States, represents the most populous and economically dynamic part of the world. The U.S. interest in a free and open Indo-Pacific extends back to the earliest days of our republic.''; and

(B) ''Our vision for the Indo-Pacific excludes no nation. We will redouble our commitment to established alliances and partnerships, while expanding and deepening relationships with new partners that share respect for sovereignty, fair and reciprocal trade, and the rule of law. We will reinforce our commitment to freedom of the seas and the peaceful resolution of territorial and maritime disputes in accordance with international law. We will work with allies and partners to achieve complete, verifiable, and irreversible denuclearization on the Korean Peninsula and preserve the non-proliferation regime in Northeast Asia.''.

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

(1) not later than one year after the date of the enactment of this Act, the President should establish a task force, to be known as the Combined Maritime Task Force Pacific, to protect a free and open Indo-Pacific maritime region;

(2) in establishing the task force, the President should seek the participation of partner nations that are interested in goals of the task force; and

(3) the United States Navy shall lead the task force.

SA 2704. 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 appropriate place, insert the following:

SEC. _____. RECIPROCAL ACCESS TO TIBET ACT OF 2018.

(a) SHORT TITLE.—This section may be cited as the ''Reciprocal Access to Tibet Act of 2018''.

(b) FINDINGS.—Congress finds the following:

(1) The Government of the People's Republic of China does not grant United States officials, journalists, and other citizens access to China on a basis that is reciprocal to the access that the Government of the United States grants Chinese officials, journalists, and citizens.

(2) The Government of China imposes greater restrictions on travel to Tibetan areas than to other areas of China.

(3) Officials of China have stated that Tibet is open to foreign visitors.

(4) The Government of China is promoting tourism in Tibetan areas, and at the Sixth Tibet Work Forum in August 2015, Premier Li Keqiang called for Tibet to build ''major world tourism destinations''.

(5) The Government of China requires foreigners to obtain permission from the Tibet Foreign and Overseas Affairs Office or from the Tibet Tourism Bureau to enter the Tibet Autonomous Region, a restriction that is not imposed on travel to any other provincial-level jurisdiction in China.

(6) The Department of State reports that—

(A) officials of the Government of the United States submitted 39 requests for diplomatic access to the Tibet Autonomous Region between May 2011 and July 2015, but only 4 were granted; and

(B) when such requests are granted, diplomatic personnel are closely supervised and given few opportunities to meet local residents not approved by authorities.

(7) The Government of China delayed United States consular access for more than 48 hours after an October 28, 2013, bus crash in the Tibet Autonomous Region, in which 3 citizens of the United States died and more than a dozen others, all from Walnut, California, were injured, undermining the ability of the Government of the United States to provide consular services to the victims and their families, and failing to meet China's obligations under the Convention on Consular Relations, done at Vienna April 24, 1963 (21 UST 77).

(8) Following a 2015 earthquake that trapped dozens of citizens of the United States in the Tibet Autonomous Region, the United States Consulate General in Chengdu faced significant challenges in providing emergency consular assistance due to a lack of consular access.

(9) The 2015 Country Reports on Human Rights Practices of the Department of State stated ''With the exception of a few highly controlled trips, the Chinese government also denied multiple requests by foreign diplomats for permission to visit the TAR.''

(10) Tibetan-Americans, attempting to visit their homeland, report having to undergo a discriminatory visa application process, different from what is typically required, at the Chinese embassy and consulates in the United States, and often find their requests to travel denied.

(11) The 2016 Country Reports on Human Rights Practices of the Department of State stated ''The few visits to the TAR by diplomats and journalists that were allowed were tightly controlled by local authorities.''.

(12) A September 2016 article in the Washington Post reported that ''The Tibet Autonomous Region . . . is harder to visit as a journalist than North Korea.''.

(13) The Government of China has failed to respond positively to requests from the Government of the United States to open a consulate in Lhasa, Tibet Autonomous Region.

(14) The Foreign Correspondents' Club of China reports that—

(A) 2008 rules prevent foreign reporters from visiting the Tibet Autonomous Region without prior permission from the Government of such Region;

(B) such permission has rarely been granted; and

(C) although the 2008 rules allow journalists to travel freely in other parts of China, Tibetan areas outside such Region remain ''effectively off-limits to foreign reporters''.

(15) The Department of State reports that in addition to having to obtain permission to enter the Tibet Autonomous Region, foreign tourists—

(A) must be accompanied at all times by a government-designated tour guide;

(B) are rarely granted permission to enter the region by road;

(C) are largely barred from visiting around the March anniversary of a 1959 Tibetan uprising; and

(D) are banned from visiting the area where Larung Gar, the world's largest center for the study of Tibetan Buddhism, and the site of a large-scale campaign to expel students and demolish living quarters, is located.

(16) Foreign visitors also face restrictions in their ability to travel freely in Tibetan areas outside the Tibet Autonomous Region.

(17) The Government of the United States generally allows journalists and other citizens of China to travel freely within the United States. The Government of the United States requires diplomats from China to notify the Department of State of their travel plans, and in certain situations, the Government of the United States requires such diplomats to obtain approval from the Department of State before travel. However, where approval is required, it is almost always granted expeditiously.

(18) The United States regularly grants visas to Chinese officials, scholars, and others who travel to the United States to discuss, promote, and display the perspective of the Government of China on the situation in Tibetan areas, even as the Government of China restricts the ability of citizens of the United States to travel to Tibetan areas to gain their own perspective.

(19) Chinese diplomats based in the United States generally avail themselves of the freedom to travel to United States cities and lobby city councils, mayors, and governors to refrain from passing resolutions, issuing proclamations, or making statements of concern regarding Tibet.

(20) The Government of China characterizes statements made by officials of the United States about the situation in Tibetan areas as inappropriate interference in the internal affairs of China.

(c) DEFINITIONS.—In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on the Judiciary of the House of Representatives.

(2) SENIOR LEADERSHIP POSITIONS.—The term ''senior leadership positions'' means—

(A) at the national level, the Chairperson of the National Committee of the Chinese People's Political Consultative Conference and the Head and Deputy Heads of the United Front Work Department of the Central Committee of the Communist Party of China;

(B) at the subnational level—

(i) members of the Communist Party Standing Committee of the Tibet Autonomous Region;

(ii) the Director of the Tibet Autonomous Region Tourism Bureau;

(iii) the heads of United Front Work Departments of Sichuan, Qinghai, Gansu, and Yunnan Provinces; and

(iv) members of the Communist Party Standing Committees of the areas listed under paragraph (3)(B); and

(C) any other individual determined by the Secretary of State to be personally and substantially involved in the formulation or execution of policies related to access for foreigners to Tibetan areas.

(3) TIBETAN AREAS.—The term ''Tibetan areas'' includes—

(A) the Tibet Autonomous Region; and

(B) the areas that the Government of China designates as Tibetan Autonomous, as follows:

(i) Kanlho (Gannan) Tibetan Autonomous Prefecture, and Pari (Tianzhu) Tibetan Autonomous County located in Gansu Province.

(ii) Golog (Guoluo) Tibetan Autonomous Prefecture, Malho (Huangnan) Tibetan Autonomous Prefecture, Tsojang (Haibei) Tibetan Autonomous Prefecture, Tsolho (Hainan) Tibetan Autonomous Prefecture, Tsonub (Haixi) Mongolian and Tibetan Autonomous Prefecture, and Yulshul (Yushu) Tibetan Autonomous Prefecture, located in Qinghai Province.

(iii) Garze (Ganzi) Tibetan Autonomous Prefecture, Ngawa (Aba) Tibetan and Qiang Autonomous Prefecture, and Muli (Mili) Tibetan Autonomous County, located in Sichuan Province.

(iv) Dechen (Diqing) Tibetan Autonomous Prefecture, located in Yunnan Province.

(d) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes—

(A) an assessment of the level of access to Tibetan areas that Chinese authorities have granted to diplomats, journalists, and tourists from the United States, including—

(i) a comparison with the level of access granted to other areas of China;

(ii) a comparison between the levels of access granted to Tibetan and non-Tibetan areas in relevant provinces;

(iii) a comparison of the level of access in the reporting year to the level of access in the previous reporting year; and

(iv) a description of the required permits and other measures that impede the freedom to travel in Tibetan areas; and

(B) a list of all the individuals who hold a senior leadership position.

(2) PUBLIC AVAILABILITY.—The report required under paragraph (1) shall be made available to the public on the website of the Department of State.

(e) INADMISSIBILITY OF CERTAIN ALIENS.—

(1) INELIGIBILITY FOR VISAS.—An individual whose name appears on the most recent list submitted by the Secretary of State pursuant to subsection (d)(1)(B) is not eligible to receive a visa to enter the United States or to be admitted to the United States if the Secretary of State determines that—

(A) the requirement for specific official permission for foreigners to enter the Tibetan Autonomous Region—

(i) remains in effect; or

(ii) has been replaced by a regulation that has a similar effect and requires foreign travelers to gain a level of permission to enter the Tibet Autonomous Region that is not required for travel to other provinces in China; and

(B) restrictions on travel by officials, journalists, and citizens of the United States to areas designated as ''Tibetan Autonomous'' in the Chinese provinces of Sichuan, Qinghai, Yunnan, and Gansu are greater than any restrictions on travel by such officials and citizens to areas in such provinces that are not so designated.

(2) CURRENT VISAS REVOKED.—The Secretary of State shall revoke, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), the visa or other documentation to enter or be present in the United States issued for an alien who would be ineligible to receive such a visa or documentation under paragraph (1).

(3) WAIVER FOR NATIONAL INTERESTS.—

(A) IN GENERAL.—The Secretary of State may waive the application of paragraph (1) or (2) in the case of an alien if the Secretary determines that such a waiver—

(i) is necessary to permit the United States to comply with the Agreement Regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947 (TIAS 1676) or any other applicable international obligation of the United States; or

(ii) is in the national interests of the United States.

(B) NOTIFICATION.—Upon granting a waiver under subparagraph (A), the Secretary of State shall submit to the appropriate congressional committees a document detailing the evidence and justification for the necessity of such waiver, including, if such waiver is granted pursuant to subparagraph (A)(ii), how such waiver relates to the national interests of the United States.

(f) SENSE OF CONGRESS ON VISA POLICY.—

(1) FINDING.—Congress finds that reciprocity forms the basis of diplomatic law and the practice of mutual exchanges between countries.

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

(A) a country should give equivalent consular access to the nationals of a foreign country in a manner that is reciprocal to the consular access granted by such foreign country to citizens of the country; and

(B) the Secretary of State, when granting diplomats from China access to parts of the United States, should take into account the extent to which the Government of China grants diplomats from the United States access to parts of China, including the level of access afforded to such diplomats to Tibetan areas.

(g) SUNSET.—The authorities under this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

SA 2705. Mrs. HYDE-SMITH 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. GOLD STAR FAMILIES REMEMBRANCE WEEK.

(a) FINDINGS.—Congress finds the following:

(1) The last day in September—

(A) is designated as ''Gold Star Mother's Day'' under section 111 of title 36, United States Code; and

(B) was first designated as ''Gold Star Mother's Day'' under the Joint Resolution entitled ''Joint Resolution designating the last Sunday in September as 'Gold Star Mother's Day', and for other purposes,'' approved June 23, 1936 (49 Stat. 1895).

(2) There is no date dedicated to families affected by the loss of a loved one who died in service to the United States.

(3) A gold star symbolizes a family member who died in the line of duty while serving in the Armed Forces.

(4) The members and veterans of the Armed Forces, through their service, bear the burden of protecting the freedom of the people of the United States.

(5) The selfless example of the service of the members and veterans of the Armed Forces, as well as the sacrifices made by the families of those individuals, inspires all individuals in the United States to sacrifice and work diligently for the good of the United States.

(6) The sacrifices of the families of the fallen members of the Armed Forces and the families of veterans of the Armed Forces should never be forgotten.

(b) DESIGNATION OF GOLD STAR FAMILIES REMEMBRANCE WEEK.—Congress—

(1) designates the week of September 23 through September 29, 2018, as ''Gold Star Families Remembrance Week'';

(2) honors and recognizes the sacrifices made by the families of members of the Armed Forces who have made the ultimate sacrifice in order to defend freedom and protect the United States and by the families of veterans of the Armed Forces; and

(3) encourages the people of the United States to observe Gold Star Families Remembrance Week by—

(A) performing acts of service and good will in their communities; and

(B) celebrating families in which loved ones have made the ultimate sacrifice so that others could continue to enjoy life, liberty, and the pursuit of happiness.

SA 2706. Mr. BURR 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:

Strike section 554.

SA 2707. Mr. BURR 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:

On page 478, between lines 16 and 17, insert the following:

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report setting forth the following:

(1) Elements of Family Advocacy Program community response plans, installation memoranda of understanding, and status of forces agreements applicable to juvenile-on-juvenile abuse committed on military installations.

(2) A description and assessment of jurisdictional responsibilities and processes in

connection with responding to juvenile-on-juvenile abuse on military installations that occurs outside Department of Defense Education Activity schools or in foreign countries.

SA 2708. Mr. BURR 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:

Beginning on page 320 strike line 16 and all that follows through ''(d)'' on page 321, line 1 and insert the following:

(c) RECOMMENDATIONS FOR ADDITIONAL EXPOSURES AND RELATED ILLNESSES TO BE INCLUDED.—Not later than five years after the date of the enactment of this Act, and every five years thereafter, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Administrator of the Environmental Protection Agency, shall submit to Congress recommendations for additional chemicals with respect to which individuals exposed to such chemicals should be included in the registry established under subsection (a).

(d) LIST OF CONDITIONS CONNECTED TO EXPOSURE.—

(1) CATEGORIZATION OF CONNECTION.—With respect to each condition associated with exposure to PFAS, the Secretary of Veterans Affairs shall categorize the evidence of connection of the condition to exposure to PFAS as—

(A) sufficient to conclude with reasonable confidence that exposure is a cause of the condition;

(B) modest supporting causation, but not sufficient to conclude with reasonable confidence that exposure is a cause of the condition; or

(C) no more than limited supporting causation;

(2) PUBLICATION OF LIST.—

(A) IN GENERAL.—The Secretary of Veterans Affairs shall publish in the Federal Register and on an Internet website of the Department of Veterans Affairs—

(i) a list of each condition determined by the Secretary to be associated with PFAS, including the categorization under paragraph (1) of the evidence of connection; and

(ii) with respect to each condition listed under clause (i), the bibliographic citations for all literature reviewed in making the determination and categorization described in such clause.

(B) UPDATE.—The Secretary of Veterans Affairs shall update the list published under subparagraph (A) to add conditions determined by the Secretary to be associated with PFAS, including the categorization under paragraph (1) of the evidence of connection, since such list was last published or updated under this paragraph.

(e)

SA 2709. Mr. BURR 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:

On page 241, line 3, strike ''such'' and insert ''direct''.

On page 241, line 3, insert after ''supervision'' the following: ''by another individual who has already received criminal background check clearance''.

On page 241, between lines 5 and 6, insert the following:

(3) A requirement that written documentation of submission of a compliant criminal background check, including fingerprint submission, be provided for each individual seeking a temporary issuance of clearance before such temporary issuance is granted.

SA 2710. Mr. PORTMAN (for himself and 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:

Strike section 1262 and insert the following:

SEC. 1262. EXTENSION OF AUTHORITY FOR TRANSFER OF AMOUNTS FOR GLOBAL ENGAGEMENT CENTER.

Section 1287(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2546; 22 U.S.C. 2656 note) is amended—

(1) in paragraph (1), by striking the paragraph designation and heading and all that follows through ''If amounts'' and inserting the following:

''(1) FISCAL YEARS 2017 AND 2018.—If amounts'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) FISCAL YEARS 2019 AND 2020.—For each of fiscal years 2019 and 2020, the Secretary of Defense is authorized to transfer, from amounts appropriated to the Secretary pursuant to the John S. McCain National Defense Authorization Act for Fiscal Year 2019, not more than $60,000,000 to carry out the functions of the Center.'';

(4) in paragraph (3), as so redesignated, by striking ''paragraph (1)'' and inserting ''paragraph (1) or (2)''; and

(5) in paragraph (4), as so redesignated, by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)''.

SA 2711. 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 E of title XII, add the following:

SEC. 1250. PROHIBITION ON USE OF FUNDS FOR TELECOMMUNICATIONS EQUIPMENT AND SERVICES PROVIDED BY CERTAIN CHINESE ENTITIES.

(a) IN GENERAL.—Notwithstanding any other provision of this Act or any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2019 for the Department of Defense may be obligated or expended for the operation, maintenance, sustainment, or procurement of—

(1) telecommunications equipment produced by an entity described in subsection (b);

(2) telecommunications services provided by such an entity or using such equipment; or

(3) telecommunications equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the Government of the People's Republic of China.

(b) ENTITY DESCRIBED.—An entity described in this subsection is—

(1) Huawei Technologies Company or ZTE Corporation; or

(2) any entity owned or controlled by, or under common ownership or control with, an entity described in paragraph (1).

SA 2712. Mr. CASSIDY (for himself and Mr. KENNEDY) 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 the table in section 2301(a), insert after the line relating to MacDill Air Force Base, Florida the following new item:

Louisiana	Barksdale Air Force Base	$12,250,000

In the table in section 4601, insert below the item relating to ''Hayman Munitions Storage Igloos MSA 2'' at Joint Region Marianas, Guam, an item relating to ''Entrance Road and Gate Complex'' at Barksdale Air Force Base, Louisiana, with an amount of ''12,250'' in the Senate Authorized column.

In the table in section 4601, in the item relating to Subtotal Air Force, strike the amount in the Senate Authorized column and insert ''1,764,407''.

In the table in section 4601, in the item relating to Total Military Construction, strike the amount in the Senate Authorized column and insert ''8,692,674''.

SA 2713. Mr. PAUL (for himself and Mr. SCHATZ) 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 division A, add the following:

TITLE XVIII—PREVENTION OF MILITARIZATION OF LAW ENFORCEMENT

SEC. 1801. SHORT TITLE.

This title may be cited as the ''Stop Militarizing Law Enforcement Act''.

SEC. 1802. ADDITIONAL LIMITATIONS ON TRANSFER OF DEPARTMENT OF DEFENSE PERSONAL PROPERTY TO FEDERAL AND STATE LAW ENFORCEMENT AGENCIES.

(a) ADDITIONAL LIMITATIONS.—

(1) IN GENERAL.—Section 2576a of title 10, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''subsection (b)'' and inserting ''the provisions of this section''; and

(II) in subparagraph (A), by striking '', including counter-drug and counterterrorism activities''; and

(ii) in paragraph (2), by striking ''and the Director of National Drug Control Policy'';

(B) in subsection (b)—

(i) in paragraph (3), by striking ''and'' at the end;

(ii) in paragraph (4), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following new paragraphs:

''(5) the recipient certifies to the Department of Defense that it has the personnel and technical capacity, including training, to operate the property; and

''(6) the recipient certifies to the Department of Defense that if the recipient determines that the property is surplus to the needs of the recipient, the recipient will return the property to the Department of Defense.'';

(C) by striking subsection (d); and

(D) by adding at the end the following new subsections:

''(d) LIMITATIONS ON TRANSFERS.—The Secretary of Defense may not transfer under this section any property as follows:

''(1) Weapons, weapon parts, and weapon components, including camouflage and deception equipment, and optical sights.

''(2) Weapon system specific vehicular accessories.

''(3) Demolition materials.

''(4) Explosive ordinance.

''(5) Night vision equipment.

''(6) Tactical clothing, including uniform clothing and footwear items, special purpose clothing items, and specialized flight clothing and accessories.

''(7) Drones.

''(8) Combat, assault, and tactical vehicles, including Mine-Resistant Ambush Protected (MRAP) vehicles.

''(9) Training aids and devices.

''(10) Firearms of .50 caliber or higher, ammunition of .50 caliber or higher, grenade launchers, flash grenades, and bayonets.

''(e) APPROVAL BY LAW REQUIRED FOR TRANSFER OF PROPERTY NOT PREVIOUSLY TRANSFERRABLE.—(1) In the event the Secretary of Defense proposes to make available for transfer under this section any property of the Department of Defense not previously made available for transfer under this section, the Secretary shall submit to the appropriate committees of Congress a report setting forth the following:

''(A) A description of the property proposed to be made available for transfer.

''(B) A description of the conditions, if any, to be imposed on use of the property after transfer.

''(C) A certification that transfer of the property would not violate a provision of this section or any other provision of law.

''(2) The Secretary may not transfer any property covered by a report under this subsection unless authorized by a law enacted by Congress after the date of the receipt of the report by Congress.

''(f) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) The Secretary of Defense shall submit to the appropriate committees of Congress each year a certification in writing that each recipient to which the Secretary has transferred property under this section during the preceding fiscal year—

''(A) has provided to the Secretary documentation accounting for all property the Secretary has previously transferred to such recipient under this section; and

''(B) has complied with paragraphs (5) and (6) of subsection (b) with respect to the property so transferred during such fiscal year.

''(2) If the Secretary cannot provide a certification under paragraph (1) for a recipient, the Secretary may not transfer additional property to such recipient under this section, effective as of the date on which the Secretary would otherwise make the certification under this subsection, and such recipient shall be suspended or terminated from further receipt of property under this section.

