SA 347. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 348. Mr. BARRASSO, Mr. WHITEHOUSE, Mr. CRAMER, Mr. BOOKER, Mr. SULLIVAN, Mr. BLUMENTHAL, Mrs. CAPITO, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 349. Ms. FEINSTEIN (for herself and Mr. HARRIS) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 350. Mr. CARPER (for himself, Mr. BARRASSO, Mr. WHITEHOUSE, Mr. CRAMER, Mr. BOOKER, Mr. SULLIVAN, Mr. BLUMENTHAL, Mrs. CAPITO, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 351. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 352. Mr. HEINRICH (for himself, Mr. PORTMAN, and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 353. Mr. HARRIS (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 354. Mr. CORNYN (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 355. Ms. SMITH (for herself and Ms. ROSEN) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 358. Mr. MANCHIN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 361. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 362. Mr. COLLINS (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 363. Ms. SCHUMER submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 365. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 369. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 370. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 371. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 372. Mr. WICKER (for himself, Mr. JONES, Mr. CASSIDY, Mr. RUBIO, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 373. Mr. CORNYN (for himself, Ms. BALDWIN, Mr. CRAPO, Mr. BROWN, Mr. BLUMENTHAL, Mr. Cramer, Mr. KING, Mr. BLUMENTHAL, Mr. COTTON, Mr. WARNER, Mr. ROMNEY, Ms. SULLIVAN, Mr. JONES, Mr. CASSIDY, Mr. RUBIO, and Mr. ROBISON) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 374. Ms. KLOBUCHAR (for herself, Ms. COLLINS, Mr. HARRIS, and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 376. MS. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 377. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 378. Mr. CARDIN (for himself, Mr. YOUNG, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 379. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 380. Mr. REED (for himself and Ms. SMITH) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 381. Ms. COLLINS and Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 382. Mr. REED (for himself, Mr. CRAMER, Mr. KENNEDY, Ms. COLLINS, Mr. JONES, Ms. CORTEZ MAStO, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 383. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 384. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 385. Ms. WARREN (for herself, Mr. PORTMAN, Ms. TILLIS, Ms. SINEMA, Mr. TESTER, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 386. Ms. WARREN (for herself, Ms. COLLINS, Mr. KING, Mr. DAINES, Mr. MURPHY, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. HARRIS, Mr. MERKLEY, Mr. JONES, Mr. SCOTT of Florida, Mr. HASSAN, Mr. HASSAN, Mr. MERKLEY, Mr. JONES, Mr. TESTER, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. SHAREREN, Mr. VAN HOLLEN, Ms. STABENOW, Mr. CARDIN, Ms. KLOBUCHAR, Mr. COONS, and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 387. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 388. Mr. WARNER (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 389. Mr. WARNER (for himself and Mr. Kaine) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 390. Ms. STABENOW (for herself, Mr. CORNYN, Mrs. FISCHER, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 391. Mr. JOHNSON (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 253. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1790, supra, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, other than military construction, and for defense activities of the Department of Energy, to 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. 333. LIFE CYCLE SUSTAINMENT BUDGET EXHIBIT FOR MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall update the Financial Management Regulation, applicable to the Department, to ensure that a PB-60 or similar life cycle sustainment budget exhibit is prepared for
each major weapon system of the Department by the Secretary of the military department concerned.

(b) ELEMENTS OF BUDGET EXHIBITS.—The Secretary of Defense shall ensure that each budget exhibit described in subsection (a)—

(1) identifies a goal for material availability, material reliability, and mean down years defense program specified by section 221 of title 10, United States Code, with respect to the amount of funds necessary for the Department of Defense to achieve that goal; and

(2) reflects the period covered by the future-years defense program specified by section 221 of title 10, United States Code, with respect to the amount of funds necessary for the Department of Defense to achieve that goal; and

(c) INCLUSION IN BUDGET SUBMITTAL.—The Secretary of Defense shall include the budget exhibit described in subsection (a)—

(1) in its submission to the President with the budget request submitted by the President to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2021 and each year thereafter.