''(g) CONDITIONS FOR EXTENSION OF PROGRAM.—Notwithstanding any other provision of law, amounts authorized to be appropriated or otherwise made available for any fiscal year may not be obligated or expended to carry out this section unless the Secretary submits to the appropriate committees of Congress a certification that for the preceding fiscal year that—

''(1) each recipient agency that has received property under this section has—

''(A) demonstrated 100 percent accountability for all such property, in accordance with paragraph (2) or (3), as applicable; or

''(B) been suspended or terminated from the program pursuant to paragraph (4);

''(2) with respect to each non-Federal agency that has received property under this section, the State Coordinator responsible for each such agency has verified that the State Coordinator or an agent of the State Coordinator has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended or terminated from the program pursuant to paragraph (4);

''(3) with respect to each Federal agency that has received property under this section, the Secretary of Defense or an agent of the Secretary has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended or terminated from the program pursuant to paragraph (4);

''(4) the eligibility of any agency that has received property under this section for which 100 percent of the equipment was not accounted for during an inventory described in paragraph (2) or (3), as applicable, to receive property transferred under this section has been suspended or terminated;

''(5) each State Coordinator has certified, for each non-Federal agency located in the State for which the State Coordinator is responsible that—

''(A) the agency has complied with all requirements under this section; or

''(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated; and

''(6) the Secretary of Defense has certified, for each Federal agency that has received property under this section that—

''(A) the agency has complied with all requirements under this section; or

''(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated.

''(h) WEBSITE.—The Defense Logistics Agency shall maintain, and update on a quarterly basis, an Internet website on which the following information shall be made publicly available in a searchable format:

''(1) A description of each transfer made under this section, including transfers made before the date of the enactment of the Stop Militarizing Law Enforcement Act, set forth by State, county, and recipient agency, and including item name, item type, item model, and quantity.

''(2) A list of all property transferred under this section that is not accounted for by the Defense Logistics Agency, including—

''(A) the name of the State, county, and recipient agency;

''(B) the item name, item type, and item model;

''(C) the date on which such property became unaccounted for by the Defense Logistics Agency; and

''(D) the current status of such item.

''(3) A list of each agency suspended or terminated from further receipt of property under this section, including State, county, and agency, and the reason for and duration of such suspension or termination.

''(i) DEFINITIONS.—In this section:

''(1) The term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives.

''(2) The term 'agent of a State Coordinator' means any individual to whom a State Coordinator formally delegates responsibilities for the duties of the State Coordinator to conduct inventories described in subsection (g)(2).

''(3) The term 'State Coordinator', with respect to a State, means the individual appointed by the governor of the State to maintain property accountability records and oversee property use by the State.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(b) RETURN OF PROPERTY TO DEPARTMENT OF DEFENSE.—Not later than one year after the date of the enactment of this Act, each Federal or State agency to which property described by subsection (d) of section 2576a of title 10, United States Code (as added by subsection (a)(1) of this section), was transferred before the date of the enactment of this Act shall return such property to the Defense Logistics Agency on behalf of the Department of Defense.

SEC. 1803. USE OF DEPARTMENT OF HOMELAND SECURITY PREPAREDNESS GRANT FUNDS.

(a) DEFINITIONS.—In this section—

(1) the term ''Agency'' means the Federal Emergency Management Agency; and

(2) the term ''preparedness grant program'' includes—

(A) the Urban Area Security Initiative authorized under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604);

(B) the State Homeland Security Grant Program authorized under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605);

(C) the Port Security Grant Program authorized under section 70107 of title 46, United States Code; and

(D) any other non-disaster preparedness grant program of the Agency.

(b) LIMITATION.—The Agency may not permit awards under a preparedness grant program—

(1) to be used to buy, maintain, or alter—

(A) explosive entry equipment;

(B) head and face protection equipment, other than those to be used by certified bomb technicians;

(C) canines (other than bomb-sniffing canines for agencies with certified bomb technicians or for use in search and rescue operations);

(D) tactical or armored vehicles;

(E) long-range hailing and warning devices;

(F) tactical entry equipment (other than for use by specialized teams such as Accredited Bomb Squads, Tactical Entry, or Special Weapons and Tactics (SWAT) Teams); or

(G) firearms of .50 caliber or higher, ammunition of .50 caliber or higher, grenade launchers, flash grenades, or bayonets; or

(2) to be used to buy, maintain, or alter body armor or ballistic helmets and shields unless the grantee certifies to the Agency that the equipment will not be used for riot suppression.

(c) REVIEW OF PRIOR RECEIPT OF PROPERTY BEFORE AWARD.—In making an award under a preparedness grant program, the Agency shall—

(1) determine whether the awardee has already received, and still retains, property from the Department of Defense pursuant to section 2576a of title 10, United States Code, including through review of the website maintained by the Defense Logistics Agency pursuant to subsection (h) of such section (as added by section 2(a)(1) of this Act);

(2) require that the award may not be used by the awardee to procure or obtain property determined to be retained by the awardee pursuant to paragraph (1); and

(3) require that the award only be used to procure or obtain property in accordance with use restrictions contained within the Agency's State and Local Preparedness Grant Programs' Authorized Equipment List.

(d) USE OF GRANT PROGRAM FUNDS FOR REQUIRED RETURN OF PROPERTY TO DOD.—Notwithstanding any other provision of law, the use of funds by a State or local agency to return to the Department of Defense property transferred to such State or local agency pursuant to section 2676a of title 10, United States Code, as such return is required by section 1802(b) of this Act, shall be an allowable use of preparedness grant program funds by such agency.

(e) ACCOUNTABILITY MEASURES.—

(1) AUDIT OF USE OF PREPAREDNESS GRANT FUNDS.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit covering the period of fiscal year 2010 through the current fiscal year on the use of preparedness grant program funds. The audit shall assess how funds have been used to procure equipment, how the equipment has been used, and whether the grant awards have furthered the Agency's goal of improving the preparedness of State and local communities.

(2) ANNUAL ACCOUNTING OF USE OF AWARD FUNDS.—Not later than one year after the date of the enactment of this Act, the Agency shall develop and implement a system of accounting on an annual basis how preparedness grant program funds have been used to procure equipment, how the equipment has been used, whether grantees have complied with restrictions on the use of equipment contained with the Authorized Equipment List, and whether the awards have furthered the Agency's goal of enhancing the capabilities of State agencies to prevent, deter, respond to, and recover from terrorist attacks, major disasters, and other emergencies.

SEC. 1804. USE OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS.

(a) LIMITATION.—Section 501(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(d)) is amended by adding at the end the following:

''(3) The purchase, maintenance, alteration, or operation of—

''(A) lethal weapons; or

''(B) less-lethal weapons.''.

(b) USE OF GRANT FUNDS FOR REQUIRED RETURN OF PROPERTY TO DOD.—Notwithstanding any other provision of law, the use of funds by a State agency or unit of local government to return to the Department of Defense property transferred to such agency or unit of local government pursuant to section 2676a of title 10, United States Code, as such return is required by section 1802(b) of this Act, shall be an allowable use of grant amounts under the Edward Byrne Memorial Justice Assistance Grant Program.

SEC. 1805. COMPTROLLER GENERAL REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to Congress a report on Federal agencies, including offices of Inspector General for Federal agencies, that have specialized units that receive special tactical or military-style training or use hard-plated body armor, shields, or helmets and that respond to high-risk situations that fall outside the capabilities of regular law enforcement officers, including any special weapons and tactics (SWAT) team, tactical response teams, special events teams, special response teams, or active shooter teams.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of each specialized unit described under such subsection.

(2) A description of the training and weapons of each such unit.

(3) The criteria for activating each such unit and how often each such unit was activated for each year of the previous ten years.

(4) An estimate of the annual cost of equipping and operating each such unit.

(5) Any other information that is relevant to understanding the usefulness and justification for the units.

SA 2714. Ms. STABENOW 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 VIII, add the following:

SEC. 864. MANUFACTURING EXTENSION PARTNERSHIP SUPPORT FOR DEVELOPMENT OF DOMESTIC SUPPLY BASE FOR PRODUCTION OF COMPONENTS AND WEAPON SYSTEMS.

(a) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of Commerce shall enter into a memorandum of understanding (MOU) for purposes of ensuring—

(1) the development of a domestic supply base to support production of components and weapon systems for the Department of Defense; and

(2) compliance with chapter 83 of title 41, United States Code (commonly referred to as the ''Buy American Act'') and section 2533a of title 10, United States Code (commonly referred to as the ''Berry Amendment''), including by limiting the use of waivers.

(b) ACTIVITIES.—The MOU shall include provisions—

(1) allowing Department of Defense personnel to consult with the National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership (MEP) when conducting market research; and

(2) requiring that before a domestic nonavailability waiver is granted, NIST MEP shall conduct a nationwide analysis to identify domestic suppliers that may be able to meet Department of Defense acquisition needs.

SA 2715. Ms. STABENOW (for herself and 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 subtitle B of title VIII, add the following:

SEC. 823. GUIDANCE ON BUY AMERICAN ACT AND BERRY AMENDMENT REQUIREMENTS.

(a) FINDING.—Congress finds that the Inspector General of the Department of Defense has issued a series of reports finding deficiencies in the adherence to the provisions of the Buy American Act and the Berry Amendment and recommending improvements in training for the Defense acquisition workforce.

(b) BUY AMERICAN ACT GUIDANCE.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of Defense Pricing/Defense Procurement Acquisition Policy shall issue guidance to Department of Defense contracting officials on requirements related to chapter 83 of title 41, United States Code (commonly referred to as the ''Buy American Act'').

(2) ELEMENTS.—The guidance issued under paragraph (1) shall cover—

(A) the requirement to incorporate and enforce the Buy American Act provisions and clauses in applicable solicitations and contracts;

(B) the requirements of the Buy American Act, such as inclusion of clauses, into the electronic contract writing systems used by the military departments and the Defense Logistics Agency; and

(C) Defense Federal Acquisition Regulation Supplement requirements regarding exceptions to the Buy American Act.

(c) BERRY AMENDMENT AND SPECIALTY METALS CLAUSE GUIDANCE.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of Defense Pricing/Defense Procurement Acquisition Policy shall issue guidance to Department of Defense contracting officials on requirements related to section 2533a of title 10, United States Code (commonly referred to as the ''Berry Amendment''), and section 2533b of title 10, United

States Code (commonly referred to as the ''specialty metals clause'').

(2) ELEMENTS.—The guidance issued under paragraph (1) shall cover—

(A) the requirement to incorporate and enforce the Berry Amendment and the specialty metals clause provisions and clauses in applicable solicitations and contracts;

(B) the requirements of the Berry Amendment and the specialty metals clause, such as inclusion of clauses, into the electronic contract writing systems used by the military departments and the Defense Logistics Agency; and

(C) Defense Federal Acquisition Regulation Supplement requirements regarding exceptions to the Berry Amendment and the specialty metals clause.

SA 2716. Ms. STABENOW 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. APPLICABILITY OF BUY AMERICAN REQUIREMENTS TO ITEMS USED OUTSIDE THE UNITED STATES.

Section 8302(a)(2)(A) of title 41, United States Code, is amended by inserting ''needed on an urgent basis or for national security reasons (as determined by the head of a Federal agency)'' after ''for use outside the United States''.

SA 2717. 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 E of title XII, add the following:

SEC. 12___. EQUALITY OF TREATMENT IN ARMS SALES FOR TAIWAN.

(a) IN GENERAL.—The President shall ensure that the United States Government treats any proposed arms sale for Taiwan with the same timeline, process, and procedure, including formal notification to Congress under the Arms Export Control Act (22 U.S.C. 2751 et seq.), accorded to a proposed arms transfer for any other country.

(b) OIG REPORTING.—For each of the five years beginning on the day after the date of the enactment of this Act, the Inspectors General of the Department of State and the Department of Defense shall—

(1) review the compliance of the Department of State and the Department of Defense, respectively, with this section; and

(2) submit to the appropriate committees of Congress a report on such compliance.

(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 Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2718. Ms. HIRONO 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 II, add the following:

SEC. _____. SENSE OF CONGRESS ON STEM WORKFORCE AND SCIENCE COMPETITIONS.

It is the sense of Congress that—

(1) a science, technology, engineering, and mathematics (STEM) workforce and science competitions are critical to meeting the Department of Defense's current and future national security requirements;

(2) the Department's organized science competitions such as in robotics to advance its science, technology, engineering, and mathematics priorities are important;

(3) inspiring and developing the next generation of scientists, engineers, and mathematicians is important;

(4) technology prize competitions should be carried out under 2374a of title 10, United States Code, to stimulate research and innovation; and

(5) such competitions should be continued and supported to help meet the challenges faced by the Department to recruit and retain the most qualified scientists, engineers, and mathematicians.

SA 2719. Mr. KAINE 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 XII, add the following:

SEC. 1271. POLICY OF THE UNITED STATES ON REGIME CHANGE.

It shall be the policy of the United States to not use military force for the purpose of removing or replacing the leadership of a foreign government or parts of its governmental system, or for the purpose of supporting or suppressing a political movement of a foreign government, unless explicitly authorized by a declaration of war or authorization for use of military force (AUMF) duly enacted by Congress.

SA 2720. Ms. CANTWELL (for herself and Mrs. MURRAY) 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 appropriate place in title XXXI, insert the following:

SEC. _____. EXTENDING THE AUTHORIZATION OF THE EEOICPA OMBUDSMAN.

Section 3686(h) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–15(h)) is amended by striking ''October 28, 2019'' and inserting ''October 28, 2024''.

SA 2721. Mrs. SHAHEEN (for herself, Mr. COONS, 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:

Strike section 1626 and insert the following:

SEC. 1626. ASSISTANCE FOR SMALL MANUFACTURERS IN THE DEFENSE INDUSTRIAL SUPPLY CHAIN ON MATTERS 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 to help reduce cybersecurity risks faced by small manufacturers described in paragraph (1), including through the use of small business development centers, the Hollings Manufacturing Extension Partnership, and the National Network for Manufacturing Innovation.

(3) SECTOR FOCUS.—The Under Secretary of Defense for Research and Engineering shall carry out this subsection with a focus on such industry sectors as the Under Secretary considers critical.

(4) OUTREACH EVENTS.—Under paragraph (1), the Under Secretary of Defense for Research and Engineering shall conduct outreach to support activities consistent with this section. Such outreach may include live events with a physical presence and outreach conducted through internet websites.

(b) VOLUNTARY CYBERSECURITY SELF-ASSESSMENTS.—The Under Secretary of Defense for Research and Engineering shall develop mechanisms to provide assistance to help small manufacturers conduct voluntary self-assessments in order to understand operating environments, cybersecurity requirements, and existing vulnerabilities, including through the Mentor Protégé Program, small business programs, and engagements with defense laboratories and test ranges.

(c) TRANSFER OF RESEARCH FINDINGS AND EXPERTISE.—

(1) IN GENERAL.—The Under Secretary of Defense for Research and Engineering shall

promote the transfer of appropriate technology and techniques developed in the Department of Defense to small manufacturers throughout the United States to implement security measures that are adequate to protect covered defense information, including controlled unclassified information.

(2) COORDINATION WITH OTHER FEDERAL EXPERTISE AND CAPABILITIES.—The Under Secretary of Defense for Research and Engineering shall coordinate efforts, when appropriate, with the expertise and capabilities that exist in Federal agencies, federally sponsored laboratories, the Hollings Manufacturing Extension Partnership, the National Network for Manufacturing Innovation, and small business development centers.

(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 ensure breadth and depth of coverage to 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 certify small business professionals and other relevant acquisition staff within the Department of Defense and designated employees of small business development centers 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 established under section 2521 of title 10, United States Code.

(2) The Centers for Science, Technology, and Engineering Partnership program under section 2368 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-protégé 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 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 is a manufacturer.

(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 2722. Mr. CORNYN (for himself and Mr. COTTON) 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 II, add the following:

SEC. _____. INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

(a) INITIATIVE REQUIRED.—The Secretary of Defense shall, in consultation with other appropriate government organizations, establish an initiative to work with academic institutions who perform defense research and engineering activities—

(1) to support protection of intellectual property, controlled information, key personnel, and information about critical technologies relevant to national security;

(2) to limit undue influence by countries engaged in illicit behaviors to exploit United States technology within the Department of Defense research, technology, and innovation enterprise; and

(3) to support efforts toward development of domestic talent in relevant scientific and engineering fields.

(b) INSTITUTIONS AND ORGANIZATIONS.—

(1) IN GENERAL.—The initiative required by subsection (a) shall be developed and executed to the maximum extent practicable with academic research institutions and other educational and research organizations, including tier I research institutions of higher education and their chief research security officers and chief information security officers.

(2) RECORD OF EXCELLENCE.—In selecting research institutions of higher education under this subsection, the Secretary shall select institutions of higher education that the Secretary determines demonstrate a record of excellence in industrial security and counterintelligence in academia and in research and development.

(c) REQUIREMENTS.—The initiative required by subsection (a) shall include development of the following:

(1) Information exchange forum and information repositories to enable awareness of security threats and influence operations being executed against the United States research, technology, and innovation enterprise.

(2) Training and other support for academic institutions to promote security and limit undue influence on institutions and personnel, including financial support for execution for such activities.

(3) Opportunities to collaborate with defense researchers and research organizations in secure facilities to promote protection of critical information.

(4) Regulations and procedures—

(A) for government and academic organizations and personnel to support the goals of the initiative; and

(B) that are consistent with policies that protect open and scientific exchange in fundamental research.

(5) Policies to limit or prohibit funding for institutions or individual researchers who knowingly and repeatedly violate regulations developed under the initiative.

(6) Initiatives to support the transition of the results of academic institution research programs into defense capabilities.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the activities carried out under the initiative required by subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the activities conducted and the progress made under the initiative.

(B) The findings of the Secretary with respect to the initiative.

(C) Such recommendations as the Secretary may have for legislative or administrative action relating to the matters described in subsection (a).

(D) Identification and discussion of the gaps in legal authorities that need to be improve to enhance the security of tier I research institutions of higher education.

(E) A description of the actions taken by such institutions to comply with such best practices and guidelines as may be established by under the initiative.

(3) FORM.—The report submitted under paragraph (1) shall be submitted in classified form.

(e) DEFINITIONS.—In this section:

(1) The term ''institution of higher education'' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) The term ''tier I'' with respect to an institution of higher education means the institution of higher education has the highest research activity, as defined by the Carnegie Classification of Institutions of Higher Education.

SA 2723. Mr. LEE 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 H of title V add the following:

SEC. 598. CONSIDERATION OF REQUESTS OF SENIOR RESERVE OFFICERS' TRAINING CORPS HOST INSTITUTIONS OF INDIVIDUALS WITH ALUMNI OR OTHER AFFINITY STATUS IN ASSIGNMENT OF ADMINISTRATORS AND INSTRUCTORS TO UNITS.

Section 2111 of title 10, United States Code, is amended—

(1) by inserting before ''The Secretary of the military department concerned'' the following: ''(a) ASSIGNMENT OR DETAIL OF MEMBERS.—''; and

(2) by adding at the end the following new subsection:

''(b) CONSIDERATION OF ALUMNI OR OTHER AFFINITY STATUS IN ASSIGNMENT OF PERSONNEL TO UNITS.—In assigning personnel for instructional or administrative duties at an educational institution where a unit of the program is maintained, the Secretary of the military department concerned may take into account and afford a preference for the assignment of individuals with an alumni or other affinity status to the educational institution if so requested by the educational institution.''.

SA 2724. Mr. LEE (for himself and Mr. CRUZ) 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, add the following:

SEC. 12___. REPORTS ON ALLIED CONTRIBUTIONS TO COMMON DEFENSE.

(a) FINDING.—Congress finds that section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 63 Stat. 2241)—

(1) expresses the sense of Congress that, due to threats that are ever-changing, Congress must be informed with respect to allied contributions to the common defense to properly assess the readiness of the United States and allied nations for threats beyond the global war on terror, including near-peer threats; and

(2) requires the Secretary of Defense to submit to Congress an annual report on the contributions of allies to the common defense.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should seek from each allied nation acceptance of international security responsibilities and agreements to make contributions to the common defense commensurate with the economic resources and security environment of such allied nation.

(c) REPORTS.—

(1) IN GENERAL.—Not later than March 1 each year, the Secretary, in coordination with the heads of other Federal agencies, as the Secretary determines to be necessary, shall submit to the appropriate committees of Congress a report containing a description of—

(A) the annual defense spending by each allied nation, including available data on nominal budget figures and defense spending as a percentage of the gross domestic products of such allied nations for the fiscal year immediately preceding the fiscal year in which the report is submitted;

(B) the activities of each such allied nation to contribute to military or stability operations in which the Armed Forces of the United States are a participant;

(C) any limitations placed by any such allied nation on the use of such contributions; and

(D) any actions undertaken by the United States or by other countries to minimize such limitations.

(2) FORM.—Each report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(3) AVAILABILITY.—A report submitted under paragraph (1) shall be made available on request to any Member of Congress.

(d) DEFINITIONS.—In this section:

(1) ALLIED NATION.—The term ''allied nation'' means—

(A) each member state of the North Atlantic Treaty Organization;

(B) Australia;

(C) Japan;

(D) South Korea;

(E) New Zealand; and

(F) each member state of the Gulf Cooperation Council.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 2725. Mr. LEE (for himself, Mr. RISCH, Mr. CRAPO, and Mr. HELLER) 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, add the following:

SEC. 3___. STATE MANAGEMENT AND CONSERVATION OF SPECIES.

(a) SAGE-GROUSE AND PRAIRIE-CHICKEN.—

(1) IN GENERAL.—During the 10-year period beginning on the date of the enactment of this Act, the conservation status of each of the Greater Sage grouse (Centrocerus urophasianus) and the Lesser Prairie-Chicken (Tympanuchus pallidicinctus) under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) shall be not-warranted for listing.

(2) SUBSEQUENT DETERMINATIONS.—In determining conservation efficacy for purposes of making any determination of such status after such 10-year period, the Secretary of the Interior shall fully consider all conservation actions of States, Federal agencies, and military installations.