SEC. 10. SENSE OF CONGRESS REGARDING THE RECOMMENDATIONS OF THE SECTION 809 PANEL RELATING TO SMALL BUSINESSES.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘covered recommendations’’ means the recommendations made by the section 809 panel to—

(A) eliminate existing mandatory small business set-aside requirements for readily available products and services, with or without customization; and

(B) prioritize the acquisition of commercial products and services described in sub-subsection (A) and non-developmental items using set-asides instead of using small business set-aside programs;

(2) the term ‘‘section 809 panel’’ means the advisory panel established under section 809 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 889); and

(3) the term ‘‘small business concern’’ has the meaning given the term in section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

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

(1) the section 809 panel—

(A) has made important contributions through the recommendations submitted by the panel; and

(B) serves an important role in recommending improvements to the defense acquisition process;

(2) while well-intentioned, the covered recommendations are contrary to the policy set forth in section 2(a) of the Small Business Act (15 U.S.C. 632(a)), which states that the security and economic well-being of the United States ‘‘cannot be realized unless the actual and potential capacity of small business is encouraged and developed’’; and

(3) to the maximum extent possible, the Federal Government should aid, assist, and protect the interests of small business concerns—

(A) in order to—

(i) preserve free enterprise;

(ii) foster increased competition, which reduces the costs incurred by the Department of Defense; and

(iii) maintain and strengthen the overall economy of the United States; and

(B) by ensuring that the Federal Government—

(i) awards a fair proportion of the total number of contracts and subcontracts for property and services purchased by the Federal Government, including contracts and subcontracts for maintenance, repair, and construction, to small business concerns; and

(ii) makes a fair proportion of the total sales of property of the Federal Government to small business concerns.

SEC. 1045. MODERNIZATION OF CERTAIN FORMS AND SURVEYS.

(a) STUDY.—The Secretary of Defense shall conduct a study to identify the use and survey of the Department of Defense, in use on the date of the enactment of this Act, that contains a term or classification that the Secretary determines may be considered racially or ethnically insensitive.

(b) REPORTS.—

(1) INTERIM REPORTS.—On the date that is 90 days after the date of the enactment of this Act, and on the date that is 180 days after such date of enactment, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the status of the study conducted under subsection (a).

(2) FINAL REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the results of the study conducted under subsection (a) that includes—

(A) a list of each form and survey identified under such study; and

(B) a plan for modernizing the terms and classifications contained in such forms and surveys, including legislative recommendations.

SEC. 1046. MODERNIZATION REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall carry out the plan included in the report submitted under subsection (b).
At the end of subtitle A of title VI, add the following:

SEC. 602. BASIC NEEDS ALLOWANCE FOR LOW-INCOME MEMBERS OF THE ARMY OF THEIR FAMILIES.

(a) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by inserting after section 502a the following new section: 402b.

Basic needs allowance for low-income members

"(a) ALLOWANCE REQUIRED.—The Secretary concerned shall pay to each member of the armed forces described in subsection (b), whether or not subject to the monthly basic needs allowance in the amount determined for such member under subsection (c), a basic needs allowance for housing received by the member (and any dependent members of the member’s household for which the member is entitled to receive allowance for such year under section 402a) for the year preceding such year, and for any other purposes of this section.

"(b) AMOUNT OF ALLOWANCE; MONTHS CONSTITUTING YEAR OF PAYMENT.—

"(1) ALLOWANCE REQUIRED.—The Secretary concerned shall notify, in writing, each member entitled to receive the allowance described in subsection (a) for a year if—

"(A) the gross household income of the member during the year preceding such year did not exceed an amount equal to 200 percent of the Federal poverty guidelines for the location and number of persons in the member’s household for such year; and

"(B) the member does not elect to receive the allowance for such year.

"(2) EXCLUSION OF RENT FROM HOUSEHOLD INCOME.—In determining the gross household income for a year for purposes of paragraph (1)(A) there shall be excluded any basic allowance for housing (BAH) received by the member (and any dependent members of the member’s household) during such year under section 402a of this title.

"(3) HOUSEHOLD WITH MORE THAN ONE ELIGIBLE MEMBER.—In the event a household contains two or more members entitled to receive the allowance under subsection (a) for a year, only one allowance shall be paid under that subsection for such year to such member among such members as such members shall jointly elect.

"(c) AMOUNT OF ALLOWANCE; MONTHS CONSTITUTING YEAR OF PAYMENT.—

"(1) AMOUNT.—The amount of the monthly allowance payable to a member under subsection (a) for a year shall be—

"(A) the aggregate amount equal to—

"(i) 200 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the member’s household for such year; minus

"(ii) the gross household income of the member during the preceding year; divided by

"(B) 12.

"(2) MONTHS CONSTITUTING YEAR OF PAYMENT.—The monthly allowance payable to a member for a year shall be payable for each of the 12 months following March of such year.

"(d) NOTICE OF ELIGIBILITY.—

"(1) NOTIFICATION.—The Secretary concerned shall notify, in writing, each member entitled to receive the allowance described in subsection (a) for a year who does not submit information described in paragraph (1)(b) for a year as otherwise required by that subsection shall be deemed to have elected not to receive the allowance for such year.

"(2) DEEMED ELECTION.—A member who does not submit information described in paragraph (1)(b) for a year as otherwise required by that subsection shall be deemed to have elected not to receive the allowance for such year.

"(e) ELECTION NOT TO RECEIVE ALLOWANCE.—

"(1) IN GENERAL.—A member otherwise entitled to receive the allowance described in subsection (a) for a year shall, in writing, not to receive the allowance for such year.

"(2) DEEMED ELECTION.—A member who does not submit information described in paragraph (1)(b) for a year as otherwise required by that subsection shall be deemed to have elected not to receive the allowance for such year.

"(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations for the administration of this section. Such regulations shall provide that such rules shall be included in, and excluded from, the gross household income of members for purposes of this section.

"(g) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 37, United States Code, is amended by inserting after section 402a the following new section:

"402b. Basic needs allowance for low-income members."
other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM.—

(a) DEFINITIONS.—In this section—

(1) the term "Administrator" means the Administrator of the Agency; and

(2) "Agency" means the Federal Emergency Management Agency;

(b) 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. 321);

(c) the term "Secretary" means the Secretary of Homeland Security;

(d) 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;

(e) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop Federal requirements for State, Tribal, and local governments to participate in the public alert and warning system, including necessary, by telephone, text message, or other means of communication regarding an alert that has been distributed to the public; and

(H) any other procedure the Administrator determines appropriate, following an alert described in paragraph (1) shall not apply to the public consultation and warning system provided for under paragraph (1).

(2) REQUIRED PROCESSES.—The Secretary, acting through the Administrator, shall—

(A) require the State, Tribal, or local government to alert the public of a missile threat described in paragraph (1) or otherwise to alert the public of a threat against a State using the public alert and warning system provided for under paragraph (1); and

(B) require the State, Tribal, or local government to alert the public of a missile threat described in paragraph (1) or otherwise to alert the public of a threat against a State using the public alert and warning system provided for under paragraph (1).

(3) REQUIRED SERVICES.—The Secretary, acting through the Administrator, shall—

(A) require State, Tribal, and local governments to notify the public of an emergency through the public alert and warning system;

(B) require 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—

(i) the initiation, or prohibition on the initiation, of alerts by a single authorized or unauthorized individual;

(ii) testing a State, Tribal, or local government incident management and warning tool without accidentally initiating an alert through the public alert and warning system; and

(iii) steps a State, Tribal, or local government official should take to mitigate the possibility of a False alert transmitted through the public alert and warning system;

(C) require State, Tribal, and local governments to notify the public of an emergency through the public alert and warning system;

(D) require the annual training and recertification of emergency management personnel on requirements for originating and transmitting an alert through the public alert and warning system;

(E) require the procedures, protocols, and guidance concerning the protective action plans that State, Tribal, and local governments and any other official shall follow in the event of an alert issued under the public alert and warning system;

(F) require the procedures, protocols, and guidance concerning the communications that State, Tribal, and local governments shall issue to the public following a false alert issued under the public alert and warning system;

(G) require the procedures, protocols, and guidance concerning the communications that State, Tribal, and local government officials may, during an emergency, contact each other as well as Federal officials and participants in the Emergency Alert System to develop a plan for the Emergency Alert System, when appropriate and necessary, by telephone, text message, or other means of communication regarding an alert that has been distributed to the public; and

(H) any other procedure the Administrator determines appropriate, following an alert described in paragraph (1) shall not apply to the public consultation and warning system provided for under paragraph (1).

(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;

(D) requiring developers to provide the Administrator with a copy of and rights of use for ongoing testing of each version of incident management software; and

(E) any other requirements developed by the Administrator under subsection (b)(1).