(b) AMERICAN BURYING BEETLE.—Notwithstanding the final rule of the United States Fish and Wildlife Service entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the American Burying Beetle'' (54 Fed. Reg. 29652 (July 13, 1989)), the American burying beetle (Nicrophorus americanus) may not be listed as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) JUDICIAL REVIEW.—Notwithstanding any other provision of statute or regulation, this section shall not be subject to judicial review.

SA 2726. Mr. LEE (for himself, Mr. RISCH, Mr. CRAPO, and Mr. HELLER) 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, add the following:

SEC. 3_____. PROTECTION AND RECOVERY OF GREATER SAGE-GROUSE.

(a) PURPOSES.—The purposes of this section are—

(1) to facilitate implementation of State management plans over a period of multiple, consecutive greater sage-grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the greater sage-grouse.

(b) DEFINITIONS.—In this section:

(1) FEDERAL RESOURCE MANAGEMENT PLAN.—The term ''Federal resource management plan'' means—

(A) a land use plan prepared by the Bureau of Land Management for public land pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

(B) a land and resource management plan prepared by the Forest Service for National Forest System land pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(2) GREATER SAGE-GROUSE.—The term ''greater sage-grouse'' means a sage-grouse of the species Centrocercus urophasianus.

(3) STATE MANAGEMENT PLAN.—The term ''State management plan'' means a State-approved plan for the protection and recovery of the greater sage-grouse.

(c) PROTECTION AND RECOVERY OF GREATER SAGE-GROUSE.—

(1) ENDANGERED SPECIES ACT OF 1973 FINDINGS.—

(A) DELAY REQUIRED.—The Secretary of the Interior may not modify or invalidate the finding of the Director of the United States Fish and Wildlife Service announced in the proposed rule entitled ''Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition to List Greater Sage-Grouse (Centrocercus urophasianus) as an Endangered or Threatened Species'' (80 Fed. Reg. 59858 (October 2, 2015)) during the period beginning on the date of enactment of this Act and ending on September 30, 2027.

(B) EFFECT ON OTHER LAWS.—The delay required under subparagraph (A) is and shall remain effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(C) EFFECT ON CONSERVATION STATUS.—The conservation status of the greater sage-grouse shall be considered not to warrant listing of the greater sage-grouse as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) during the period beginning on the date of enactment of this Act and ending on September 30, 2027.

(2) COORDINATION OF FEDERAL LAND MANAGEMENT AND STATE CONSERVATION AND MANAGEMENT PLANS.—

(A) PROHIBITION ON WITHDRAWAL AND MODIFICATION OF FEDERAL RESOURCE MANAGEMENT PLANS.—On notification by the Governor of a State with a State management plan, the Secretary of the Interior and the Secretary of Agriculture may not make, modify, or extend any withdrawal or amend or otherwise modify any Federal resource management plan applicable to Federal land in the State in a manner inconsistent with the State management plan for, as specified by the Governor in the notification, a period of not fewer than 5 years beginning on the date of the notification.

(B) RETROACTIVE EFFECT.—In the case of any State that provides notification under subparagraph (A), if any withdrawal was made, modified, or extended or any amendment or modification of a Federal resource management plan applicable to Federal land in the State was issued after June 1, 2014, and the withdrawal, amendment, or modification altered the management of the greater sage-grouse or the habitat of the greater sage-grouse—

(i) implementation and operation of the withdrawal, amendment, or modification shall be stayed to the extent that the withdrawal, amendment, or modification is inconsistent with the State management plan; and

(ii) the Federal resource management plan, as in effect immediately before the withdrawal, amendment, or modification, shall apply instead with respect to the management of the greater sage-grouse and the

habitat of the greater sage-grouse, to the extent consistent with the State management plan.

(C) DETERMINATION OF INCONSISTENCY.—Any disagreement regarding whether a withdrawal, amendment, or other modification of a Federal resource management plan is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(3) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—With regard to any major Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the greater sage-grouse and the habitat of the greater sage-grouse under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not have a preclusive effect on the approval or implementation of the major Federal action in that State.

(4) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter through 2027, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the implementation by the Secretaries of, and the effectiveness of, systems to monitor the status of greater sage-grouse on Federal land under the jurisdiction of the Secretaries.

(5) JUDICIAL REVIEW.—Notwithstanding any other provision of law (including regulations), this subsection, including any determination made under paragraph (2)(C), shall not be subject to judicial review.

SA 2727. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 560, line 16, insert ''and, on request, to any Member of Congress,'' after ''congressional defense committees''.

SA 2728. Mr. LEE (for himself and Mr. CRUZ) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 620, strike lines 19 and 20 and insert the following:

''(B) United States citizens of Chinese descent.

''(29) Efforts by China, in support of the military and security strategy of China, to influence the Western Hemisphere through involvement in Central and South America, including—

''(A) by making donations or providing loans to—

''(i) hemispheric or regional organizations the mandates of which focus on democracy and security; or

''(ii) governments of any country in the region for security or other investment purposes; and

''(B) security cooperation efforts with or diplomatic campaigns in any country in the region, including Peru, Chile, Costa Rica, Panama, Brazil, Venezuela, Argentina, Bolivia, Paraguay, Colombia, Ecuador, Honduras, Nicaragua, Cuba, and Uruguay.

''(30) An assessment of the manner in which the activities described in paragraph (29) affect United States military strategy and operability in Central and South America.''.

SA 2729. Mr. LEE (for himself and Mr. HATCH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. 2838. REPORT ON RELOCATION OF DEFENSE NON-TACTICAL GENERATOR AND RAIL EQUIPMENT CENTER.

(a) IN GENERAL.—Not later than January 31, 2019, the Secretary of the Army, in coordination with the Secretary of the Air Force, shall submit to the congressional defense committees a report with a detailed plan for executing the relocation of the Defense Non-Tactical Generator and Rail Equipment Center (DGRC) and all actions necessary to ultimately transfer property to the Utah Department of Transportation.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A detailed plan and timeline to relocate this mission to Anniston Army Depot and all necessary construction or renovation of facilities at Anniston Army Depot.

(2) A description of actions necessary to enable the transfer of Air Force property on Hill Air Force Base to the Utah Department of Transportation, including—

(A) the demolition of facilities;

(B) the construction or renovation of facilities;

(C) the environmental remediation required;

(D) funding programmed to facilitate the transfer of the property to the Utah Department of Transportation; and

(E) any constraints to the execution of the transfer of the property by 2022.

SA 2730. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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:

Strike section 1034 and insert the following:

SEC. 1034. SENSE OF CONGRESS ON THE BASING OF KC-46A AIRCRAFT OUTSIDE THE CONTINENTAL UNITED STATES.

(a) FINDINGS.—Congress finds that—

(1) the Department of Defense is continuing its process of permanently stationing KC-46A aircraft at installations in the continental United States (CONUS) and forward-basing outside the continental United States (CONUS);

(2) air refueling capability is a critical component of logistical capacity, and the Air National Guard fulfills the majority of air refueling requirements;

(3) section 144 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) required the Secretary of Defense to carry out a mobility capability and requirements study that includes an assessment of the air refueling tanker aircraft military requirement; and

(4) upon completion of the study, it would beneficial to know how the Air Force will support the requirements for force structure and strategic laydown of aircraft necessary to implement the study.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Air Force, as part of the strategic basing process for KC-46A aircraft, should continue to place emphasis on and consider the benefits derived from locations outside the continental United States that—

(1) support day-to-day air refueling operations, operations plans of the combatant commands, and flexibility for contingency operations, and have—

(A) a strategic location that is essential to the defense of the United States and its interests;

(B) receivers for boom or probe-and-drogue training opportunities with joint and international partners; and

(C) sufficient airfield and airspace availability and capacity to meet requirements; and

(2) possess facilities that—

(A) take full advantage of existing infrastructure to provide—

(i) runway, hangars, and aircrew and maintenance operations; and

(ii) sufficient fuels receipt, storage, and distribution capacities for a 5-day peacetime operations stock; and

(B) minimize overall construction and operational costs.

(c) BRIEFING ON AIR REFUELING CAPABILITIES.—Not later than March 1, 2019, the Secretary of the Air Force shall provide in coordination with the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a briefing for Congress on how the Air Force will support the requirements for aerial refueling, including—

(1) the current and future laydown plans for air refueling locations;

(2) an overview of air refueling operations per air refueling wing locations to include the number of sortie requests, the number of sorties fulfilled, and the locations or missions the sorties supported;

(3) fully mission capable and aircraft availability rates for all air refueling wings over the past 5 years;

(4) an assessment of how the Air National Guard force structure, across all States and territories, can be leveraged to support current and emerging air refueling requirements;

(5) a description of the long-term plan to maintain adequate refueling capability to meet current and emerging requirements;

(6) a review of manpower levels across the air refueling force, an identification of current and projected skill set gaps, and recommendations on how to address these gaps; and

(7) an overview of how the Air Force will determine the disposition of KC–135 aircraft as they are replaced by the arrival of KC–46 aircraft.

SA 2731. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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, add the following:

SEC. 1037. ANNUAL REPORTS ON MIDAIR REFUELING OPERATIONS CONDUCTED BY THE UNITED STATES FOR AIRCRAFT OF FOREIGN MILITARY FORCES.

(a) REPORTS REQUIRED.—Not later than one year after the date of the enactment of this Act, and every year thereafter, the Director of the Defense Logistics Agency shall, in coordination with the heads of other appropriate departments, agencies, and elements of the United States Government, submit to Congress on a report on the midair refueling operations conducted by the United States for aircraft of foreign military forces during the one-period ending on the date of such report.

(b) REQUIRED INFORMATION.—Each report under subsection (a) shall include, for the period covered by such report, the following:

(1) A list of each foreign country whose military aircraft were provided midair refueling by the United States.

(2) For each country listed pursuant to paragraph (1), a list of each type of military aircraft of such country provided midair refueling.

(3) For each type of military aircraft of a country listed pursuant to paragraph (2)—

(A) the aggregate number of gallons of aircraft fuel provided; and

(B) the total number of sorties of United States aircraft involved in the provision of such fuel.

SA 2732. Mr. LEE 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, add the following:

SEC. . CONGRESSIONAL REVIEW OF UNILATERAL TRADE ACTIONS.

(a) IN GENERAL.—Chapter 5 of title I of the Trade Act of 1974 (19 U.S.C. 2191 et seq.) is amended by adding at the end the following:

"SEC. 155. CONGRESSIONAL REVIEW OF UNILATERAL TRADE ACTIONS.

''(a) UNILATERAL TRADE ACTION DEFINED.—

''(1) IN GENERAL.—In this section, the term 'unilateral trade action' means any of the following actions taken with respect to the importation of an article pursuant to a provision of law specified in paragraph (2):

''(A) A prohibition on importation of the article.

''(B) The imposition of or an increase in a duty applicable to the article.

''(C) The imposition or tightening of a tariff-rate quota applicable to the article.

''(D) The imposition or tightening of a quantitative restriction on the importation of the article.

''(E) The suspension, withdrawal, or prevention of the application of trade agreement concessions with respect to the article.

''(F) Any other restriction on importation of the article.

''(2) PROVISIONS OF LAW SPECIFIED.—The provisions of law specified in this paragraph are the following:

''(A) Section 122.

''(B) Title III.

''(C) Sections 406, 421, and 422.

''(D) Section 338 of the Tariff Act of 1930 (19 U.S.C. 1338).

''(E) Section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862).

''(F) Section 103(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4202(a)).

''(G) The Trading with the Enemy Act (50 U.S.C. 4301 et seq.).

''(H) The International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

''(I) Any provision of law enacted to implement a trade agreement to which the United States is a party.

''(3) EXCEPTION FOR TECHNICAL CORRECTIONS TO HARMONIZED TARIFF SCHEDULE.—A technical correction to the Harmonized Tariff Schedule of the United States shall not be considered a unilateral trade action for purposes of this section.

''(b) CONGRESSIONAL APPROVAL REQUIRED.—Except as provided by subsection (d), a unilateral trade action may not take effect unless—

''(1) the President submits to Congress and to the Comptroller General of the United States a report that includes—

''(A) a description of the proposed unilateral trade action;

''(B) the proposed effective period for the action;

''(C) an analysis of the action, including whether the action is in the national economic interest of the United States;

''(D) an assessment of the potential effect of retaliation from trading partners affected by the action; and

''(E) a list of articles that will be affected by the action by subheading number of the Harmonized Tariff Schedule of the United States; and

''(2) a joint resolution of approval is enacted pursuant to subsection (e).

''(c) REPORT OF COMPTROLLER GENERAL.—Not later than 15 days after the submission of the report required by subsection (b)(1) with respect to a proposed unilateral trade action, the Comptroller General shall submit to Congress a report on the proposed action that includes an assessment of the compliance of the President with the provision of law specified in subsection (a)(2) pursuant to which the action would be taken.

''(d) TEMPORARY AUTHORITY.—Notwithstanding any other provision of this section, a unilateral trade action may take effect for one 90-calendar-day period (without renewal) if the President—

''(1) determines that is necessary for the unilateral trade action to take effect because the action is—

''(A) necessary because of a national emergency;

''(B) necessary because of an imminent threat to health or safety;

''(C) necessary for the enforcement of criminal laws; or

''(D) necessary for national security; and

''(2) submits written notice of the determination to Congress.

''(e) PROCEDURES FOR JOINT RESOLUTION.—

''(1) JOINT RESOLUTION DEFINED.—For purposes of this subsection, the term 'joint resolution' means only a joint resolution of either House of Congress, the matter after the resolving clause of which is as follows: 'That Congress approves the action proposed by the President under section 155(b) of the Trade Act of 1974 in the report submitted to Congress under that section on _____.', with the blank space being filled with the appropriate date.

''(2) INTRODUCTION.—After a House of Congress receives a report under subsection (b)(1) with respect to a unilateral trade action, the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution—

''(A) in the case of the House of Representatives, within 3 legislative days; and

''(B) in the case of the Senate, within 3 session days.

''(3) APPLICATION OF SECTION 152.—The provisions of subsections (b) through (f) of section 152 shall apply to a joint resolution under this subsection to the same extent those provisions apply to a resolution under section 152.

''(f) REPORT BY THE UNITED STATES INTERNATIONAL TRADE COMMISSION.—Not later than 12 months after the date of a unilateral trade action taken pursuant to this section, the United States International Trade Commission shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the effects of the action on the United States economy, including a comprehensive assessment of the economic effects of the action on producers and consumers in the United States.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 154 the following:

''Sec. 155. Congressional review of unilateral trade actions.''.

(c) CONFORMING AMENDMENTS.—

(1) BALANCE-OF-PAYMENTS AUTHORITY.—Section 122 of the Trade Act of 1974 (19 U.S.C. 2132) is amended—

(A) in subsection (a), in the flush text following paragraph (3), by inserting ''and subject to approval under section 155'' after ''Congress)'';

(B) in subsection (c), in the flush text following paragraph (2), by inserting ''and subject to approval under section 155'' after ''Congress)''; and

(C) in subsection (g), by inserting ''and subject to approval under section 155'' after ''of this section''.

(2) RULES OF HOUSE AND SENATE.—Section 151(a) of the Trade Act of 1974 (19 U.S.C. 2191(a)) is amended—

(A) in the matter preceding paragraph (1), by striking ''and 153'' and inserting '', 153, and 155''; and

(B) in paragraph (1), by striking ''and 153(a)'' and inserting '', 153(a), and 155(e)''.

(3) ENFORCEMENT OF RIGHTS UNDER TRADE AGREEMENTS.—Title III of the Trade Act of 1974 (19 U.S.C. 2411 et seq.) is amended—

(A) in section 301—

(i) in subsection (a), in the flush text, by inserting ''to approval under section 155 and'' after ''subsection (c), subject''; and

(ii) in subsection (b)(2), by inserting ''to approval under section 155 and'' after ''subsection (c), subject'';

(B) in section 305(a)(1), by inserting ''to approval under section 155 and'' after ''section 301, subject''; and

(C) in section 307(a)(1), in the matter preceding subparagraph (A), by inserting ''to approval under section 155 and'' after ''any action, subject''.

(4) MARKET DISRUPTION.—Section 406 of the Trade Act of 1974 (19 U.S.C. 2436) is amended—

(A) in subsection (b), in the matter preceding paragraph (1), by striking ''With respect to'' and inserting ''Subject to approval under section 155, with respect to''; and

(B) in subsection (c), in the second sentence, by striking ''If the President'' and inserting ''Subject to approval under section 155, if the President''.

(5) ACTION TO ADDRESS MARKET DISRUPTION.—Section 421 of the Trade Act of 1974 (19 U.S.C. 2451) is amended—

(A) in subsection (a), by inserting ''and subject to approval under section 155'' after ''of this section'';

(B) in subsection (i)(4)(A), by inserting '', subject to approval under section 155,'' after ''provisional relief and'';

(C) in subsection (k)(1), by striking ''Within 15 days'' and inserting ''Subject to section 155, within 15 days'';

(D) by striking subsection (m) and by redesignating subsections (n) and (o) as subsections (m) and (n), respectively;

(E) in subsection (m), as redesignated by subparagraph (D)—

(i) in paragraph (1), by striking ''subsection (m)'' and inserting ''this section''; and

(ii) in paragraph (2), by inserting ''and subject to approval under section 155'' after ''paragraph (1)''; and

(F) in paragraph (3) of subsection (n), as redesignated by subparagraph (D), by striking ''subsection (m)'' and inserting ''this section''.

(6) ACTION IN RESPONSE TO TRADE DIVERSION.—Section 422(h) of the Trade Act of 1974 (19 U.S.C. 2451a(h)) is amended by striking ''Within 20 days'' and inserting ''Subject to approval under section 155, within 20 days''.

(7) DISCRIMINATION BY FOREIGN COUNTRIES.—Section 338 of the Tariff Act of 1930 (19 U.S.C. 1338) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting '', subject to approval under section 155 of the Trade Act of 1974,'' after ''by proclamation'';

(B) in subsection (b), by inserting ''subject to approval under section 155 of the Trade Act of 1974 and'' after ''hereby authorized,'';

(C) in subsection (c), by striking ''Any proclamation'' and inserting ''Subject to approval under section 155 of the Trade Act of 1974, any proclamation'';

(D) in subsection (d), by inserting ''subject to approval under section 155 of the Trade Act of 1974 and'' after ''he shall,''; and

(E) in subsection (e), by inserting ''subject to approval under section 155 of the Trade Act of 1974 and'' after ''he shall,''.

(8) SAFEGUARDING NATIONAL SECURITY.—Section 232(c)(1)(B) of the Trade Expansion Act of 1962 (19 U.S.C. 1862(c)(1)(B)) is amended by inserting '', subject to approval under section 155 of the Trade Act of 1974,'' after ''shall''.

(9) BIPARTISAN CONGRESSIONAL TRADE PRIORITIES AND ACCOUNTABILITY ACT OF 2015.—Section 103(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4202(a)) is amended—

(A) in paragraph (1)(B), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''paragraphs (2) and (3)''; and

(B) in paragraph (7), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''3524)''.

(10) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 203(a)(1)(B) of the International Emergency Economic Powers Act (50 U.S.C. 1702(a)(1)(B)) is amended by inserting ''(subject to section 155 of the Trade Act of 1974)'' after ''importation''.

(11) TRADING WITH THE ENEMY ACT.—Section 11 of the Trading with the Enemy Act (50 U.S.C. 4311) is amended by striking ''Whenever'' and inserting ''Subject to approval under section 155 of the Trade Act of 1974, whenever''.

(12) FREE TRADE AGREEMENT IMPLEMENTING BILLS.—

(A) NORTH AMERICAN FREE TRADE AGREEMENT IMPLEMENTATION ACT.—Section 201 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3331) is amended—

(i) in subsection (a)(1), in the matter preceding subparagraph (A), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''and the consultation and layover requirements of section 103(a)'' and inserting '', the consultation and layover requirements of section 103(a), and approval under section 155 of the Trade Act of 1974,''.

(B) URUGUAY ROUND AGREEMENTS ACT.—Section 111 of the Uruguay Round Agreements Act (19 U.S.C. 3521) is amended—

(i) in subsection (a), in the matter preceding paragraph (1), by inserting ''and subject to approval under section 155 of the Trade Act of 1974'' after ''2902)'';

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 115'';

(iii) in subsection (c)(1)(A), in the flush text at the end, by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(iv) in subsection (e)(1), in the matter preceding subparagraph (A), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 115''.

(C) UNITED STATES-ISRAEL FREE TRADE AREA IMPLEMENTATION ACT OF 1985.—Section 4 of the United States-Israel Free Trade Area Implementation Act of 1985 (Public Law 99–47; 19 U.S.C. 2112 note) is amended—

(i) in subsection (a), in the matter preceding paragraph (1), by inserting ''and subject to approval under section 155 of the Trade Act of 1974'' after ''subsection (c)''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and subject to approval under section 155 of the Trade Act of 1974'' after ''subsection (c)''.

(D) UNITED STATES-JORDAN FREE TRADE AREA IMPLEMENTATION ACT.—Section 101 of the United States-Jordan Free Trade Area Implementation Act (Public Law 107–43; 19 U.S.C. 2112 note) is amended—

(i) in subsection (a), in the matter preceding paragraph (1), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''.

(E) DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT IMPLEMENTATION ACT.—Section 201 of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (19 U.S.C. 4031) is amended—

(i) in subsection (a)(1), in the matter preceding subparagraph (A), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 104''.

(F) UNITED STATES-CHILE FREE TRADE AGREEMENT IMPLEMENTATION ACT.—Section 201 of the United States-Chile Free Trade Agreement Implementation Act (Public Law 108–77; 19 U.S.C. 3805 note) is amended—

(i) in subsection (a)(1), in the matter preceding subparagraph (A), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 103(a)''.