(3) REVIEW OF IMPLEMENTATION.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(A) conduct a review of the implementation of the requirements described in paragraph (1); and

(B) report to Congress on any recommendations made for improving the implementation of the requirements described in paragraph (1).
(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 subparagraph (A), to—
(i) the Subcommittee on Homeland Security of the Committee on Appropriations of the Senate;
(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;
(iii) the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives;
(iv) the Committee on Homeland Security of the House of Representatives.

(g) REQUIRED PUBLIC ALERT AND WARNING SYSTEM LAB.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—
(i) develop a program to increase the utilization of the public alert and warning system lab of the Agency by State, Tribal, and local governments to test incident management and warning tools and train emergency management professionals on alert origination protocols and procedures; and
(ii) 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 documenting—
(A) the impact on utilization of the public alert and warning system lab by State, Tribal, and local governments resulting from the program referred to in subparagraph (A); and
(B) any further recommendations that the Administrator would make for additional statutory or appropriations authority necessary to increase the utilization of the public alert and warning system lab by State, Tribal, and local governments.

(b) AWARENESS OF ALERTS AND WARNINGS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—
(i) conduct a review of the National Watch Center and each Regional Watch Center of the Agency; and
(ii) 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 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 National and Regional Watch Centers described in paragraph (1) receive any State alerts and warnings that the Administrator determines are appropriate.

(i) TIMELINE FOR COMPLIANCE.—Each State shall establish a reasonable amount of time to comply with any new rules, regulations, or requirements imposed under this section.

SA 263. Mr. SCHATZ (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense for military construction, and defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, for other purposes; which was ordered to lie on the table; as follows:
At the appropriate place in title X, insert the following:

SEC. ______. INITIATIVE TO IMPROVE THE CAPACITY OF MILITARY CRIMINAL INVESTIGATIVE ORGANIZATIONS TO PREVENT CHILD SEXUAL EXPLOITATION.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall establish an initiative to improving the capacity of military criminal investigative organizations to prevent child sexual exploitation. Under the initiative, the Secretary shall work with an external partner to train military criminal investigative organization officials at Department of Defense locations from all military departments regarding—
(1) online investigative technology, tools, and techniques;
(2) computer forensics;
(3) complex evidentiary issues;
(4) child victim identification;
(5) child victim referral for comprehensive investigation and treatment services; and
(6) related instruction.

(b) PARTNERSHIPS AND AGREEMENTS.—Under the initiative, the Secretary shall develop partnerships and establish collaborative agreements with the following:
(1) The Department of Justice, Office of the Attorney General, in better coordinating the investigative and prosecution efforts and law enforcement authorities of the military criminal investigative organizations, and in improving the understanding of those law enforcement authorities to enforce Federal criminal statutes.
(2) Federal criminal investigative organizations responsible for enforcement of Federal criminal statutes related to combatting child sexual exploitation, in order to ensure a streamlined process for transferring criminal investigations into child exploitation to other jurisdictions, while maintaining the integrity of the evidence already collected.
(3) A highly qualified national child protection organization responsible for law enforcement training center with demonstrated expertise in the delivery of law enforcement training—
(A) to detect, identify, investigate, and prosecute individuals engaged in the trading or production of child pornography and the online solicitation of children; and
(B) to train military criminal investigative organization officials at Department of Defense installations from all military departments.
(4) A highly qualified national child protection organization responsible for law enforcement training center with demonstrated expertise in the development and delivery of multidisciplinary intervention training including—
(A) evidence-based forensic interviewing, victim advocacy, and mental health services, medical services, and multidisciplinary coordination between the Department of Defense and civilian experts to improve outcomes for victims of child sexual exploitation.
(5) Children’s Advocacy Centers located in the same communities as military installations that coordinate the multidisciplinary team response and child-friendly approach to identifying, investigating, prosecuting, and intervening in child sexual exploitation cases that can occur with military installations on law enforcement, child protection, prosecution, mental health, medical, and victim advocacy to investigate sexual exploitation, help children who have been sexually exploited, and hold offenders accountable.

(c) LOCATIONS.—(1) IN GENERAL.—The 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 Native or Native Hawaiian.

(d) (1) IN GENERAL.—The Secretary shall carry out the initiative—
(A) in at least one State with a population with fewer than 2,000,000 people;
(B) in at least one State with a population with fewer than 10,000,000 people, but not fewer than 5,000,000 people;
(C) in at least one State with a population with 10,000,000 or more people.

(e) GEOGRAPHIC DISTRIBUTION.—The Secretary shall ensure that the locations at which the initiative is carried out are distributed across different regions.

(f) ADDITIONAL REQUIREMENTS.—In carrying out the initiative, the Secretary shall—
(1) participate in multi-jurisdictional task forces; and
(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 264. Mrs. SHAHEEN (for herself and Mr. RYAN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the appropriate place in title VII, insert the following:

SEC. ______. REGISTRY OF INDIVIDUALS EXPOSED TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES ON MILITARY INSTALLATIONS.

(a) ESTABLISHMENT.—(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of Veterans Affairs shall—
(A) establish and maintain a registry for eligible individuals who may have been exposed to perfluoroalkyl and polyfluoroalkyl substances (in this section referred to as “PFAS”); and
(B) include any information in such registry determined necessary to ascertain and monitor health effects of the exposure of members of the Armed Forces to PFAS associated with PFAS.

(b).include any information in such registry determined necessary to ascertain and monitor health effects of the exposure of members of the Armed Forces to PFAS associated with PFAS.

June 12, 2019
CONGRESSIONAL RECORD — SENATE S3375

SA 284. Mrs. SHAHEEN (for herself and Mr. RYAN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the appropriate place in title VII, insert the following:

SEC. ______. REGISTRY OF INDIVIDUALS EXPOSED TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES ON MILITARY INSTALLATIONS.

(a) ESTABLISHMENT.—(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of Veterans Affairs shall—
(A) establish and maintain a registry for eligible individuals who may have been exposed to perfluoroalkyl and polyfluoroalkyl substances (in this section referred to as “PFAS”); and
(B) include any information in such registry determined necessary to ascertain and monitor health effects of the exposure of members of the Armed Forces to PFAS associated with PFAS.

(b) INCLUDE ANY INFORMATION IN SUCH REGISTRY DETERMINED NECESSARY TO ASCERTAIN AND MONITOR HEALTH EFFECTS OF THE EXPOSURE OF MEMBERS OF THE ARMED FORCES TO PFAS ASSOCIATED WITH PFAS.
SA 265. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 VIII, insert the following:

SEC. 9. ENHANCED SMALL BUSINESS ACCESS TO FEDERAL INVESTMENT.

(a) SBIR. Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended—
(1) in the matter preceding subparagraph (A), by striking “expend” and inserting “obligate for expenditure”;
(2) in subparagraph (B), by striking “and” at the end;
(3) in subparagraph (I), by striking “and each fiscal year thereafter,” and inserting “; and”;
(4) by inserting after subparagraph (I) the following:

“(J) for the Department of Defense—
(i) not less than 3.5 percent of the budget for research, development, test, and evaluation of the Department of Defense in each of fiscal years 2020 and 2021; 
(ii) not less than 4 percent of such budget in each of fiscal years 2022 and 2023; 
(iii) not less than 4.5 percent of such budget in each of fiscal years 2024 and 2025; and 
(iv) not less than 5 percent of such budget in each of fiscal years 2026 and 2027.”.
(b) STTR.—Section 9(n)(1) of the Small Business Act (15 U.S.C. 638(n)(1)) is amended—
(1) in subparagraph (A)—
(A) by striking “expend” and inserting “obligate for expenditure”; and
(B) by striking “and” at the end;
(2) in paragraph (B)—
(A) in the matter preceding clause (i), by striking “4 percent for each of fiscal years 2016 and each fiscal year thereafter” and inserting “4 percent for each of fiscal years 2016, 2017, 2018, and 2019”; and
(B) by adding at the end the following:

“(vi) 0.55 percent for each of fiscal years 2020 and 2021; 
(vii) 0.65 percent for each of fiscal years 2022 and 2023; 
(viii) 0.75 percent for each of fiscal years 2024 and 2025; and 
(ix) 1 percent for fiscal year 2026 and each fiscal year thereafter.”.

SA 266. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 VIII, insert the following:

SEC. 9. PERMANENT SBIR AND STTR AUTHORITY FOR THE DEPARTMENT OF DEFENSE.

(b) EFFECTS TO ENSURE MEANINGFUL PARTICIPATION OF AFGHAN WOMEN IN PEACE NEGOTIATIONS IN AFGHANISTAN.