(G) UNITED STATES-SINGAPORE FREE TRADE AGREEMENT IMPLEMENTATION ACT.—Section 201 of the United States-Singapore Free Trade Agreement Implementation Act (Public Law 108–78; 19 U.S.C. 3805 note) is amended—

(i) in subsection (a), in the matter preceding paragraph (1), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 103(a)''.

(H) UNITED STATES-AUSTRALIA FREE TRADE AGREEMENT IMPLEMENTATION ACT.—Section 201 of the United States-Australia Free Trade Agreement Implementation Act (Public Law 108–286; 19 U.S.C. 3805 note) is amended—

(i) in subsection (a), in the matter preceding paragraph (1), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 104''.

(I) UNITED STATES-MOROCCO FREE TRADE AGREEMENT IMPLEMENTATION ACT.—Section 201 of the United States-Morocco Free Trade Agreement Implementation Act (Public Law 108–302; 19 U.S.C. 3805 note) is amended—

(i) in subsection (a)(1), in the matter preceding subparagraph (A), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 104''.

(J) UNITED STATES-BAHRAIN FREE TRADE AGREEMENT IMPLEMENTATION ACT.—Section 201 of the United States-Bahrain Free Trade Agreement Implementation Act (Public Law 109–169; 19 U.S.C. 3805 note) is amended—

(i) in subsection (a)(1), in the matter preceding subparagraph (A), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 104''.

(K) UNITED STATES-OMAN FREE TRADE AGREEMENT IMPLEMENTATION ACT.—Section 201 of the United States-Oman Free Trade Agreement Implementation Act (Public Law 109–283; 19 U.S.C. 3805 note) is amended—

(i) in subsection (a)(1), in the matter preceding subparagraph (A), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 104''.

(L) UNITED STATES-PERU TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT.—Section 201 of the United States-Peru Trade Promotion Agreement Implementation Act (Public Law 110–138; 19 U.S.C. 3805 note) is amended—

(i) in subsection (a)(1), in the matter preceding subparagraph (A), by striking ''may'' and inserting ''may, subject to approval

under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 104''.

(M) UNITED STATES-KOREA FREE TRADE AGREEMENT IMPLEMENTATION ACT.—Section 201 of the United States-Korea Free Trade Agreement Implementation Act (Public Law 112–41; 19 U.S.C. 3805 note) is amended—

(i) in subsection (a), in the matter preceding paragraph (1), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 104''.

(N) UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT.—Section 201 of the United States-Colombia Trade Promotion Agreement Implementation Act (Public Law 112–42; 19 U.S.C. 3805 note) is amended—

(i) in subsection (a)(1), in the matter preceding subparagraph (A), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 104''.

(O) UNITED STATES-PANAMA TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT.—Section 201 of the United States-Panama Trade Promotion Agreement Implementation Act (Public Law 112–43; 19 U.S.C. 3805 note) is amended—

(i) in subsection (a)(1), in the matter preceding subparagraph (A), by striking ''may'' and inserting ''may, subject to approval under section 155 of the Trade Act of 1974,''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by inserting ''and approval under section 155 of the Trade Act of 1974'' after ''section 104''.

SA 2733. Mr. PORTMAN 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 V, add the following:

SEC. 525. PLAN TO MEET DEMAND FOR CYBERSPACE CAREER FIELDS IN THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth a plan for meeting the increased demand for cyberspace career fields in the reserve components of the Armed Forces.

(b) ELEMENTS.—The plan shall take into account the following:

(1) The availability of qualified local workforces.

(2) Potential best practices of private sector companies involved in cyberspace and of educational institutions with established cyberspace-related academic programs.

(3) The potential for Total Force Integration throughout the defense cyber community.

(4) Recruitment strategies to attract individuals with critical cyber training and skills to join the reserve components.

(c) METRICS.—The plan shall include appropriate metrics for use in the evaluation of the implementation of the plan.

SA 2734. Mr. PORTMAN 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. 12___. REPORT ON PERMANENT STATIONING OF UNITED STATES FORCES IN THE REPUBLIC OF POLAND OR OTHER LOCATION IN CENTRAL OR EASTERN EUROPE.

(a) IN GENERAL.—Not later than March 1, 2019, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the congressional defense committees a report on the feasibility and advisability of permanently stationing United States forces in the Republic of Poland or other location in Central or Eastern Europe.

(b) ELEMENT.—The report required by subsection (a) shall include an assessment of the feasibility and advisability of permanently stationing a United States Army corps-level command element in the Republic of Poland or other location in Central or Eastern Europe that includes the following:

(1) An assessment whether a permanently stationed United States Army corps command element would enhance deterrence against Russian aggression in Eastern Europe.

(2) A description of the added operational planning and warfighting capability that permanently stationing a corps headquarters element in the Republic of Poland or other location in Central or Eastern Europe would provide to United States European Command, the United States Army Europe, and the North Atlantic Treaty Organization.

(3) An assessment of the actions the Russian Federation may take in response to a United States decision to permanently station a corps headquarters in the Republic of Poland or other location in Central or Eastern Europe.

(4) An assessment of the international political considerations, including within the North Atlantic Treaty Organization, of permanently stationing a corps headquarters in the Republic of Poland or other location in Central or Eastern Europe.

(5) A description and assessment of the manner in which permanently establishing a corps headquarters in the Republic of Poland or other location in Central or Eastern Europe would affect the ability of the Joint Force to carry out North Atlantic Treaty Organization treaty obligations and enhance coordination of operations and plans with North Atlantic Treaty Organization allies.

(6) A description and assessment of the manner in which permanently establishing a corps headquarters in the Republic of Poland or other location in Central or Eastern Europe would affect the ability of the Joint Force to execute Department of Defense contingency plans in Europe.

(7) An assessment of whether such a corps headquarters in Poland or other location in Central or Eastern Europe would support implementation of the National Defense Strategy.

(8) An identification and assessment of—

(A) potential locations in the Republic of Poland or Central or Eastern Europe for stationing such a corps headquarters element;

(B) infrastructure investments that would be required by the United States and the Republic of Poland, or the government of the applicable country in Central or Eastern Europe, to support permanently stationing a corps headquarters in the Republic of Poland or other location in Central or Eastern Europe;

(C) any new agreements, or modifications to agreements, between the United States, the Republic of Poland or the government of the applicable country in Central or Easter Europe, and the North Atlantic Treaty Organization that would be required;

(D) the logistics requirements that would be required to support stationing a corps headquarters in the Republic of Poland or other location in Central or Eastern Europe; and

(E) an assessment of the willingness and ability of the Government of the Republic of Poland, or the government of the applicable country in Central or Eastern Europe, to provide host nation support.

SA 2735. Mrs. FEINSTEIN 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. _____. REPORT ON CONTINUED PROGRESS AT DEPARTMENT OF VETERANS AFFAIRS WEST LOST ANGELES CAMPUS.

Section 2(h)(1) of the West Los Angeles Leasing Act of 2016 (Public Law 114–226) is amended—

(1) by striking ''the Secretary certifies'' and inserting ''the date that is 30 days after the date on which the Secretary submits''; and

(2) by striking ''that all recommendations included in the audit report or evaluation have been implemented'' and inserting ''a plan for addressing each recommendation included in the audit report or evaluation''.

SA 2736. Mr. CASEY 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 XVII, add the following:

SEC. 1734. DETERMINATIONS OF ITEMS ESSENTIAL TO NATIONAL DEFENSE UNDER DEFENSE PRODUCTION ACT OF 1950.

Section 303(a)(5) of the Defense Production Act of 1950 (50 U.S.C. 4533(a)(5)) is amended, in the matter preceding subparagraph (A), by striking ''. on a non-delegable basis,'' and inserting ''or the Secretary of Defense''.

SA 2737. Mr. CASEY (for himself and Mr. TOOMEY) 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:

On page 105 of the amendment, beginning on line 11, strike ''The study and assessment performed pursuant to this section'' and insert ''The study and assessment performed pursuant to this subsection and subsection (b), respectively,''.

SA 2738. Mr. CASEY (for himself, Ms. CANTWELL, and Mr. BENNET) 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 the funding table in section 4301, in the item relating to Environmental Restoration, Navy, strike the amount in the Senate Authorized column and insert ''$339,253''.

In the funding table in section 4301, in the item relating to Subtotal Environmental Restoration, Navy, strike the amount in the Senate Authorized column and insert ''$339,253''.

In the funding table in section 4301, in the item relating to Environmental Restoration, Air Force, strike the amount in the Senate Authorized column and insert ''$335,808''.

In the funding table in section 4301, in the item relating to Subtotal Environmental Restoration, Air Force, strike the amount in the Senate Authorized column and insert ''$335,808''.

In the funding table in section 4301, in the item relating to Total Miscellaneous Appropriations, strike the amount in the Senate Authorized column and insert ''1,957,347''.

In the funding table in section 4301, in the item relating to Total Operation & Maintenance, strike the amount in the Senate Authorized column and insert ''200,411,316''.

SA 2739. 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 F of title XII, add the following:

SEC. 12___. REPORTS ON AID TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than December 31, 2018, and every December 31 thereafter, the President shall submit to Congress a report on spending by Federal agencies and departments relating to amounts—

(1) given by any Federal agency directly to the Government of the People's Republic of China or a provincial or local government of the People's Republic of China;

(2) spent directly by Federal agencies to fund programs associated with the aid to the Government of the People's Republic of China or a provincial or local government of the People's Republic of China; and

(3) spent by any Federal agency to fund programs that indirectly aid the Government of the People's Republic of China or a provincial or local government of the People's Republic of China.

(b) ELEMENTS.—Each report required by subsection (a) shall include the following:

(1) The amounts spent by each Federal agency by program and funding stream.

(2) An accounting of the use of funds by the People's Republic of China by program.

(3) A description of the mechanisms for tracking the use of funds by the People's Republic of China.

(4) A description of the history of the programs and initiatives funded by such funds.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SA 2740. Mr. CORNYN (for himself and Mr. GARDNER) 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 I, add the following:

SEC. 112. REPORT ON BENEFITS OF MULTIYEAR PROCUREMENT AUTHORITY FOR ARMY BRIGADE COMBAT TEAM PLATFORMS (ABCT).

(a) FINDINGS.—The Senate finds the following:

(1) There have been concerns with the Army's strategy and timeline to modernize its Armored Brigade Combat Teams (referred to in this section as the ''ABCT''). These concerns include the modernization rate of ABCT combat vehicle platforms, such as Bradley and Abrams, being too slow and not keeping pace with modernization efforts of peer competitors. As a result, the Committee on Armed Services of the Senate took action in the National Defense Authorization Act for FY2018 (Public Law 115-91) to increase modernization to a rate of approximately 1.5 brigades per year for certain platforms.

(2) The Army's budget request for fiscal year 2019 is encouraging and builds on the previous year's momentum by proposing continued modernization at a rate of approximately 1.5 brigades per year. Given this increased investment for ABCT modernization, the Army should examine the cost benefits of using multiyear procurement contracts for all ABCT platforms.

(3) The Senate supports the Army's plan to pursue a Next Generation Combat Vehicle (referred to in this section as the ''NGCV'') and encourages further acceleration of the NGCV development effort. With an accelerated program timeline, significant time is required to successfully develop, test, build, and fully field a new NGCV vehicle. As a result, the Senate supports the Army's decision to pursue the Bradley A4 upgrade program as a bridge to NGCV.

(4) Section 809 of the National Defense Authorization Act for FY2016 (Public Law 114–92) established the Advisory Panel on Streamlining and Codifying Acquisition Regulations in order to advise Congress on ways to improve the Department of Defense's acquisition processes. In its May 2017 Interim Report, the panel concluded, ''If the Army acquired [ABCT] vehicles at the rate of two brigades annually, however, the production efficiencies would save approximately $11 billion during the life of the program.''.

(b) REPORT REQUIRED.—Not later than December 1, 2018, the Secretary of the Army shall submit to the congressional defense committees a report on the benefits of multiyear procurement contracts for all Army Brigade Combat Team (ABCT) platforms, including a detailed cost-benefit analysis and an examination of the costs and benefits of further increasing modernization to two brigades per year.

SA 2741. 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 II, add the following: appropriate place, insert the following:

SEC. _____. PRODUCTION OF ADVANCED LOW COST MUNITION ORDNANCE.

(a) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary of Defense shall take all necessary measures to achieve low rate of initial production for the Advanced Low Cost Munition Ordnance (ALaMO), a guided 57 mm projectile, with fire-and-forget capability that requires no Littoral Combat Ship fire control system changes, to counter the growing threats posed by small boat swarms, unmanned aerial systems, and other emerging threats.

(b) FUNDING.—Of the amounts authorized to be appropriated by this act or otherwise made available for fiscal year 2019 for the Navy for Procurement of Ammo, $34,000,000 shall be available for the procurement of the Advanced Low Cost Munition Ordnance (ALaMO).

SA 2742. Mr. BOOZMAN 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 XXVIII, add the following:

SEC. 2806. REPAIR OF FACILITIES.

Section 2811 of title 10, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting after subsection (d) the following new subsections:

''(e) REPORT REQUIRED.—When a decision is made to carry out a repair project under this section, the Secretary concerned shall submit to the appropriate committees of Congress a report containing—

''(1) the justification for the repair project for which the notification is specified and warranted, the current estimate of the cost of the project, including, in the case of a multi-year repair project to a single facility, the total cost of all phases of the project, and any operation and maintenance, research, development, test and evaluation, or military construction funding expended or previously obligated for the same purpose;

''(2) an explanation of the reasons why replacement of the facility is not in the best interest of the Government; and

''(3) a description of the elements of military construction, including the elements specified in section 2802(b) of this title, incorporated into the repair project.

''(f) DETERMINATION OF TOTAL PROJECT COST.—In determining the total cost of a repair project, the Secretary concerned shall include all phases of a multi-year repair project to a single facility to include previous operation and maintenance, research, development, test and evaluation, and military construction funding.''.

SA 2743. Mr. BOOZMAN 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 XXVIII, add the following:

SEC. 2806. REPAIR OF FACILITIES.

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

(1) Little Rock Air Force Base provides a unique and crucial capability, serving as the nation's tactical airlift ''Center of Excellence.'' The continued successful operation of Little Rock Air Force Base is contingent on having a fully operational runway. Little Rock Air Force Base has been pursuing a facilities, restoration and modernization project to achieve critical runway repairs. Previously provided reports and notifications to Congress, as required by section 2811 of title 10, United States Code, have yielded conflicting and inconsistent information.

(2) Facilities sustainment, restoration and modernization (FSRM) needs across the Department of Defense have continued to increase in the absence of traditional military construction resources.

(3) Facilities sustainment, restoration and modernization projects continue to support the full function and operability of military installations nationwide.

(b) NOTIFICATION REQUIREMENTS.—Section 2811 of title 10, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

''(e) ADVANCE NOTIFICATION REQUIRED.—A repair project under this section may not be carried out unless approved in advance by the Secretary concerned and fourteen days have passed since submission of the report required under subsection (d).''.

SA 2744. Mr. BOOZMAN 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. 2823. LAND CONVEYANCE, CAMP JOSEPH T. ROBINSON, ARKANSAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Arkansas Department of Veterans Affairs (in this section referred to as ''ADVA''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 141 acres located adjacent to Camp Joseph T. Robinson, Arkansas for the purpose of providing long term expansion of the veteran cemetery, for the over 250,000 veterans in the State. The conveyance under this subsection is subject to valid existing rights.

(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in subsection (a), all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require that ADVA cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from ADVA in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to ADVA.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 2745. Mr. BOOZMAN (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. REPORT ON EVALUATION AND OVERSIGHT OF THE SENIOR RESERVE OFFICERS' TRAINING CORPS PROGRAMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall, in coordination with the Secretaries of the military departments, submit to Congress a report on the manner in which the Department of Defense intends—

(1) to improve the oversight and accountability of the Senior Reserve Officers' Training Corps (ROTC) programs; and

(2) to ensure that the Secretary of Defense, the Armed Forces, and Congress have a comprehensive understanding whether particular programs are achieving desired results before decisions to close or terminate such programs are undertaken.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of—

(A) existing Department of Defense processes to evaluate the performance of the Senior Reserve Officers' Training Corps programs;

(B) the clarity of goals and objectives for the Senior Reserve Officers' Training Corps programs;

(C) the frequency of evaluation of the Senior Reserve Officers' Training Corps programs;

(D) the adequacy of the oversight roles and responsibilities outlined in Department of Defense Instruction Number 1215.08, dated June 26, 2006; and

(E) the efforts undertaken by the Armed Forces to effectively communicate evaluations of the performance of the Senior Reserve Officers' Training Corps programs to Congress and other key stakeholders before decisions to close or terminate particular programs are undertaken.

(2) A description of—

(A) the strategic goals and objectives of the Senior Reserve Officers' Training Corps programs;

(B) officer output requirements under the Senior Reserve Officers' Training Corps programs, set forth by institution of higher education concerned;

(C) attrition rates under the Senior Reserve Officers' Training Corps programs, set

forth by institution of higher education concerned;

(D) the characteristics of quality officers graduating from Senior Reserve Officers' Training Corps programs; and

(E) the current timeline for any anticipated closure or termination of a Senior Reserve Officers' Training Corps program.

(3) A detailed plan for—

(A) improving the oversight and accountability of the Senior Reserve Officers' Training Corps programs; and

(B) ensuring the Secretary of Defense, the Armed Forces, and Congress have a comprehensive understanding whether particular Senior Reserve Officers' Training Corps programs are achieving desired results before decisions to close or terminate such programs are undertaken.

SA 2746. Mr. BOOZMAN 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 I of subtitle C of title XVI, add the following:

SEC. _____. REPORT ON USING THE CYBER SKILLS VALIDATION COURSE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretaries of each of the military departments shall each submit to the congressional defense committees a report on the feasibility and advisability of using the Cyber Skills Validation Course for training members of the cyber forces of the National Guard.

(b) CONTENTS.—Each report submitted under subsection (a) shall include the following:

(1) A comparison of the current timeline and per-person cost for all training required for licensure or accreditation versus a prospective cost and timeline using the Cyber Skills Validation Course.

(2) Details on current training curriculum, training course throughput expectations, manpower and infrastructure plans to complete cyber training, and effects on cyber readiness within the military departments.

SA 2747. Mr. THUNE 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 I, add the following:

SEC. 144. PROCUREMENT OF REPLACEMENT WINGS FOR A–10 THUNDERHOG STORM PENETRATING AIRCRAFT OF NATIONAL SCIENCE FOUNDATION IN CONJUNCTION WITH AIR FORCE PROCUREMENT OF REPLACEMENT WINGS FOR A–10 TACTICAL AIRCRAFT OF THE AIR FORCE.

(a) PROCUREMENT REQUIRED.—In carrying out the Air Force procurement program for replacement wings for A–10 tactical aircraft of the Air Force, the Secretary of the Air Force shall also procure such number of replacement wings for A–10 Thunderhog Storm Penetrating Aircraft (SPA) of the National Science Foundation as the Director of the National Science Foundation shall specify.

(b) RESPONSIBILITY FOR COST.—The cost of any replacement wing for an A–10 Thunderhog Storm Penetrating Aircraft procured for the National Science Foundation pursuant to subsection (a) shall be borne by the National Science Foundation.

SA 2748. Mr. PORTMAN 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 1702(b), strike paragraphs (2) through (5) and insert the following:

(2) the potential national security-related effects of the cumulative market share of or a pattern of recent transactions in any one type of infrastructure, energy asset, critical material, critical technology, or media or entertainment platform by foreign persons;

(3) whether any foreign person that would acquire an interest in a United States business or its assets as a result of a transaction has a history of complying with United States laws and regulations;

(4) the extent to which a transaction is likely to expose, either directly or indirectly, personally identifiable information, genetic information, or other sensitive data of United States citizens to access by a foreign government or foreign person that may exploit that information in a manner that threatens national security; and

(5) whether a transaction is likely to have the effect of exacerbating or creating new cybersecurity vulnerabilities in the United States or is likely to result in a foreign government gaining a significant new capability to engage in malicious cyber-enabled activities against the United States, to undermine media freedoms, or to facilitate the employment of foreign disinformation, propaganda campaigns, or influence operations against the United States, including such activities designed to affect the outcome of any election for Federal office.

(c) REPORT ON TRANSACTIONS WITH CENSORSHIP IMPLICATIONS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Committee on Foreign Investment in the United States shall submit to Congress a report on investments by foreign persons in the entertainment and information sectors of the United States that includes an analysis of the extent to which such investments have resulted in or could result in direct or indirect censorship, including self-censorship, within the United States.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(d) REPORT ON EFFORTS TO COORDINATE SCREENING OF SENSITIVE INVESTMENTS WITH ALLIES.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of State shall, in coordination with the Committee on Foreign Investment in the United States, submit to Congress a report on ongoing efforts of the United States to assist countries that are members of the North Atlantic Treaty Organization or the European Union in the development and synchronization of best practices, standards, and processes to screen investments by countries of special concern in critical technology or critical infrastructure that would affect national security interests shared by the United States and such member countries.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(3) DEFINITIONS.—In this subsection, the terms ''country of special concern'', ''critical technology'', and ''critical infrastructure'' have the meanings given those terms in section 721(a) of the Defense Production Act of 1950, as amended by section 1703.

SA 2749. 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. 2838. AUTHORITY FOR LEASING REAL PROPERTY AT NAVAL AIR STATION KEY WEST, FLORIDA.

(a) AUTHORITY.—The Secretary of the Navy may lease approximately 19 acres at Naval Air Station (NAS) Key West, Florida, for the purpose of constructing, operating, improving, and maintaining housing upon such terms and conditions as the Secretary considers will promote the national defense or to be in the public interest.