(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Defense, shall carry out activities to ensure the meaningful participation of Afghan women in the ongoing peace process in Afghanistan in a manner consistent with the Women, Peace, and Security Act of 2017 (22 U.S.C. 2431 note; Public Law 115-98), which shall include—
(1) United States Government advocacy for the inclusion of Afghan women leaders in ongoing and future negotiations to end the conflict in Afghanistan; and
(2) efforts to ensure that any agreement reached with the Taliban preserves constitutional protections on women’s and girls’ human rights and ensures their freedom of movement, rights to education and work, political participation, and access to health care and justice.
(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall transmit to the appropriate committees of Congress a report describing the steps taken to fulfill the duties of the Secretary of State and the Secretary of Defense under subsection (a).
(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 268. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 279. SENSE OF CONGRESS ON HEALTH CONCERNS RELATING TO EXPOSURE TO KNOWN CHEMICAL CARCINOGENS.

It is the sense of Congress that the Secretary of the Air Force, as part of ongoing efforts to address the cancer and other health concerns raised by members of the Air Force and former members of the Air Force who were deployed toует known chemical carcinogens while serving at a military installation, should work with Federal, state environmental and health agencies to identify whether higher than expected rates of morbidity and mortality are determined for those members and former members.

SA 269. Mr. JONES (for himself, Ms. Collie, Mr. Tester, and Mr. Risch) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. REPEAL OF REQUIREMENT OF REDUCTION OF SURVIVOR BENEFIT PLAN SUBSIDIES AND ELIGIBILITY FOR DEPENDENCY AND INDEMNITY COMPENSATION.

(a) REPEAL.

(1) In general.—Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(A) In section 1450, by striking subsection (c).

(B) In section 1451(c)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—Such subchapter is further amended as follows:

(A) In section 1450—

(i) by striking subsection (e);

(ii) by striking subsection (k); and

(iii) by striking subsection (m).

(B) In section 1451(g)(1), by striking subparagraph (C).

(C) In section 1452—

(i) in subsection (a)(2), by striking “does not apply in the case of a deduction made through administrative error.”; and

(ii) by striking subsection (g).

(D) In section 1456(c), by striking “, 1450(c)(2).”.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—In addition to the amendments made by subsection (a),—

(c) INCREASE OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date previously refunded to SBP recipients shall not be required to repay such refund to the United States.

(d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR Dependent CHILDREN.—Section 1468(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “Except as provided in paragraph (2)(B), the Secretary concerned” and inserting “The Secretary concerned”; and

(2) in paragraph (2)—

(A) by striking “DEPENDENT CHILDREN.” and all that follows in the case of a member described in paragraph (1),” and

inserting “DEPENDENT CHILDREN ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a member described in paragraph (1)”; and

(B) by striking subparagraph (B).

(e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES.—The Secretary of the military department concerned shall restore annuity eligibility to any eligible surviving spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce, or annulment.

(f) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

SA 270. Mr. TESTER (for himself and Mr. Moran) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 VII, add the following:

SEC. 729. SENSE OF CONGRESS ON HEALTH CONCERNS RELATING TO EXPOSURE TO CHEMICALS.

It is the sense of Congress that the Secretary, previously elected to transfer authority over the military installation, should work with Federal, state, and local government entities with expertise in the administration of the government’s health care system, to identify whether higher than expected rates of morbidity and mortality are determined for those members and former members.

SEC. 730. AUTHORIZATION OF APPROPRIATIONS FOR MENTAL HEALTH CARE.

(a) In general.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Health and Human Services, shall create a Trauma and Comorbid Substance Use Disorder or Chronic Pain Work Group (in this section referred to as the “Work Group”).

(b) Membership.—The Work Group shall be comprised of individuals that represent Federal Government entities and non-Federal Government entities with expertise in the areas covered by the Work Group, including the following:

(A) Academic institutions that specialize in research for the treatment of conditions described in subsection (a);

(B) The National Center for Posttraumatic Stress Disorder of the Department of Veterans Affairs;

(C) The Office of the Assistant Secretary for Mental Health and Substance Use of the Department of Health and Human Services;

(D) To the extent practicable, other Federal Government entities that have expertise in the area covered by the Work Group.