(b) CONDITIONS.—A lease under subsection (a)—

(1) may not be for more than 50 years, unless the Secretary determines that a lease for a longer period is necessary to meet the purpose of the lease identified in subsection (a);

(2) may give the lessee the first right to buy the property if the lease is revoked to allow the United States to sell or transfer the property under any other provision of law;

(3) may authorize the lessee to construct facilities on the property and to demolish or alter existing facilities;

(4) may be for cash, or in-kind consideration as set forth in subsection (c);

(5) may not provide for a leaseback by the Secretary or otherwise commit the Secretary or the Department of the Navy to any payment with respect to the property; and

(6) may allow for reduced rents for qualified civilian employees of the United States Government as determined by the Secretary, as set forth in subsection (c).

(c) IN-KIND CONSIDERATION.—In-kind consideration will be acceptable as partial or total consideration for the lease and may be provided in the form of reduced rents or any other form of in-kind consideration acceptable under section 2667 of title 10, United

States Code. The value of reduced rents as in-kind consideration shall be based on the difference between the market rent of a housing unit constructed by the lessee on the leased premises and the reduced rent offered by the lessee to a qualified civilian employee as determined by the Secretary.

(d) DEPOSIT AND USE OF PROCEEDS.—The Secretary shall deposit and use any cash proceeds from the lease under this section as prescribed in section 2667 of title 10, United States Code.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the lease under this section as the Secretary considers appropriate to protect the interests of the United States.

(f) INAPPLICABILITY OF SECTION 2662 OF TITLE 10.—The authority under this section is specifically exempt from the notice and wait process required by section 2662 of title 10, United States Code.

(g) INAPPLICABILITY OF SECTION 2696 OF TITLE 10.—The authority under this section is specifically exempt from the screening process required by section 2696(b) of title 10, United States Code.

(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to violate section 5536 of title 5, United States Code.

(i) INAPPLICABILITY OF TITLE V OF MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.—The authority under this section is specifically exempt from the screening process required by title V of the McKinney-Vento Homeless Assistance Act of 1987 (42 U.S.C. 11411 et seq.).

(j) INAPPLICABILITY OF RANDOLPH-SHEPPARD ACT.—The authority under this section is specifically exempt from the requirements of the Randolph-Sheppard Act (20 U.S.C. 107 et seq).

SA 2750. 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 XXII, add the following:

SEC. 2205. IMPLEMENTATION OF FUTURE HOMEPORT DECISIONS BASED ON STRATEGIC DISPERSAL OBJECTIVES IN 2018 STRATEGIC LAYDOWN.

Of the amount authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Navy for operation and maintenance, $5,000,000 shall be available to begin planning and design activities to implement future homeport decisions based on strategic dispersal objectives in the 2018 Strategic Laydown.

SA 2751. 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 A of title III, add the following:

SEC. 302. NAVY EXPERIMENTAL DIVE UNIT.

Of the amount authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Navy for operation and maintenance, $5,000,000 shall be available for the continued maintenance and use of the Navy Saturation Fly Away Diving System (SATFADS).

SA 2752. 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 XVII, add the following:

SEC. 1734. FEDERAL FOREIGN INVESTMENT ADVISORY COMMISSION.

(a) ESTABLISHMENT.—There is established an advisory commission to be known as the ''Federal Foreign Investment Advisory Commission'' (in this section referred to as the ''Commission'').

(b) MEMBERSHIP.—

(1) APPOINTMENT.—The Commission shall be composed of 12 members, of whom—

(A) three shall be appointed by the majority leader of the Senate;

(B) three shall be appointed by the minority leader of the Senate;

(C) three shall be appointed by the Speaker of the House of Representatives; and

(D) three shall be appointed by the minority leader of the House of Representatives.

(2) EXPERTISE.—In making appointments under paragraph (1), consideration shall be given to individuals with expertise in national security, international trade, economic competitiveness, emerging technologies, the health and sustainability of the United States defense industrial base, or critical infrastructure.

(3) SECURITY CLEARANCES.—Members of the Commission shall be issued, pending a security background investigation, an appropriate-level security clearance for the purpose of executing the duties of the Commission.

(4) PERIOD OF APPOINTMENT.—

(A) INITIAL TERMS.—

(i) IN GENERAL.—Members of the Commission shall be appointed for initial terms on a staggered-term basis, so that the majority leader and minority leader of the Senate and the Speaker and minority leader of the House of Representatives shall each select one appointee for an initial three-year term, with all other appointments being made for terms of two years each.

(ii) COMMENCEMENT.—The initial terms referred to in clause (i) shall commence on January 1, 2019.

(B) SUBSEQUENT APPOINTMENTS.—A member of the Commission may be reappointed for additional terms of two years each.

(5) VACANCIES.—Any vacancy on the Commission shall not affect its powers, and shall be filled in the same manner as the original appointment.

(c) CHAIRPERSON.—The President shall appoint a Chairperson of the Commission from among the members of the Commission.

(d) DUTIES.—

(1) IN GENERAL.—Not less frequently than annually, the Commission shall—

(A) conduct a review on the effect of foreign investment on the national and economic security of the United States; and

(B) submit to Congress a report on the review.

(2) ELEMENTS.—The review of the Commission required by paragraph (1)(A) shall include consideration of—

(A) the economic and national security effects of—

(i) trends in foreign investment by economic sector;

(ii) foreign purchases of United States financial assets, including government obligations, corporate equity, real estate, and derivatives;

(iii) transactions subject to review by the Committee on Foreign Investment in the United States;

(iv) greenfield investments by foreign entities, including state-owned entities;

(v) joint ventures between United States and foreign entities;

(vi) strategic goals identified by the governments of foreign countries and supported by state-owned or state-influenced foreign and sovereign wealth fund investments in the United States;

(B) the health and sustainability of the United States defense industrial base and United States manufacturing;

(C) the protection of critical infrastructure in the United States; and

(D) the safety and security of United States financial markets.

(e) PROVISION OF INFORMATION FROM COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—The Committee on Foreign Investment in the United States shall provide the Commission with timely access to information about reviews and investigations conducted under section 721 of the Defense Production Act of 1950, as amended by this title.

(f) SUBMISSION OF INFORMATION TO CONGRESS.—The Commission shall, in the discretion of the chairperson of the Commission, share any economic and national security concerns regarding reviews or investigations conducted by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950, as amended by this title, with Congress as the chairperson considers appropriate.

(g) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Commission Act (5 U.S.C. App.) shall not apply with respect to the Commission.

SA 2753. Mr. KENNEDY 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 VI, add the following:

SEC. 633. AUTHORITY FOR CONSOLIDATION OR MERGER OF DEFENSE COMMISSARY SYSTEM AND EXCHANGE SYSTEM.

(a) AUTHORITY FOR CONSOLIDATION OR MERGER.—

(1) IN GENERAL.—Subchapter II of chapter 147 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2490. Defense commissary system and exchange stores system: consolidation or merger

''(a) IN GENERAL.—Notwithstanding any other provision of this chapter or any other provision of law, the Secretary of Defense may consolidate or otherwise merge, whether in whole or in part, the operations or administration of the defense commissary system and the exchange stores system if the Secretary determines that the consolidation or merger will reduce the overall cost of operations, administration, or both of the defense commissary system, the exchange stores system, or both systems.

''(b) TREATMENT OF AUTHORITY.—This section constitutes specific authority for the consolidation or merger of the operations and administration of the defense commissary system and the exchange stores system for purposes of section 2487(b) of this title and any other provision of law that prohibits or limits the consolidation or merger of the operations or administration of the systems.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 147 of such title is amended by adding at the end the following new item:

''2490. Defense commissary system and exchange stores system: consolidation or merger.''.

(b) CONFORMING AMENDMENTS.—Chapter 147 of title 10, United States Code, is further amended as follows:

(1) In section 2481(a), by striking ''The Secretary of Defense'' and inserting ''Except as provided in section 2490 of this title, the Secretary of Defense''.

(2) In section 2487(a)(1), by inserting ''and section 2490 of this title'' after ''Except as provided in paragraph (2)''.

SA 2754. Mr. HATCH 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. ___. CRIMES TARGETING LAW ENFORCEMENT OFFICERS.

(a) IN GENERAL.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following:

"§ 120. Crimes targeting law enforcement officers

''(a) IN GENERAL.—Whoever, in any circumstance described in subsection (b), knowingly causes bodily injury to any person, or attempts to do so, because of the actual or perceived status of the person as a law enforcement officer—

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

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

''(A) death results from the offense; or

''(B) the offense includes kidnapping or an attempt to kidnap, or an attempt to kill.

''(b) CIRCUMSTANCES DESCRIBED.—For purposes of subsection (a), the circumstances described in this subparagraph are that—

''(1) the conduct described in subsection (a) occurs during the course of, or as the result of, the travel of the defendant or the victim—

''(A) across a State line or national border; or

''(B) using a channel, facility, or instrumentality of interstate or foreign commerce;

''(2) the defendant uses a channel, facility, or instrumentality of interstate or foreign commerce in connection with the conduct described in subsection (a);

''(3) in connection with the conduct described in subsection (a), the defendant employs a firearm, dangerous weapon, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce; or

''(4) the conduct described in subsection (a)—

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

''(B) otherwise affects interstate or foreign commerce.

''(c) CERTIFICATION REQUIREMENT.—

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

''(A) the State does not have jurisdiction;

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

''(C) the verdict or sentence obtained pursuant to State charges left demonstratively unvindicated the Federal interest in protecting the public safety; or

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

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

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

''(e) STATUTE OF LIMITATIONS.—

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

''(2) OFFENSES RESULTING IN DEATH.—An indictment or information alleging that an offense under this section resulted in death may be found or instituted at any time without limitation.

''(f) DEFINITIONS.—In this section:

''(1) LAW ENFORCEMENT OFFICER.—The term 'law enforcement officer' means an employee of a governmental or public agency who is authorized by law—

''(A) to engage in or supervise the prevention, detention, investigation, or the incarceration of any person for any criminal violation of law; and

''(B) to apprehend or arrest a person for any criminal violation of law.

''(2) STATE.—The term 'State' includes the District of Columbia, Puerto Rico, and any other territory or possession of the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''120. Crimes targeting law enforcement officers.''.

SA 2755. Mr. HATCH (for himself and Mr. THUNE) 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 III, add the following:

SEC. 323. REPORT ON DEPARTMENT OF DEFENSE USE OF AIRSPACE AND ENVIRONMENTAL REVIEW.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration and the Secretary of Defense shall provide a report documenting efforts made toward improving processes to resolve persistent challenges for special use airspace requests in support of, or associated with, short notice testing requirements at Major Range and Test Facility Bases, specifically, establishment of Temporary Military Operations Areas used for conducting short term, scheduled exercises.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) Analysis of previous efforts to streamline internal processes associated with the designation of Temporary Military Operations Areas at Major Range and Test Facility Bases and for scheduled exercises.

(2) Analysis of progress made to ensure consistency of environmental review, including impact analysis, associated environmental studies, or consultation, while complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other environmental requirements.

(3) Identification of challenges to creating common National Environmental Policy Act Categorical Exclusions.

(4) A description of airspace requirements, current Test/Training Space Needs Statements completed in the last 10 years, and future 5 year requirements, including all Temporary Military Operating Areas, Special Use Airspaces, Instrument Routes, Visual Routes, and unfulfilled user requirements.

(5) Proposed options and solutions to overcome identified challenges, including identifying whether—

(A) a solution or solutions can be incorporated within the existing Federal Aviation Administration and Department of Defense Memorandum of Understanding; or

(B) changes to current legislation are required.

(c) DEFINITIONS.—In this section:

(1) MAJOR RANGE AND TEST FACILITY BASE.—The term ''Major Range and Test Facility Base'' has the meaning given the term in section 196(i) of title 10, United States Code.

(2) SPECIAL USE AIRSPACE.—The term ''special use airspace'' means certain designations of airspace designated by the Federal Aviation Administration, as administered by the Secretary of the Air Force.

SA 2756. Mr. REED proposed an amendment to amendment SA 2700 proposed by Mr. MCCONNELL (for Mr. TOOMEY (for himself, Mr. CORKER, Mr. SASSE, Mr. JOHNSON, and Mr. KENNEDY)) to the amendment SA 2282 proposed by Mr. INHOFE (for himself and

Mr. MCCAIN) 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; as follows:

At the end, add the following:

(c) AUTHORIZATION BY CONGRESS.—Section 4209(a)(1) of the Atomic Energy Defense Act (50 U.S.C. 2529(a)(1)) is amended—

(1) by striking ''the Secretary shall'' and inserting the following: ''the Secretary—

''(A) shall''; and

(2) by striking the period at the end and inserting ''; and''; and

''(B) may carry out such activities only if amounts are authorized to be appropriated for such activities by an Act of Congress consistent with section 660 of the Department of Energy Organization Act (50 U.S.C. 7270).''.

SA 2757. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 XXXI, add the following:

SEC. 3105. ADDITIONAL AMOUNTS FOR INERTIAL CONFINEMENT FUSION AND HIGH YIELD PROGRAM.

(a) IN GENERAL.—Notwithstanding the amounts specified in the funding table in section 4701, the total amount authorized to be appropriated to the Department of Energy for fiscal year 2019 for research, development, test and evaluation and available for the inertial confinement fusion and high yield program shall be $518,927,000, to be allocated as follows:

(1) Ignition, $69,575,000.

(2) Support of other stockpile programs, $22,565,000.

(3) Diagnostics, cryogenics, and experimental support, $74,194,000.

(4) Pulsed power inertial confinement fusion, $8,310,000.

(5) Joint program in high energy density laboratory plasmas, $9,492,000.

(6) Facility operations and target production, $334,791,000.

(b) OFFSET.—The amount authorized to be appropriated to the Department of Energy for fiscal year 2019 by section 3102 and available as specified in the funding table in section 4701 for defense environmental cleanup for excess facilities is hereby reduced by $100,000,000.

SA 2758. Mr. INHOFE (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall require each director of a medical facility of the Department of Veterans Affairs to submit to the director of the Veterans Integrated Service Network that covers the facility a plan to improve such facility.

(2) PLANS OF DIRECTORS OF VETERANS INTEGRATED SERVICE NETWORKS.—The Secretary shall require each director of a Veterans Integrated Service Network to submit to the Secretary, not later than 60 days after receiving all of the plans under paragraph (1), a plan, based on the plans received under paragraph (1), to improve the facilities within the Veterans Integrated Service Network in such a fashion that would improve the ability of all facilities within the network to provide the best and most efficient care to their patients.

(b) REGULAR REPORTS.—The Secretary shall ensure that each director of a Veterans Integrated Service Network submits to the Secretary, not later than two years after the date of the enactment of this Act and not less frequently than once every two years thereafter, a report on the actions taken by the director to improve the facilities within that Veterans Integrated Service Network and what further such actions might be necessary.

(c) SENSE OF CONGRESS ON USE OF AUTHORITIES 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).

SA 2759. Mr. GARDNER (for himself, Mr. INHOFE, Mrs. ERNST, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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, insert the following:

SEC. 12___. SENSE OF CONGRESS ON PESHMERGA FORCES.

It is the sense of the Congress that—

(1) the Peshmerga forces of the Kurdistan Region of Iraq have made, and continue to make, significant contributions to the United States-led campaign to degrade, dismantle, and ultimately defeat the Islamic State of Iraq and Syria (ISIS) in Iraq;

(2) a lasting defeat of ISIS is critical to maintaining a stable and tolerant Iraq in which all faiths, sects, and ethnicities are afforded equal protection and full integration into the Government and society of Iraq; and

(3) in support of counter-ISIS operations and in conjunction with the Central Government of Iraq, the United States should provide the Ministry of Peshmerga forces of the Kurdistan Region of Iraq $290,000,000 in operational sustainment, so that the Peshmerga forces can more effectively partner with the Iraqi Security Forces, the United States, and other international Coalition members to consolidate gains, hold territory, and protect infrastructure from ISIS and its affiliates in an effort to deal a lasting defeat to ISIS and prevent its reemergence in Iraq.

SA 2760. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 X, add the following:

SEC. 103_____. LIMITATION ON USE OF FUNDS TO ISSUE ELECTRIC GRID ORDERS.

None of the funds authorized to be appropriated by this Act or otherwise made available for any fiscal year may be obligated or expended to issue any order pursuant to section 101 of the Defense Production Act of 1950 (50 U.S.C. 4511) or section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) that requires any entity—

(1) to purchase electric energy based on the fuel used to generate the electric energy; or

(2) to generate or sell electric energy unless the electric energy is required to meet an existing or imminent shortage of electric energy and the demand for electric energy cannot otherwise be met.

SA 2761. Ms. BALDWIN (for herself, Mrs. GILLIBRAND, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 THE AIR REFUELING RECEIVER DEMAND ANALYTICAL MODEL OF THE AIR FORCE.

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

(1) consistent with the National Defense Authorization Act for Fiscal Year 2018, the Air Force is undertaking an updated mobility capability and requirements study that will reflect guidance articulated in the 2018 National Defense Strategy; and

(2) that study should address the Air Refueling Receiver Demand Analytical model used by the Department of the Air Force for its Strategic Basing process.

(b) REPORT.—

(1) IN GENERAL.—Not later than December 31, 2019, the Secretary of Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a review, conducted by the Secretary for purposes of the report, of the Air Refueling Receiver Demand Analytical model.

(2) PARTICULAR ELEMENT.—The report shall include such recommendations of the Secretary for adjustments to the Air Refueling

Receiver Demand Analytical model as the Secretary considers appropriate in order to ensure that the model addresses changes in refueling requirements along the Northern Tier of the United States as a result of the 2018 National Defense Strategy and associated mobility capability requirements, including, in particular, in connection with the growth of activities in the Northern Polar region by global and regional powers.

SA 2762. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 V, insert the following:

SEC. _____. INITIATIVE ON IMPROVING THE CAPACITY OF MILITARY LAW ENFORCEMENT TO PREVENT CHILD SEXUAL EXPLOITATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness shall establish an initiative on improving the capacity of military law enforcement to prevent child sexual exploitation. Under the initiative, the Under Secretary shall assess the feasibility and advisability of working with an external partner to train military law enforcement officials at Department of Defense installations, from all military departments, regarding online investigative technology, tools, and techniques, computer forensics, complex evidentiary issues, child victim identification, child victim referral for treatment and services, and related instruction.

(b) PARTNERSHIPS AND AGREEMENTS.—Under the initiative, the Under Secretary shall develop partnerships and establish collaborative agreements with the following:

(1) A highly qualified national child protection organization or law enforcement training center with demonstrated expertise in the delivery of law enforcement training to detect, identify, investigate, and prosecute individuals engaged in the trading or production of child pornography and the online solicitation of children.

(2) A highly qualified national child protection organization with demonstrated expertise in the delivery of intervention services for victims of child sexual exploitation to partner with military installations in the delivery of trainings on trauma-informed mental health therapies, such as Trauma-Focused Cognitive Behavioral Therapy, Child and Family Traumatic Stress Intervention, and other trauma-focused modalities that can be used to compliment and maximize the effectiveness of the multidisciplinary team approach.

(3) A national network of civilian providers located in same communities as military installations that deliver the children's advocacy center model of a multidisciplinary team response and child-friendly approach to identifying, investigating, prosecuting, and intervening in child sexual exploitation cases that can partner with military installations on law enforcement, child protection, prosecution, mental health, medical and victim advocacy to investigate sexual exploitation, help children heal from sexual exploitation, and hold offenders accountable.

(4) State and local authorities to address law enforcement capacity in communities where military installations are located, and to prevent lapses in jurisdiction that would undercut the Department's efforts to prevent child sexual exploitation.

(5) The National Association to Protect Children and the United States Special Operations Command Care Coalition to replicate successful outcomes of the Human Exploitation Rescue Operative (HERO) Child Rescue Corps program within military criminal investigative organizations and other Department components to combat child sexual exploitation.

(c) LOCATIONS.—

(1) IN GENERAL.—The Under Secretary shall carry out the initiative—

(A) in at least two States where there is a high density of Department network users in comparison to the overall population of the States;

(B) in at least two States where there is a high population of Department network users;

(C) in at least two States where there is a large percentage of Indian children, including children who are Alaska Natives or Native Hawaiians;

(D) in at least one State with a population with fewer than 2,000,000 people;

(E) in at least one State with a population with fewer than 5,000,000 people, but not fewer than 2,000,000 people;

(F) in at least one State with a population with fewer than 10,000,000 people, but not fewer than 5,000,000; and

(G) in at least one State with a population with 10,000,000 or more people.

(2) GEOGRAPHIC DISTRIBUTION.—The Under Secretary shall ensure that the locations at which the initiative is carried out are distributed across different regions.

(d) ADDITIONAL REQUIREMENTS.—In carrying out the initiative, the Under Secretary shall—

(1) participate in multi-jurisdictional task forces;

(2) establish cooperative agreements to facilitate co-training and collaboration with Federal, State, and local law enforcement; and

(3) develop a streamlined process to refer child sexual abuse cases to other jurisdictions.

SA 2763. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 XVI, add the following:

SEC. _____. REPORT ON BALLISTIC MISSILE DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) The Secretary of Defense is conducting a ballistic missile defense review that will assess the capabilities and requirements for homeland, regional, and theater missile defense.

(2) This review will have significant implications for national security and potentially on resource prioritization and requirements.

(3) The review was initially expected to have been completed by January but has been delayed several months due to revisions and has not yet been submitted to Congress.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on ballistic missile defense that addresses the implications for planned programs of record, costs and resource prioritization, and strategic stability.

(c) CBO REPORT ON COSTS RELATING TO BALLISTIC, CRUISE, AND HYPERSONIC DEFENSES OF THE UNITED STATES.—

(1) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director of the Congressional Budget Office shall submit to the congressional defense committees a report setting forth the following:

(A) An estimate of the costs over the 10-year period beginning on the date of the report associated with—

(i) fielding and maintaining the current and planned ballistic, cruise, and hypersonic defenses of the United States; and

(ii) implementing any new recommendations of the Ballistic Missile Defense Review with regard to ballistic, cruise, and hypersonic defenses.

(B) An estimate of the costs to design, launch, maintain, and operate space-based sensors and interceptors of different constellation sizes ranging from limited to comprehensive.

(2) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 2764. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 XXXI, add the following:

SEC. 3105. ELIMINATION OF FUNDING FOR W76–2 WARHEAD MODIFICATION PROGRAM.

The amount authorized to be appropriated by section 3101 and available as specified in the funding table in section 4701 for weapons activities for the W76–2 warhead modification program is hereby reduced to $0.

SA 2765. Mr. MARKEY (for himself, Mr. MERKLEY, Mrs. FEINSTEIN, Ms. WARREN, Ms. BALDWIN, Mr. LEAHY, Mr. SANDERS, Mr. WYDEN, Mrs. MURRAY, Mrs. GILLIBRAND, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 XXXI, add the following:

SEC. 3105. AVAILABILITY OF AMOUNTS FOR DENUCLEARIZATION OF DEMOCRATIC PEOPLE'S REPUBLIC OF NORTH KOREA.

(a) IN GENERAL.—The amount authorized to be appropriated by section 3101 and available as specified in the funding table in section 4701 for defense nuclear nonproliferation is hereby increased by $65,000,000, with the amount of the increase to be available to develop and prepare to implement a comprehensive, long-term monitoring and verification program for activities related to the phased denuclearization of the Democratic People's Republic of North Korea, in coordination with relevant international partners and organizations.

(b) OFFSET.—The amount authorized to be appropriated by section 3101 and available as specified in the funding table in section 4701 for weapons activities for the W76–2 warhead modification program is hereby reduced by $65,000,000.

SA 2766. Mr. BOOKER (for himself, Mr. MENENDEZ, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. INCLUSION ON THE VIETNAM VETERANS MEMORIAL WALL OF THE NAMES OF THE CREW MEMBERS OF THE U.S.S. FRANK E. EVANS KILLED ON JUNE 3, 1969.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall authorize the inclusion on the Vietnam Veterans Memorial Wall in the District of Colombia of the names of the 74 crew members of the U.S.S. Frank E. Evans killed on June 3, 1969.

(b) FACILITATION OF INCLUSION OF NAMES.—The National Park Service, the National Capital Planning Commission, the Commission on Fine Arts, and other applicable authorities are encouraged to approve adjustments to the nomenclature and placement of names pursuant to subsection (a) to address any space limitations on the placement of additional names on the Vietnam Veterans Memorial Wall.

SA 2767. Mrs. MURRAY (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. EXTENSION OF OFFICE OF RIVER PROTECTION.

Section 4442(e) of the Atomic Energy Defense Act (50 U.S.C. 2622(e)) is amended by striking ''September 30, 2019'' and inserting ''September 30, 2024''.

SA 2768. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 II, add the following:

SEC. _____. PILOT PROGRAM TO EXTEND PAVEMENT LIFE.

(a) AUTHORITY.—The Secretary of the Army may carry out a pilot program to design, build, and test technologies and innovative pavement materials in order to extend the service life of military roads and runways.

(b) SCOPE.—The pilot program authorized by subsection (a) shall include the following:

(1) The design, test and assembly of technologies and systems suitable for pavement applications.

(2) Research, development, and testing of new pavement materials for road and runway use in different geographic areas in the United States.

(3) Design and procurement of platforms and equipment to test performance, cost, feasibility, and effectiveness.

(c) COMPETITION REQUIREMENTS.—Any award of a contract or grant under the pilot program authorized by subsection (a) shall be made using merit-based selection procedures.

(d) REPORT.—

(1) IN GENERAL.—Not later than two years after the commencement of the pilot program, the Secretary of the Army shall submit to the congressional defense committees a report on the pilot program.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the effectiveness of activities under the pilot program in improving the service life of military roads and runways.

(B) An analysis of potential lifetime cost-savings associated with the extended service life of the runways and roads as well as potential reduction in energy demands.

(e) TERMINATION OF AUTHORITY.—The authorities under this section shall terminate on September 30, 2024.

SA 2769. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 I of title VIII, add the following:

SEC. 896. DEPARTMENT OF DEFENSE SMALL BUSINESS STRATEGY.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—Chapter 136 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2282. Department of defense small business strategy

''(a) IN GENERAL.—The Secretary of Defense shall implement a small business strategy for the Department of Defense that meets the requirements of this section.

''(b) UNIFIED MANAGEMENT STRUCTURE.—As part of the small business strategy described in subsection (a), the Secretary shall ensure that there is a unified management structure within the Department for the functions of the Department relating to—

''(1) programs and activities related to small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632));

''(2) manufacturing and industrial base policy; and

''(3) any procurement technical assistance program established under chapter 142 of this title.

''(c) PURPOSE OF SMALL BUSINESS PROGRAMS.—The Secretary shall ensure that programs and activities of the Department of Defense related to small business concerns are carried out so as to further national defense programs and priorities and the statements of purpose for Department of Defense acquisition set forth in section 801 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1449).

''(d) POINTS OF ENTRY INTO DEFENSE MARKET.—The Secretary shall ensure—

''(1) that opportunities for small business concerns to contract with the Department of Defense are identified clearly; and

''(2) that small business concerns are able to have access to program managers, contracting officers, and other persons using the products or services of such concern to the extent necessary to inform such persons of emerging and existing capabilities of such concerns.

''(e) ENHANCED OUTREACH UNDER PROCUREMENT TECHNICAL ASSISTANCE PROGRAM MARKET.—The Secretary shall enable and promote activities to provide coordinated outreach to small business concerns through any procurement technical assistance program established under chapter 142 of this title to facilitate small business contracting with the Department of Defense.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2282. Department of Defense small business strategy.''.

(b) IMPLEMENTATION.—

(1) DEADLINE.—The Secretary of Defense shall develop the small business strategy required by section 2282 of title 10, United States Code, as added by subsection (a), not later than 180 days after the date of the enactment of this Act.

(2) NOTICE TO CONGRESS AND PUBLICATION.—Upon completion of the development of the small business strategy pursuant to paragraph (1), the Secretary shall—

(A) transmit the strategy to Congress; and

(B) publish the strategy on a public website of the Department of Defense.

SA 2770. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed by Mr. DURBIN 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:

SEC. 1126. DISCLOSURE OF INFORMATION REGARDING TRAVEL BY CERTAIN SENIOR OFFICIALS.

(a) IN GENERAL.—Section 5707 of title 5, United States Code, is amended by adding at the end the following:

''(d) ADDITIONAL DISCLOSURE OF INFORMATION REGARDING TRAVEL BY CERTAIN SENIOR OFFICIALS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'Administrator' means the Administrator of General Services;

''(B) the term 'covered individual' means—

''(i) the head of an Executive agency; or

''(ii) an individual serving in a position at level I or II of the Executive Schedule under section 5312 or 5313, respectively;

''(C) the term 'machine-readable form' means a format in which information or data can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost;

''(D) the term 'open format' means a technical format based on an underlying open standard that is—

''(i) not encumbered by restrictions that would impede use or reuse; and

''(ii) based on an underlying open standard that is maintained by a standards organization; and

''(E) the term 'travel information website' means the website used by the Administrator to make available information under paragraph (2)(B)(i).

''(2) PUBLIC AVAILABILITY OF TRAVEL INFORMATION FOR COVERED INDIVIDUALS.—

''(A) REPORTING.—Not later than 30 business days after the end of each calendar quarter, each Executive agency employing 1 or more covered individuals who performed official travel during the calendar quarter shall submit to the Administrator data in machine-readable form and open format regarding the travel by each such covered individual during the calendar quarter on a commercial aircraft, privately-owned aircraft, or Government-owned or Government-leased aircraft, which shall include—

''(i) the duration of the travel;

''(ii) the destination or destinations of the travel;

''(iii) the individuals in the travel party;

''(iv) the justification for the travel;

''(v) the authorizing official who approved the travel; and

''(vi) the total cost to the Government for—

''(I) the travel as a whole;

''(II) transportation during the travel; and

''(III) lodging accommodations during the travel.

''(B) PUBLIC AVAILABILITY.—

''(i) IN GENERAL.—The Administrator shall make available online to the public, at no cost to access, the information provided by Executive agencies to the Administrator under subparagraph (A).

''(ii) NATIONAL SECURITY INFORMATION.—

''(I) IN GENERAL.—An Executive agency may exclude national security sensitive travel information from the travel information submitted to the Administrator if the Executive agency determines public online disclosure of the national security sensitive travel information would result in harm to national security interests.

''(II) JUSTIFICATION.—Each Executive agency shall establish and preserve an accurate record documenting each instance in which the Executive agency excluded national security sensitive travel information from submission, as authorized in subclause (I), which shall include information explaining how public online disclosure of the national security sensitive travel information would have resulted in harm to national security interests.

''(C) USE OF EXISTING RESOURCES.—To the maximum extent practicable, the Administrator shall use a website in existence on the date of enactment of this subsection to carry out this subsection.

''(3) REQUIREMENTS.—Not later than 30 business days after the date on which the Administrator receives information from an Executive agency regarding travel by a covered individual under paragraph (2)(A), the Administrator shall make the information available on the travel information website.

''(4) CLASSIFIED TRIPS.—

''(A) IN GENERAL.—Nothing in this subsection shall preclude an Executive agency from excluding from the information submitted to the Administrator information regarding classified travel.

''(B) MAINTAINING OF INFORMATION.—An Executive agency shall maintain information relating to classified travel by a covered employee until the end of the 2-year period beginning on the date on which the classified travel concludes.

''(5) AUDITING.—The Inspector General of each Executive agency may, as determined appropriate by the Inspector General—

''(A) conduct and publish an audit of the accuracy and completeness of information the Executive agency provides to the Administrator under paragraph (2)(A);

''(B) conduct an audit of determinations by the Executive agency to exclude information under paragraph (2)(B)(ii) to ensure each such decision was appropriate and justified in regard to protecting national security interests from harm that would have resulted from public online disclosure; and

''(C) provide each committee of Congress with jurisdiction over the activities of or appropriations for the Executive agency with written notification if the Inspector General determines that the Executive agency is improperly withholding, or failed to justify the withholding of, information from the Administrator under paragraph (2)(B)(ii).''.

(b) RELATION TO OTHER REPORTING REQUIREMENTS.—Nothing in the amendment made by subsection (a) shall be construed to modify or supercede the reporting requirements under the Federal Travel Regulation (including the requirements relating to the Senior Federal Travel report, or any successor thereto) or under any other provision of law.

SA 2771. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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___. DOE MANUFACTURING TRADES EDUCATION GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means an entity described in subsection (c).

(3) ELIGIBLE PROGRAM OF EDUCATION.—The term ''eligible program of education'' means a program of education described in subsection (d).

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) PROGRAM.—The term ''Program'' means the DOE Manufacturing Trades Education Grant Program established under subsection (b)(1).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor, the Secretary of Education, the Director of the Office of Science and Technology Policy, and the heads of such other relevant Federal agencies as the Secretary considers appropriate, may establish a grant program, to be known as the ''DOE Manufacturing Trades Education Grant Program'', under which the Secretary shall make grants on a competitive basis to eligible entities to carry out eligible programs of education that provide recognized postsecondary credentials to enhance existing programs of, or the establishment of new programs at, the Department in manufacturing trades education to further the missions of the national security laboratories of the Department and National Nuclear Security Administration production sites.

(2) GRANT PERIOD.—The term of a grant made under the Program shall be 5 years.

(3) COORDINATION REQUIRED.—The Secretary shall ensure that the Program is coordinated with other programs of the Department that are associated with advanced manufacturing activities that carry out the missions of the national security laboratories of the Department and National Nuclear Security Administration production sites.

(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under the Program, an entity shall be—

(1) a manufacturing trades industry organization;

(2) a nonprofit organization;

(3) an institution of higher education;

(4) a workforce intermediary; or

(5) a consortium of 2 or more entities described in paragraphs (1) through (4).

(d) ELIGIBLE PROGRAMS OF EDUCATION.—An eligible entity receiving a grant under the Program shall use the grant to carry out a consolidated and integrated multidisciplinary program of education that—

(1) provides postsecondary credentials;

(2) is a technical skills-based training program; and

(3) emphasizes—

(A) multidisciplinary instruction that—

(i) encompasses the total manufacturing engineering enterprise; and

(ii) may include—

(I) manufacturing trades education and training through classroom activities, laboratory, or employer site activities, on the job training activities, participation in employer site projects, sponsored pre-apprenticeship or apprenticeship programs, cooperative work-study programs, and interactions with other industrial facilities, consortia, or such other activities and organizations in the United States and foreign countries as the Secretary considers appropriate;

(II) subject matter expert development programs;

(III) recruitment of experienced and licensed professionals that are highly qualified in relevant manufacturing trades to teach or develop manufacturing trade courses and program content;

(IV) presentation of seminars, workshops, and training for the development of specific manufacturing trades skills;

(V) activities involving interaction between students and industry, including programs for visiting experts from industry or other sites or industry and personnel exchanges between the national security laboratories of the Department and National Nuclear Security Administration production sites;

(VI) development of new, or updating and modification of existing, manufacturing trades curriculum, course offerings, and education programs;

(VII) establishment of programs in manufacturing workforce training that are specific to the unique skills and requirements needed at the national security laboratories of the Department and National Nuclear Security Administration production sites;

(VIII) establishment of joint manufacturing trades education programs with defense laboratories, depots, the national security laboratories of the Department, and National Nuclear Security Administration production sites; and

(IX) expansion of manufacturing trades training and education programs and outreach for members of the Armed Forces, dependents and children of members of the Armed Forces, veterans, and employees of the Department of Defense, the national security laboratories of the Department, and National Nuclear Security Administration production sites;

(B) opportunities for students to obtain work experience in manufacturing through such activities as apprenticeship and preapprenticeship programs, internships, summer job placements, or cooperative work-study programs; and

(C) faculty and student engagement with industry that is directly related to, and supportive of, the education of students in the manufacturing trades because of—

(i) the increased understanding of the students of manufacturing challenges and potential solutions; and

(ii) the enhanced quality and effectiveness of the instruction that result from that increased understanding.

(e) SELECTION OF GRANT RECIPIENTS.—

(1) APPLICATIONS.—If the Secretary establishes the Program, the Secretary shall solicit applications for grants.

(2) MERIT COMPETITION.—The Secretary shall evaluate applications received under paragraph (1) on the basis of merit pursuant to competitive procedures prescribed by the Secretary.

(3) CRITERIA.—The Secretary shall select for grants under the Program eligible entities that demonstrate in the application of the eligible entity how the eligible program of education to be carried out using the grant will, at a minimum—

(A) provide students access to registered apprenticeship or preapprenticeship programs for improving trades education in manufacturing technology;

(B) contain innovative approaches for improving trades education in manufacturing technology;

(C) demonstrate a strong commitment to applying the resources necessary to achieve the objectives of the eligible program of education;

(D) provide for effective engagement with industry or government organizations that—

(i) supports the instruction to be provided in the eligible program of education; and

(ii) is likely to improve manufacturing capability and technology;

(E) demonstrates a significant level of involvement of United States industry in the proposed instructional and research activities;

(F) is likely to attract regional students that will likely have long careers at the national security laboratories of the Department and National Nuclear Security Administration production sites;

(G) promote careers in manufacturing trades at the national security laboratories of the Department and National Nuclear Security Administration production sites;

(H) involve fully qualified personnel and employer site subject matter experts who are experienced in manufacturing engineering education and technology;

(I) not later than 3 years after the date on which the grant is made, attract non-Federal funding and other support to sustain the eligible program of education;

(J) achieve a significant level of participation by women, members of minority groups, young adults ages 17 to 29, and individuals with disabilities through active recruitment; and

(K) train students in advanced manufacturing trades and in relevant emerging technologies and production processes.

(4) GEOGRAPHICAL DISTRIBUTION OF GRANTS.—In making grants under the Program, the Secretary, to the maximum extent practicable, shall avoid a geographical concentration of grants.

SA 2772. Mr. DURBIN (for Ms. DUCKWORTH (for herself, Mr. DURBIN, Mrs. ERNST, and Mr. GRASSLEY)) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 II, add the following:

SEC. _____. STEM JOBS ACTION PLAN.

(a) FINDINGS.—Congress finds the following:

(1) Jobs in science, technology, engineering, and math in addition to maintenance and manufacturing (collectively referred to in this section as ''STEM'') make up a significant portion of the workforce of the Department of Defense.

(2) These jobs exist within the organic industrial base, research, development, and engineering centers, life-cycle management commands, and logistics centers of the Department.

(3) Vital to the continued support of the mission of all of the military services, the Department needs to maintain its STEM workforce.

(4) It is known that the demographics of personnel of the Department indicate that many of the STEM personnel of the Department will be eligible to retire in the next few years.

(5) Decisive action is needed to replace STEM personnel as they retire to ensure that the military does not further suffer a skill and knowledge gap and thus a serious readiness gap.

(b) ASSESSMENTS AND PLAN OF ACTION.—The Secretary of Defense, in conjunction with the Secretary of each military department, shall —

(1) perform an assessment of the STEM workforce for organizations within the Department of Defense, including the numbers and types of positions and the expectations for losses due to retirements and voluntary departures;

(2) identify the types and quantities of STEM jobs needed to support future mission work;

(3) determine the shortfall between lost STEM personnel and future requirements;

(4) analyze and explain the appropriateness and impact of using reimbursable and working capital fund dollars for new STEM hires;

(5) identify a plan of action to address the STEM jobs gap, including hiring strategies and timelines for replacement of STEM employees; and

(6) deliver to Congress, not later than December 31, 2019, a report specifying such plan of action.

SA 2773. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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:

SEC. 706. COUNSELING AND TREATMENT FOR SUBSTANCE USE DISORDERS AND CHRONIC PAIN MANAGEMENT SERVICES FOR MEMBERS WHO SEPARATE FROM THE ARMED FORCES.

Section 1145(a)(6)(B)(i) of title 10, United States Code, is amended—

(1) in subclause (I)—

(A) by inserting '', substance use disorder,'' after ''post-traumatic stress disorder''; and

(B) by striking ''and'' at the end;

(2) by redesignating subclause (II) as subclause (III); and

(3) by inserting after subclause (I) the following new subclause (II):

''(II) chronic pain management services, including counseling and treatment for co-occurring mental health disorders and the provision of alternatives to opioid analgesics; and''.

SA 2774. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 XII, add the following:

SEC. 12___. REPORTS ON AUTHORITY TO BUILD CAPACITY FOR FOREIGN SECURITY FORCES.

Section 333 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(h) COMPTROLLER GENERAL REPORTS.—

''(1) IN GENERAL.—Not later than March 31, 2020, and periodically thereafter, as determined by the Comptroller General of the United States, until January 1, 2029, the Comptroller General shall submit to the appropriate committees of Congress a report on 1 or more programs authorized by this section, as selected by the Comptroller General for purposes of the report.

''(2) ELEMENTS.—Each report under paragraph (1) shall include the following with respect to the execution and management by the Secretary of Defense of the selected programs, to the extent such information is available:

''(A) The assessment, monitoring, and evaluation of the Secretary in support of such programs.

''(B) Any other information relating to such programs, as the Comptroller General considers appropriate.

''(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

''(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.''.

SA 2775. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. 12___. REPORT ON SECURITY COOPERATION PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE IN CERTAIN FOREIGN COUNTRIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report that assesses, for fiscal years 2013 through 2018, the assessment, monitoring, and evaluation activities of the Department of Defense for security cooperation programs in each of the foreign countries specified in subsection (b).

(b) FOREIGN COUNTRIES SPECIFIED.—The foreign countries specified in this subsection are the following:

(1) Afghanistan.
(2) Iraq.
(3) Yemen.
(4) Nigeria.
(5) Niger.
(6) Mali.
(7) Tunisia.
(8) Somalia.
(9) The Philippines.
(10) Jordan.

(c) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) Lessons learned and best practices with respect to such security cooperation programs and activities of the Department of Defense.

(2) Relevant recommendations for future security cooperation programs and activities of the Department of Defense.

(3) Recommendations for monitoring and evaluation metrics for future security cooperation programs and activities of the Department of Defense.

(4) Evaluation of the efficacy of the assessment tools used by the Department of Defense and other relevant security cooperation agencies with respect to such security cooperation programs and activities of the Department of Defense for purposes of measuring improvements made by the forces of the foreign countries specified in subsection (b).

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) SECURITY COOPERATION PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.—The term ''security cooperation programs and activities of the Department of Defense'' has the meaning given such term in section 301(7) of title 10, United States Code.

SA 2776. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 XII, add the following:

SEC. 12___. MODIFICATIONS TO CONGRESSIONAL NOTIFICATION REQUIREMENTS REGARDING SUPPORT FOR OPERATIONS AND CAPACITY BUILDING.

(a) AUTHORITY TO PROVIDE SUPPORT FOR CONDUCT OF OPERATIONS.—Section 331(d)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (E) as subparagraph (G); and

(2) by inserting after subparagraph (D) the following new subparagraphs:

''(E) An assessment of the sustainability of support to be provided by the United States. In preparing such assessment, the Secretary of Defense shall consider the extent to which participating countries have the political will, credible and effective institutions, and equal stake in the success of security sector initiatives.

''(F) An assessment of the objectives of the United States and foreign countries participating in the program.''.

(b) DEFENSE INSTITUTION CAPACITY BUILDING.—Section 332(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraphs:

''(D) An assessment of the objectives of the United States and foreign countries participating in the program.

''(E) An assessment of the sustainability of support to be provided to foreign countries participating in the program.''.

SA 2777. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 57, strike lines 3 through 25 and insert the following:

(2) support efforts to accelerate the integration and transition of new manufacturing technologies and processes developed by the centers for manufacturing innovation that comprise the Network for Manufacturing Innovation;

(3) identify improvements to sustainment methods for component parts and other logistics needs;

(4) identify and implement appropriate information security protections to ensure security of advanced manufacturing;

(5) aid in the procurement of advanced manufacturing equipment and support services; and

(6) enhance partnerships between the defense industrial base, such centers for manufacturing innovation, laboratories, academic institutions, and industry.

(c) COOPERATIVE AGREEMENTS AND PARTNERSHIPS.—

(1) IN GENERAL.—The Under Secretaries may enter into a cooperative agreement and use public-private and public-public partnerships to facilitate development or transition of advanced manufacturing techniques and capabilities in support of the defense industrial base.

(2) REQUIREMENTS.—A cooperative agreement entered into under paragraph (1) and a partnership used under such paragraph shall facilitate—

(A) development and implementation of advanced manufacturing techniques and capabilities of the transition of existing capabilities developed by the centers described in subsection (b)(2);

SA 2778. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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:

Beginning on page 48, strike line 10 and all that follows through page 49, line 6, and insert the following:

(1) A process for streamlined communications between the Under Secretary, the Joint Chiefs of Staff, the commanders of the combatant commands, the science and technology executives within each military department, the science and technology community, and the manufacturing industrial base, including—

(A) a process for the commanders of the combatant commands and the Joint Chiefs of Staff to communicate their needs to the science and technology community and the centers for manufacturing innovation that comprise the Network for Manufacturing Innovation; and

(B) a process for the science and technology community and such centers to propose technologies that meet the needs communicated by the combatant commands and the Joint Chiefs of Staff.

(2) Procedures for the development of technologies proposed pursuant to paragraph (1)(B), including—

(A) a process for demonstrating performance of the proposed technologies on a short timeline;

(B) a process for accelerating, transitioning, and integrating new manufacturing technologies and processes developed by the centers described in paragraph (1)(A);

SA 2779. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. LONG WARS STUDY GROUP.

(a) IN GENERAL.—There is hereby established a working group to be known as the ''Long Wars Study Group'' (in this section referred to as the ''Group'').

(b) PURPOSE.—The purpose of the Group is to examine United States engagement in the conflicts in Afghanistan and Iraq in an effort to identify lessons learned and make recommendations for questions to be asked prior to future decisions by Congress to authorize the use of military force in conflicts that have the potential to develop into an irregular war.

(c) COMPOSITION.—

(1) MEMBERSHIP.—The Group shall be composed of 8 members appointed as follows:

(A) One member appointed by the chair of the Committee on Armed Services of the Senate.

(B) One member appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(C) One member appointed by the chair of the Committee on Foreign Relations of the Senate.

(D) One member appointed by the ranking minority member of the Committee on Foreign Relations of the Senate.

(E) One member appointed by the chair of the Committee on Armed Services of the House of Representatives.

(F) One member appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(G) One member appointed by the chair of the Committee on Foreign Affairs of the House of Representatives.

(H) One member appointed by the ranking minority member of the Committee on Foreign Affairs of the House of Representatives.

(2) CO-CHAIRS.—

(A) DESIGNATION BY COMMITTEE CHAIRS.—The chair of the Committee on Armed Services of the Senate, the chair of the Committee on Foreign Relations of the Senate, the chair of the Committee on Armed Services of the House of Representatives, and the chair of the Committee on Foreign Affairs of the House of Representatives shall jointly designate one member of the Group to serve as co-chair of the Group.

(B) DESIGNATION BY RANKING MINORITY MEMBERS.—The ranking minority member of the Committee on Armed Services of the Senate, the ranking minority member of the Committee on Foreign Relations of the Senate, the ranking minority member of the Committee Armed Services of the House of Representatives, and the ranking minority member of the Committee on Foreign Affairs of the House of Representatives shall jointly designate one member of the Group to serve as co-chair of the Group.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Group. Any vacancy in the Group shall be filled in the same manner as the original appointment.

(d) DUTIES.—

(1) REVIEW.—The Group shall review United States involvement in the conflicts in Afghanistan (including Operation Enduring Freedom and Operation Freedom's Sentinel) and Iraq (including Operation Iraqi Freedom and Operation New Dawn), including military engagement, diplomatic engagement, training and advising of local forces, reconstruction efforts, and foreign assistance in such conflicts.

(2) ASSESSMENT AND RECOMMENDATIONS.—The Group shall—

(A) conduct a comprehensive assessment of United States involvement in the conflicts in Afghanistan and Iraq, including—

(i) United States military, diplomatic, and political efforts in the conflicts;

(ii) the effects of the conflicts on neighboring countries;

(iii) any regional and geopolitical threats to the United States resulting from the conflicts;

(iv) the extent to which stated United States national objectives for the conflicts were met;

(v) the effect of United States involvement in the conflicts on the readiness of the United States Armed Forces;

(vi) the effect of United States involvement in the conflicts on civil-military affairs in the United States;

(vii) the implications of the use of funds for overseas contingency operations as a mechanism for funding United States involvement in the conflicts; and

(viii) any other matters in connection with United States involvement in the conflicts the Group considers appropriate;

(B) identify circumstances in which a conflict presents a significant likelihood of developing into an irregular war; and

(C) develop recommendations based on the assessment, as well as any other information the Group considers appropriate, for relevant questions to be asked during future consideration by Congress of an authorization for use military force in conflicts that have the potential to develop into an irregular war.

(e) COOPERATION FROM UNITED STATES GOVERNMENT.—

(1) IN GENERAL.—The Group shall receive the full and timely cooperation of the Secretary of Defense, the Secretary of State, and the Director of National Intelligence in providing the Group with analyses, briefings, and other information necessary for the discharge of the duties of the Group.

(2) LIAISON.—The Secretary of Defense, the Secretary of State, and the Director of National Intelligence shall each designate at least one officer or employee of their respective organizations to serve as a liaison officer to the Group.

(f) REPORT.—

(1) FINAL REPORT.—Not later than two years after the date of the enactment of this Act, the Group shall submit to the President, the Secretary of Defense, the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the findings, conclusions, and recommendations of the Group under this section. The report shall do each of the following:

(A) Provide an assessment of the current security, political, humanitarian, and economic situation in Afghanistan and Iraq.

(B) Provide lessons learned from United States involvement in the conflicts in Afghanistan and Iraq.

(C) Provide recommendations on questions to be asked during future consideration by Congress of an authorization for use of military force in a conflict that has the potential to develop into an irregular war.

(D) Address any other matters with respect to United States involvement in the conflicts in Afghanistan and Iraq that the Group considers appropriate.

(2) INTERIM BRIEFING.—Not later than one year after the date of the enactment of this Act, the Group shall provide to the committees of Congress referred to in paragraph (1) a briefing on the status of its review and assessment under subsection (d), together with a discussion of any interim recommendations developed by the Group as of the date of the briefing.

(3) FORM OF REPORT.—The report submitted to Congress under paragraph (1) shall be submitted in unclassified form.

(g) TERMINATION.—The Group shall terminate six months after the date on which it submits the report required by subsection (f)(1).

SA 2780. Mr. BROWN (for himself, Mr. BLUMENTHAL, Ms. WARREN, Mrs. MURRAY, Mr. DURBIN, and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 X, add the following:

SEC. 1037. PROHIBITION ON USE BY EDUCATIONAL INSTITUTIONS OF REVENUES DERIVED FROM EDUCATIONAL ASSISTANCE FURNISHED UNDER LAWS ADMINISTERED BY SECRETARY OF DEFENSE FOR ADVERTISING, MARKETING, OR RECRUITING.

(a) IN GENERAL.—As a condition on the receipt of Department of Defense educational assistance funds, an institution of higher education, or other postsecondary educational institution, may not use revenues derived from Department of Defense educational assistance funds for advertising, recruiting, or marketing activities described in subsection (b).

(b) COVERED ACTIVITIES.—Except as provided in subsection (c), the advertising, recruiting, and marketing activities subject to subsection (a) shall include the following:

(1) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(2) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

(A) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

(B) soliciting an individual to provide contact information to an institution of higher

education, including Internet websites established for such purpose and funds paid to third parties for such purpose.

(3) Such other activities as the Secretary of Defense may prescribe, including paying for promotion or sponsorship of education or military-related associations.

(c) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under subsection (b).

(d) DEPARTMENT OF DEFENSE EDUCATIONAL ASSISTANCE FUNDS DEFINED.—In this section, the term ''Department of Defense educational assistance funds'' means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:

(1) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

(2) Section 1784a, 2005, or 2007 of such title.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Department of Defense educational assistance funds. As a condition on the receipt of Department of Defense educational assistance funds, each institution of higher education, or other postsecondary educational institution, that derives revenues from Department of Defense educational assistance funds shall submit to the Secretary of Defense and to Congress each year a report that includes the following:

(1) The institution's expenditures on advertising, marketing, and recruiting.

(2) A verification from an independent auditor that the institution is in compliance with the requirements of this subsection.

(3) A certification from the institution that the institution is in compliance with the requirements of this section.

SA 2781. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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 XXVIII, add the following:

Subtitle E—Real Property and Facilities Administration

SEC. 2851. PILOT PROGRAM ALLOWING FOR LEASING OF FACILITIES CONSTRUCTED BY AN EXISTING GROUND LESSEE.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of the Air Force shall establish a pilot program at the Secretary's discretion at one Air Force installation in accordance with criteria listed in subsection (b) to lease facilities constructed and owned by an existing ground lessee of land to support any missions or operations required to be located on the installation.

(2) DURATION.—The pilot program shall be in effect for a period not to exceed five years. Any construction commenced prior to the expiration of such pilot program period may continue to completion.

(3) AUTHORITY.—During the pilot period, the Secretary concerned may enter into a facility lease, including a build-to-suit lease, with the ground lessee or owner which shall be for a term that is customary and reasonable in the commercial leasing industry for similar leases and which shall allow for unrestricted assignment and sublease by the Secretary concerned to other military services or Federal agencies upon terms and conditions the Secretary concerned determines may be advantageous or beneficial.

(4) TERMINATION.—The Secretary of the Air Force or installation commander may terminate any agreement entered into under paragraph (1) with appropriate advance notice to the other party.

(b) SECRETARIAL DETERMINATION.—Before exercising the authority under subsection (a)(3), the Secretary concerned must make a determination that—

(1) there is an existing ground lessee of land on an installation controlled by the Secretary which is in good standing and not in breach of any existing agreement with the Air Force, has a proven record of success constructing and leasing commercial facilities on the installation, and is in at least the tenth year of operation on the installation; and

(2) there is a need to have access to newly constructed facilities on the installation concerned that can be available for—

(A) a mission or operation on the installation controlled by the Secretary concerned which is required to be located on the installation, but for which there are no suitable facilities existing and immediately available on the installation to meet the needs or requirements of the Secretary; or

(B) a mission or operation on the installation controlled by the Secretary concerned which is not required to be located on the installation, but for which there are no suitable facilities existing and immediately available within reasonable distance outside the installation to accommodate the needs or requirements of the Secretary.

(c) DATA AND INFORMATION.—The ground lessee who will construct and own the facilities to be leased by the Secretary concerned pursuant to the pilot program shall maintain accurate data, documentation, and information concerning the facilities constructed, including plans, specifications, materials, labor, hard and soft costs, expenses, change orders, schedules, delays, time of delivery, and any other information and data necessary or desired by the Secretary concerned to make the evaluations and determinations that are the purpose of the pilot program.

(d) EVALUATION REPORT.—

(1) IN GENERAL.—Not later that six years after the date of enactment of this Act, the Secretary concerned shall submit to the congressional defense committees a report on the pilot program.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An analysis and evaluation of the data, documentation, and information provided pursuant to subsection (c).

(B) The business, economic, risk, and technical justification for leasing newly constructed facilities from an existing ground lessee on an installation as an alternative to utilizing the military construction process in order to have access to cost-effective rapidly and readily available newly constructed facilities to meet organizational or functional missions or goals.

(C) An evaluation of the impact if the pilot program were to be made permanent and adopted enterprise-wide.

(D) Recommendations for any additional legislation needed to ensure that expansion of the pilot program.

(e) NON-APPLICABILITY OF LAWS AND REGULATIONS.—Section 2667 of title 10, United States Code, OMB Circular A–11, and applicable regulations promulgated by the General Services Administration shall not be construed as prohibiting or restricting leasebacks or governing leases of facilities under the pilot program.

SA 2782. Mr. RISCH (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. SMALL BUSINESS DEVELOPMENT CENTERS.

(a) USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 47 as section 48; and

(2) by inserting after section 46 the following:

''SEC. 47. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator shall only use the programs authorized in sections 7(j), 7(m), 8(a), 8(b)(1), 21, 22, 29, and 32 of this Act and sections 358 and 389 of the Small Business Investment Act of 1958 (15 U.S.C. 689g, 690h) to deliver entrepreneurial development services, entrepreneurial education, support for the development and maintenance of clusters, or business training.

''(b) EXCEPTION.—This section shall not apply to—

''(1) services provided to assist small business concerns owned by an Indian tribe (as defined in section 8(a)(13));

''(2) activities and programs in support of a member of the Armed Forces, including a member of a reserve component of the Armed Forces named in section 10101 of title 10, United States Code, a veteran, or a spouse of a member of the Armed Forces or a veteran;

''(3) the Microenterprise Technical Assistance and Capacity Building Program established under subtitle C of title I of the Riegle Community Development and Regulatory Improvement Act of 1994 (15 U.S.C. 6901 et seq.);

''(4) the State Trade and Export Promotion Grant Program established under section 1207 of the Small Business Export Enhancement and International Trade Act of 2010 (15 U.S.C. 649b note); and

''(5) the Federal and State Technology Partnership Program established under section 34.''.

(b) MARKETING OF SERVICES.—Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following:

''(o) NO PROHIBITION OF MARKETING OF SERVICES.—The Administrator shall not prohibit applicants receiving grants under this section from marketing and advertising their services to individuals and small businesses.''.

(c) FEES FROM PRIVATE PARTNERSHIPS AND COSPONSORSHIPS.—Section 21(a)(3)(C) of the Small Business Act (15 U.S.C. 648(a)(3)(C)) is amended to read as follows:

''(C) Participation in private partnerships and cosponsorships with the Administration

shall not limit small business development centers from collecting fees or other income related to the operation of those private partnerships and cosponsorships.''.

(d) EQUITY FOR SMALL BUSINESS DEVELOPMENT CENTERS.—Section 21(a)(4)(C)(v)(I) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(v)(I)) is amended—

(1) by striking ''this section'' and all that follows through ''pay expenses enumerated'' and inserting ''this section, not more than $500,000 may be used by the Administration to pay expenses enumerated''; and

(2) by striking ''; and'' and all that follows and inserting a period.

(e) CONFIDENTIALITY AND PRIVACY REQUIREMENTS.—Section 21(a)(7)(A) of the Small Business Act (15 U.S.C. 648(a)(7)(A)) is amended—

(1) in the matter preceding clause (i)—

(A) by striking ''or telephone number of'' and inserting ''telephone number, or other information about''; and

(B) by inserting after ''to any State, local or Federal agency, or third party'' after ''under this section''; and

(2) in clause (ii), by striking ''a financial'' and inserting ''an Administration financial''.

(f) CONTRACT AUTHORITY.—Section 21(l) of the Small Business Act (15 U.S.C. 648(l)) is amended—

(1) by striking ''The authority'' and inserting the following:

''(2) IN GENERAL.—The authority''; and

(2) by adding at the end the following:

''(3) NOTICE OF WITHDRAWAL OR DECLINING TO RENEW.—An entity that enters into a cooperative agreement under subsection (a)(1) may not withdraw from, or decline to renew, the cooperative agreement unless the entity provides the Associate Administrator for Small Business Development—

''(A) notice not less than 90 days before the date on which the entity withdraws from or declines to renew the cooperative agreement; and

''(B) a plan for the orderly transition of the cooperative agreement for a period of not less than 90 days or the remaining term of the cooperative agreement, whichever is longer.''.

(g) LIMITATION ON AWARD OF GRANTS TO SMALL BUSINESS DEVELOPMENT CENTERS.—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by subsection (b) of this Act, is amended by adding at the end the following:

''(p) LIMITATION ON AWARD OF GRANTS.—

''(1) IN GENERAL.—Except for not-for-profit institutions of higher education, and notwithstanding any other provision of law, the Administrator may not award grants (including contracts and cooperative agreements) under this section to any entity other than those that received grants (including contracts and cooperative agreements) under this section before March 13, 2018, and that seek to renew those grants (including contracts and cooperative agreements) after that date.

''(2) RULE OF CONSTRUCTION.—This subsection shall not be construed to prohibit a grant recipient under this section from entering into a grant, contract, or cooperative agreement with any other entity.''.

SA 2783. Mrs. ERNST (for herself, Ms. CANTWELL, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) 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. 2. WOMEN'S BUSINESS CENTER PROGRAM.

(a) SHORT TITLE.—This section may be cited as the Women's Small Business Ownership Act of 2018.

(b) DEFINITIONS.—In this section—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(2) the terms ''small business concern'', ''small business concern owned and controlled by women'', and ''small business development center'' have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632); and

(3) the term ''women's business center'' has the meaning given that term in section 29(a) of the Small Business Act (15 U.S.C. 656(a)), as added by subsection (d)(1)(A).

(c) OFFICE OF WOMEN'S BUSINESS OWNERSHIP.—Section 29(g) of the Small Business Act (15 U.S.C. 656(g)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B)—

(i) in clause (i), by striking ''in the areas'' and all that follows through the end of subclause (I), and inserting the following: ''to address issues concerning the management, operations, manufacturing, technology, finance, retail and product sales, international trade, Government contracting, and other disciplines required for—

''(I) starting, operating, and increasing the business of a small business concern;''; and

(ii) in clause (ii)—

(I) by striking ''Women's Business Center program'' each place that term appears and inserting ''women's business center program'';

(II) in subclause (IX), by striking ''and'' at the end;

(III) in subclause (X), by striking the period at the end and inserting ''; and''; and

(IV) by adding at the end the following:

''(XI) work with Administration officials and collaborate with entities other than the Administration to ensure that the work of the women's business center program—

''(aa) maximizes taxpayer dollars; and

''(bb) coordinates effectively with and is not duplicative of the efforts of other Federal Government and private sector programs.''; and

(B) in subparagraph (C), by inserting before the period at the end the following: '', the National Women's Business Council, and any organization representing the majority of women's business centers''; and

(2) by adding at the end the following:

''(3) MISSION.—The mission of the Office of Women's Business Ownership shall be to assist women entrepreneurs to start, grow, and compete in global markets by providing quality support with access to capital, access to markets, job creation, growth, and counseling and training by—

''(A) fostering participation of women entrepreneurs in the economy by overseeing a network of women's business centers throughout States and territories;

''(B) creating public-private partnerships to support women entrepreneurs and conduct outreach and education to startup and existing small business concerns owned and controlled by women; and

''(C) working with other initiatives and programs of the Administration to ensure women are well-represented and being served and to identify gaps where participation by women could be increased.

''(4) TRAINING.—The Administrator shall—

''(A) provide annual programmatic and financial examination training for women's business center representatives and district office technical representatives of the Administration to enable representatives to carry out their responsibilities;

''(B) in carrying out subparagraph (A), award grants or enter into contracts or cooperative agreements related to training; and

''(C) not later than September 30, 2019, develop a plan for a professional development training program for women's business centers, including attendance to relevant national conferences, related to—

''(i) the managing, financing, and operation of small business concerns;

''(ii) marketing, including the use of social media;

''(iii) management and technology assistance regarding small business concern participation in international markets, export promotion, and technology transfer; and

''(iv) delivery or distribution of the services and information described in clauses (i), (ii), and (iii).

''(5) PROGRAM AND TRANSPARENCY IMPROVEMENTS.—The Administrator shall maximize the transparency of the women's business center financial assistance proposal process and the programmatic and financial examination process by—

''(A) providing public notice of any announcement for financial assistance under subsection (b) or a grant under subsection (l);

''(B) in the announcement described in subparagraph (A), outlining award and program evaluation criteria and describing the weighting of the criteria for financial assistance under subsection (b) and grants under subsection (l); and

''(C) not later than 60 days after the completion of a site visit to the women's business center (whether conducted for an audit, performance review, or other reason), when feasible, providing to each women's business center a copy of any site visit reports or evaluation reports prepared by district office technical representatives or officers or employees of the Administration.

''(6) ACCREDITATION PROGRAM.—

''(A) EXAMINATION.—Not later than 180 days after the date of enactment of this paragraph, the Administration shall develop and implemental a biennial programmatic and financial examination of each women's business center under this section.

''(B) ACCREDITATION.—The Administration may provide financial support, by contract or otherwise, to the Association of Women's Business Centers for the purpose of developing a women's business center accreditation program.

''(C) RENEWAL OF GRANT.—

''(i) IN GENERAL.—In renewing a grant with respect to a women's business center, the Administration shall consider the results of the examination and accreditation program conducted under subparagraphs (A) and (B).

''(ii) ACCREDITATION REQUIREMENT.—On and after the date that is 180 days after the date of enactment of this paragraph, the Administration may not renew a grant with respect to a women's business center unless the women's business center has been approved under the accreditation program conducted pursuant to this subsection, except that the Assistant Administrator may waive the accreditation requirement, in the discretion of the Assistant Administrator, upon a showing that the women's business center is making a good faith effort to obtain accreditation.''.

(d) WOMEN'S BUSINESS CENTER PROGRAM.—

(1) WOMEN'S BUSINESS CENTER FINANCIAL ASSISTANCE.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(A) in subsection (a)—

(i) by striking paragraph (4);

(ii) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively;

(iii) by inserting after paragraph (1) the following:

''(2) the term 'eligible entity' means—

''(A) a private nonprofit organization;

''(B) a State, regional, or local economic development organization;

''(C) a development, credit, or finance corporation chartered by a State;

''(D) a junior or community college, as defined in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f));

''(E) any combination of entities listed in subparagraphs (A) through (D); and

''(F) a small business development center, only if—

''(i) the small business development center is located in a rural area; and

''(ii) there is no women's business center in that area as of the date on which the small business development center submits an application for financial assistance under subsection (f);

''(3) the term 'rural area' has the meaning given the term in section 7(m)(11);''; and

(iv) by adding at the end the following:

''(6) the term 'women's business center' means a project conducted by an eligible entity under this section.'';

(B) in subsection (b)—

(i) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(ii) by striking ''The Administration'' and all that follows through ''5-year projects'' and inserting the following:

''(1) IN GENERAL.—The Administration may provide financial assistance to an eligible entity to conduct a project under this section'';

(iii) by striking ''The projects shall'' and inserting the following:

''(2) USE OF FUNDS.—The project shall be designed to provide training and counseling that meets the needs of women, especially socially or economically disadvantaged women, and conduct outreach to and serve small business concerns owned and controlled by women that are located in a rural area, and shall''; and

(iv) by adding at the end the following:

''(3) AMOUNT OF FINANCIAL ASSISTANCE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of financial assistance provided under this subsection to an eligible entity per project year shall be not more than $250,000.

''(B) ADDITIONAL FINANCIAL ASSISTANCE.—

''(i) IN GENERAL.—The Administrator may award financial assistance under this subsection to an eligible entity in an amount that is more than $250,000 in a given project year if the Administrator determines that the eligible entity—

''(I) obtained more than $250,000 in non-Federal contributions for that project year in accordance with subsection (c);

''(II) is in good standing with the women's business center program;

''(III) has met performance goals for the previous project year, if applicable; and

''(IV) proposes a new project to be carried out with the additional financial assistance in accordance with this section.

''(ii) LIMITATIONS.—The Administrator may only award additional financial assistance under clause (i)—

''(I) from unobligated amounts made available to the Administration to carry out this section; and

''(II) if, in a given fiscal year, the aggregate amount of additional financial assistance provided to eligible entities under clause (i) is not more than 1 percent of the amount appropriated to the Administration to carry out this section for that fiscal year.

''(4) CONSULTATION WITH ORGANIZATIONS REPRESENTING WOMEN'S BUSINESS CENTERS.—The Administrator shall seek advice, input, and recommendations for policy changes from any organization representing a majority of women's business centers to develop—

''(A) the training program for women's business centers under subsection (g)(4)(C); and

''(B) recommendations to improve the policies and procedures for governing the general operations and administration of the women's business center program, including grant program improvements under subsection (g)(4).'';

(C) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A)—

(I) by striking ''As a condition'' and inserting ''Except as otherwise provided in this subsection, as a condition''; and

(II) by striking ''the recipient organization'' and inserting ''an eligible entity'';

(ii) in paragraph (3), in the second sentence, by striking ''a recipient organization'' and inserting ''an eligible entity'';

(iii) in paragraph (4)—

(I) by striking ''recipient of assistance'' and inserting ''eligible entity'';

(II) by striking ''during any project, it shall not be eligible thereafter'' and inserting ''during any project for 2 consecutive years, the eligible entity shall not be eligible at any time after that 2-year period'';

(III) by striking ''such organization'' and inserting ''the eligible entity''; and

(IV) by striking ''the recipient'' and inserting ''the eligible entity''; and

(iv) by adding at end the following:

''(5) SEPARATION OF PROJECT AND FUNDS.—An eligible entity shall—

''(A) carry out a project under this section separately from other projects, if any, of the eligible entity; and

''(B) separately maintain and account for any financial assistance under this section.

''(6) EXCEPTION FOR ELIGIBLE ENTITIES FROM RURAL AREAS.—Paragraphs (1), (2), and (4) shall not apply to an eligible entity that is located in a rural area.

''(7) FUNDRAISING.—The executive director or program manager of an eligible entity designated under subsection (f)(1)(A)(i) may dedicate not more than 5 percent of the working hours of the executive director or program manager to fundraise for the non-Federal contribution required under this subsection.'';

(D) in subsection (e)—

(i) by striking ''applicant organization'' and inserting ''eligible entity'';

(ii) by striking ''a recipient organization'' and inserting ''an eligible entity''; and

(iii) by striking ''site'';

(E) by striking subsection (f) and inserting the following:

''(f) APPLICATIONS AND CRITERIA FOR INITIAL FINANCIAL ASSISTANCE.—

''(1) APPLICATION.—Each eligible entity desiring financial assistance under subsection (b) shall submit to the Administrator an application that contains—

''(A) a certification that the eligible entity—

''(i) has designated an executive director or program manager, who may be compensated using financial assistance under subsection (b) or other sources, to manage the women's business center for which assistance under subsection (b) is sought;

''(ii) as a condition of receiving financial assistance under subsection (b), agrees—

''(I) to receive a site visit at the discretion of the Administrator as part of the final selection process;

''(II) to undergo an annual programmatic and financial examination; and

''(III) to remedy any problems identified pursuant to the site visit or examination under subclause (I) or (II); and

''(iii) meets the accounting and reporting requirements established by the Director of the Office of Management and Budget;

''(B) information demonstrating that the eligible entity has the ability and resources to meet the needs of the market to be served by the women's business center for which financial assistance under subsection (b) is sought, including the ability to obtain the non-Federal contribution required under subsection (c);

''(C) information relating to the assistance to be provided by the women's business center for which financial assistance under subsection (b) is sought in the area in which the women's business center is located;

''(D) information demonstrating the experience and effectiveness of the eligible entity in—

''(i) conducting financial, management, and marketing assistance programs, as described in subsection (b)(2), which are designed to teach or upgrade the business skills of women who are business owners or potential business owners;

''(ii) providing training and services to a representative number of women who are socially or economically disadvantaged; and

''(iii) working with resource partners of the Administration and other entities, such as universities; and

''(E) a 5-year plan that describes the ability of the women's business center for which financial assistance under subsection (b) is sought—

''(i) to serve women who are business owners or potential business owners by conducting training and counseling activities; and

''(ii) to provide training and services to a representative number of women who are socially or economically disadvantaged.

''(2) REVIEW AND APPROVAL OF APPLICATIONS FOR INITIAL FINANCIAL ASSISTANCE.—

''(A) IN GENERAL.—The Administrator shall—

''(i) review each application submitted under paragraph (1), based on the information described in such paragraph and the criteria set forth under subparagraph (B) of this paragraph; and

''(ii) to the extent practicable, as part of the final selection process, conduct a site visit to each women's business center for which financial assistance under subsection (b) is sought.

''(B) SELECTION CRITERIA.—

''(i) IN GENERAL.—The Administrator shall evaluate applicants for financial assistance under subsection (b) in accordance with selection criteria that are—

''(I) established before the date on which applicants are required to submit the applications;

''(II) stated in terms of relative importance; and

''(III) publicly available and stated in each solicitation for applications for financial assistance under subsection (b) made by the Administrator.

''(ii) REQUIRED CRITERIA.—The selection criteria for financial assistance under subsection (b) shall include—

''(I) the experience of the applicant in conducting programs or ongoing efforts designed to teach or enhance the business skills of women who are business owners or potential business owners;

''(II) the ability of the applicant to begin a project within a minimum amount of time, as established under the program announcement or by regulation;

''(III) the ability of the applicant to provide training and services to a representative

number of women who are socially or economically disadvantaged;

''(IV) the ability of the applicant to successfully complete participation in the training program developed under subsection (g)(4)(C);

''(V) the ability of the applicant to successfully acquire accreditation under the accreditation program developed under subsection (g)(6);

''(VI) whether the women's business center proposed by the applicant will be sustainable for more than a 5-year period; and

''(VII) the location for the women's business center proposed by the applicant, including whether the applicant is located in an area in which—

''(aa) women are underserved; or

''(bb) significant groups of women are underserved due to language or other social, cultural, and economic barriers.

''(iii) PRIORITY.—The Administrator shall give priority to applications submitted by applicants that are located in a rural area.

''(C) PROXIMITY.—If the principal place of business of an applicant for financial assistance under subsection (b) is located less than 50 miles from the principal place of business of a women's business center that received funds under this section on or before the date of the application, the applicant shall not be eligible for the financial assistance, unless the applicant—

''(i) submits a detailed written justification of the need for an additional women's business center in the area in which the applicant is located, including information demonstrating that the applicant is not providing services that are redundant or duplicative of those provided by that existing or current women's business center;

''(ii) submits a detailed plan for how the applicant plans to reach clients outside of the geographic area in which the existing or current women's business center is located; and

''(iii) demonstrates that the applicant has a pre-existing presence in other parts of the geographic area in which the existing or current women's business center is located.

''(D) RECORD RETENTION.—

''(i) IN GENERAL.—The Administrator shall maintain a copy of each application submitted under this subsection for not less than 5 years.

''(ii) PAPERWORK REDUCTION.—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).'';

(F) in subsection (j)(2)—

(i) in subparagraph (E), by striking ''and'' at the end;

(ii) in subparagraph (F), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(G) an analysis of the effectiveness of the women's business center in serving business concerns that are located in a rural area.''; and

(G) in subsection (m)—

(i) by striking paragraph (3) and inserting the following:

''(3) APPLICATION AND APPROVAL FOR RENEWAL GRANTS.—

''(A) SOLICITATION OF APPLICATIONS.—The Administrator shall solicit applications and award grants under this subsection for the first fiscal year beginning after the date of enactment of the Women's Small Business Ownership Act of 2018, and every third fiscal year thereafter.

''(B) CONTENTS OF APPLICATION.—Each eligible entity desiring a grant under this subsection shall submit to the Administrator an application that contains—

''(i) a certification that the applicant—

''(I) is an eligible entity;

''(II) has designated an executive director or program manager to manage the women's business center operated by the applicant; and

''(III) as a condition of receiving a grant under this subsection, agrees—

''(aa) to receive a site visit as part of the final selection process, at the discretion of the Administrator; and

''(bb) to remedy any problem identified pursuant to the site visit under item (aa);

''(ii) information demonstrating that the applicant has the ability and resources to meet the needs of the market to be served by the women's business center for which a grant under this subsection is sought, including the ability to obtain the non-Federal contribution required under paragraph (4)(C);

''(iii) information relating to assistance to be provided by the women's business center in the geographic area served by the women's business center for which a grant under this subsection is sought;

''(iv) information demonstrating that the applicant is not providing services redundant or duplicative of those provided by a women's business center receiving funds under this subsection that is located less than 50 miles from the principal place of business of the applicant;

''(v) information demonstrating that the applicant has worked with resource partners of the Administration and other entities;

''(vi) a 3-year plan that describes the services provided by the women's business center for which a grant under this subsection is sought—

''(I) to serve women who are business owners or potential business owners by conducting training and counseling activities; and

''(II) to provide training and services to a representative number of women who are socially or economically disadvantaged; and

''(vii) any additional information that the Administrator may reasonably require.

''(C) REVIEW AND APPROVAL OF APPLICATIONS FOR GRANTS.—

''(i) IN GENERAL.—The Administrator—

''(I) shall review each application submitted under subparagraph (B), based on the information described in such subparagraph and the criteria set forth under clause (ii) of this subparagraph; and

''(II) as part of the final selection process, may, at the discretion of the Administrator, conduct a site visit to each women's business center for which a grant under this subsection is sought, in particular to evaluate the women's business center using the selection criteria described in clause (ii)(II).

''(ii) SELECTION CRITERIA.—

''(I) IN GENERAL.—The Administrator shall evaluate applicants for grants under this subsection in accordance with selection criteria that are—

''(aa) established before the date on which applicants are required to submit the applications;

''(bb) stated in terms of relative importance; and

''(cc) publicly available and stated in each solicitation for applications for grants under this subsection made by the Administrator.

''(II) REQUIRED CRITERIA.—The selection criteria for a grant under this subsection shall include—

''(aa) the total number of entrepreneurs served by the applicant;

''(bb) the total number of new startup companies assisted by the applicant;

''(cc) the percentage of clients of the applicant that are socially or economically disadvantaged;

''(dd) the percentage of individuals in the community served by the applicant who are socially or economically disadvantaged;

''(ee) the successful participation of the applicant in the training program developed under subsection (g)(4)(C);

''(ff) the successful accreditation of the applicant under the accreditation program developed under subsection (g)(6); and

''(gg) any additional criteria that the Administrator may reasonably require.

''(iii) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to make a grant under this subsection, the Administrator—

''(I) shall consider the results of the most recent evaluation of the women's business center for which a grant under this subsection is sought, and, to a lesser extent, previous evaluations; and

''(II) may withhold a grant under this subsection, if the Administrator determines that the applicant has failed to provide the information required to be provided under this paragraph, or the information provided by the applicant is inadequate.

''(iv) PRIORITY.—The Administrator shall give priority to applications submitted by applicants that are located in a rural area.

''(D) NOTIFICATION.—Not later than 60 days after the date of each deadline to submit applications under this paragraph, the Administrator shall approve or deny each submitted application and notify the applicant for each such application of the approval or denial.

''(E) RECORD RETENTION.—

''(i) IN GENERAL.—The Administrator shall maintain a copy of each application submitted under this paragraph for not less than 5 years.

''(ii) PAPERWORK REDUCTION.—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).''; and

(ii) by striking paragraph (5) and inserting the following:

''(5) AWARD TO PREVIOUS RECIPIENTS.—There shall be no limitation on the number of times the Administrator may award a grant to an applicant under this subsection.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(A) in subsection (h)(2), by striking ''to award a contract (as a sustainability grant) under subsection (l) or'';

(B) in subsection (j)(1), by striking ''The Administration'' and inserting ''Not later than November 1 of each year, the Administrator'';

(C) in subsection (k)—

(i) by striking paragraphs (1) and (4);

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting before paragraph (2) the following:

''(1) IN GENERAL.—There are authorized to be appropriated to the Administration to carry out this section, to remain available until expended, $21,750,000 for each of fiscal years 2019 through 2023.'';

(iv) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) EXCEPTIONS.—Of the amount made available under this subsection for a fiscal year, the following amounts shall be available for selection panel costs, costs associated with developing and maintaining a training program, costs associated with maintaining an accreditation program, post-award conference costs, and costs related to monitoring and oversight:

''(i) For fiscal year 2019, 2.65 percent.

''(ii) For each of fiscal years 2020 through 2023, 2.5 percent.''; and

(v) by inserting after paragraph (2) the following:

''(3) CONTINUING GRANT AND COOPERATIVE AGREEMENT AUTHORITY.—

''(A) PROMPT DISBURSEMENT.—Upon receiving funds to carry out this section for a fiscal year, the Administrator shall, to the extent practicable, promptly reimburse funds to any women's business center awarded financial assistance under this section if the center meets the eligibility requirements under this section.

''(B) SUSPENSION OR TERMINATION.—If the Administrator has entered into a grant or cooperative agreement with a women's business center under this section, the Administrator may not suspend or terminate the grant or cooperative agreement, unless the Administrator—

''(i) provides the women's business center with written notification setting forth the reasons for that action; and

''(ii) affords the women's business center an opportunity for a hearing, appeal, or other administrative proceeding under chapter 5 of title 5, United States Code.'';

(D) in subsection (m)—

(i) in paragraph (2), by striking ''subsection (b) or (l)'' and inserting ''this subsection or subsection (b)''; and

(ii) in paragraph (4)(D), by striking ''or subsection (l)''; and

(E) by redesignating subsections (m), (n), and (o), as amended by this section, as subsections (l), (m), and (n), respectively.

(3) EFFECT ON EXISTING GRANTS.—

(A) TERMS AND CONDITIONS.—A nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, shall continue to receive the grant under the terms and conditions in effect for the grant on the day before the date of enactment of this Act, except that the nonprofit organization may not apply for a renewal of the grant under section 29(m)(5) of the Small Business Act (15 U.S.C. 656(m)(5)), as in effect on the day before the date of enactment of this Act.

(B) LENGTH OF RENEWAL GRANT.—The Administrator may award a grant under section 29(l) of the Small Business Act, as so redesignated by paragraph (2)(E) of this section, to a nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, for the period—

(i) beginning on the day after the last day of the grant agreement under such section 29(m); and

(ii) ending at the end of the third fiscal year beginning after the date of enactment of this Act.

(e) MATCHING REQUIREMENTS UNDER WOMEN'S BUSINESS CENTER PROGRAM.—

(1) IN GENERAL.—Section 29(c) of the Small Business Act (15 U.S.C. 656(c)), as amended by subsection (d)(1)(C), is amended—

(A) in paragraph (1), by striking ''As a condition'' and inserting ''Subject to paragraph (6), as a condition''; and

(B) by adding at the end the following:

''(8) WAIVER OF NON-FEDERAL SHARE.—

''(A) IN GENERAL.—Upon request by an eligible entity, and in accordance with this paragraph, the Administrator may waive, in whole or in part, the requirement to obtain non-Federal funds under this subsection for counseling and training activities of the eligible entity carried out using financial assistance under this section for a fiscal year. The Administrator may not waive the requirement for an eligible entity to obtain non-Federal funds under this paragraph for more than a total of 2 consecutive fiscal years.

''(B) CONSIDERATIONS.—In determining whether to waive the requirement to obtain non-Federal funds under this paragraph, the Administrator shall consider—

''(i) the economic conditions affecting the eligible entity;

''(ii) the impact a waiver under this paragraph would have on the credibility of the women's business center program under this section;

''(iii) the demonstrated ability of the eligible entity to raise non-Federal funds; and

''(iv) the performance of the eligible entity.

''(C) LIMITATION.—The Administrator may not waive the requirement to obtain non-Federal funds under this paragraph if granting the waiver would undermine the credibility of the women's business center program under this section.

''(9) SOLICITATION.—Notwithstanding any other provision of law, an eligible entity may—

''(A) solicit cash and in-kind contributions from private individuals and entities to be used to carry out the activities of the eligible entity under the project conducted under this section; and

''(B) use amounts made available by the Administration under this section for the cost of such solicitation and management of the contributions received.

''(10) EXCESS NON-FEDERAL DOLLARS.—The amount of non-Federal dollars obtained by an eligible entity that is above the amount that is required to be obtained by the eligible entity under this subsection and is not used as matching funds for purposes of implementing the women's business center program under this section shall not be subject to the requirements of part 200 of title 2, Code of Federal Regulations, or any successor thereto.''.

(2) REGULATIONS.—

(A) IN GENERAL.—The Administrator shall—

(i) except as provided in subparagraph (B), and not later than 1 year after the date of enactment of this Act, publish in the Federal Register proposed regulations by the Administrator to carry out the amendments made to section 29 of the Small Business Act (15 U.S.C. 656) by this section; and

(ii) accept public comments on such proposed regulations for not less than 60 days.

(B) EXISTING PROPOSED REGULATIONS.—Subparagraph (A)(i) shall not apply to the extent proposed regulations by the Administrator have been published on the date of enactment of this Act that are sufficient to carry out the amendments made to section 29 of the Small Business Act (15 U.S.C. 656) by this section.

(f) PILOT PROGRAM.—

(1) DEFINITION OF COVERED ENTITY.—In this subsection, the term ''covered entity'' means a private entity that specializes in matching entrepreneurs with successful mentors using an algorithm and methodology that removes any demographic bias.

(2) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator shall establish a program under which the Administrator shall enter into a contract with a covered entity to implement an online mentoring program to connect owners of small business concerns owned and controlled by women that are located throughout the United States with relevant mentors to assist in building successful small business concerns.

(3) ELIGIBLE ACTIVITIES.—Under the program established under this subsection, the covered entity with which the Administrator contracts under paragraph (2) shall—

(A) enroll owners of small business concerns owned and controlled by women in the program, match those owners with mentors, and track the progress of those concerns;

(B) develop an online marketing campaign to attract owners of small business concerns owned and controlled by women and mentors to participate in the program; and

(C) grow and scale the program to reach increasing numbers of owners of small business concerns owned and control by women.

(4) DURATION.—The program established under this subsection shall terminate on the date that is 2 years after the date on which the Administrator establishes the program.

(5) APPROPRIATIONS.—For each of fiscal years 2019 and 2020, out of any unobligated balances made available to the Administration under the heading ''ENTREPRENEURIAL DEVELOPMENT PROGRAMS'', the Administrator shall allocate $1,500,000 to carry out the program established under this subsection.

ORDERS FOR TUESDAY, JUNE 12, 2018

Mr. CORKER. Mr. President, I don't see anybody else on the floor who wishes to speak. So I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, June 12; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. I further ask that following leader remarks, the Senate resume consideration of H.R. 5515. Finally, I ask that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. CORKER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:47 p.m., adjourned until Tuesday, June 12, 2018, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF ENERGY

TERRI L. DONALDSON, OF TEXAS, TO BE INSPECTOR GENERAL OF THE DEPARTMENT OF ENERGY, VICE GREGORY H. FRIEDMAN, RESIGNED.

LEGAL SERVICES CORPORATION

ROBERT J. GREY, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2020. (REAPPOINTMENT)

ABIGAIL L. KUZMA, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2019, VICE CHARLES NORMAN WILTSE KECKLER, RESIGNED.

ABIGAIL L. KUZMA, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2022. (REAPPOINTMENT)

JOHN G. LEVI, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2020. (REAPPOINTMENT)

JOHN G. MALCOLM, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2020, VICE MARTHA L. MINOW, TERM EXPIRED.

FRANK X. NEUNER, JR., OF LOUISIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2019, VICE SHARON L. BROWNE, RESIGNED.