(c) Definitions.—In this section:

(1) The term “Trauma and Comorbid Substance Use Disorder or Chronic Pain Work Group” means a work group that will be created by the Work Group, in consultation with the Secretary of Veterans Affairs, to develop and disseminate clinical practice guidelines for the treatment of posttraumatic stress disorder, including the diagnosis, treatment, and prevention of chronic pain.

(2) The term “Posttraumatic Stress Disorder Work Group” means a work group that will be created by the Work Group, in consultation with the Secretary of Veterans Affairs, to develop and disseminate clinical practice guidelines for the treatment of posttraumatic stress disorder and other related mental health conditions.

(3) The term “Secretary” means the Secretary of Veterans Affairs.
disorder as a result of military sexual trauma who are also experiencing a substance use disorder or chronic pain.

(C) The treatment of patients with traumatic brain injury who are also experiencing a substance use disorder or chronic pain.

(2) Guidance with respect to the following:

(A) Appropriate case management for patients experiencing traumatic brain injury that is comorbid with substance use disorder or chronic pain who transition from receiving care while on active duty in the Armed Forces to care from health care networks outside of the Department of Defense.

(B) Appropriate case management for patients experiencing traumatic brain injury that is comorbid with substance use disorder or chronic pain who transition from receiving care while on active duty in the Armed Forces to care from health care networks outside of the Department of Defense.

(C) Guidance with respect to the treatment of patients who are still members of the Armed Forces to care from health care networks outside of the Department of Defense.

(D) Guidance with respect to the following:

(i) Programs that may secondarily improve mental health, including employment, housing assistance, and financial literacy programs.

(ii) Programs that may secondarily improve mental health, including employment, housing assistance, and financial literacy programs.

(iii) Programs that may secondarily improve mental health, including employment, housing assistance, and financial literacy programs.

(iv) Research into mental health issues and conditions.

(D) Recommendations for coordinating mental health programs of the Department of Veterans Affairs and the Department of Defense to improve the effectiveness of those programs.

(E) Recommendations for novel joint programs of the Department of Veterans Affairs and the Department of Defense.

(b) ESTABLISHMENT OF JOINT CENTER OF EXCELLENCE.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Secretary of Defense, through the Assessment and Management of Patients at Risk for Suicide, as required under section 1720D(a)(1) of title 38, United States Code, shall establish a center of excellence to be known as the "Joint DOD/VA National Intrepid Center on Military Sexual Trauma" (in this subsection referred to as the "Center").

(2) DUTIES.—The Center shall conduct joint mental health programs of the Department of Veterans Affairs and the Department of Defense.

(c) MILITARY SEXUAL TRAUMA DEFINED.—In this section, the term "military sexual trauma" means psychological trauma described in section 1720D(a)(1) of title 38, United States Code.

SEC. 272. INFORMATION FOR MEMBERS OF THE ARMED FORCES REGARDING AVAILABILITY OF SERVICES FROM THE DEPARTMENT OF VETERANS AFFAIRS.

(a) In General.—(1) The Secretary of Defense shall inform members of the Armed Forces, using mechanisms available to the Secretary, of the eligibility of such members for services from the Department of Veterans Affairs.

(b) Information from Sexual Assault Response Coordinators.—(1) The Secretary shall ensure that Sexual Assault Response Coordinators of the Department of Defense advise members of the Armed Forces who report instances of military sexual trauma regarding the eligibility of such members for services at the Department of Veterans Affairs.

(c) Military Sexual Trauma Defined.—In this section, the term "military sexual trauma" means psychological trauma described in section 1720D(a)(1) of title 38, United States Code.
proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 1045. REQUIREMENT FOR REIMBURSEMENT OF DEPARTMENT OF DEFENSE FOR SUPPORT PROVIDED TO CIVILIAN LAW ENFORCEMENT AGENCIES.

(a) In General.—Section 277 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “Subject to subsection (c),” to the extent otherwise required by section 1535 of title 31 (popularly known as the “Economy Act”) or other applicable law, the and inserting “the”;

(2) in subsection (b), by striking “Subject to subsection (c), the” and inserting “The”;

and

(3) by striking subsection (c).

(b) Effect of the Circumstances.—The amendments made by subsection (a) shall take effect on October 1, 2019, and shall apply with respect to support provided to civilian law enforcement agencies on or after that date.

SA 274. Mr. BLUMENTHAL (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 147. INCREASED FUNDING FOR C-130H 8-BLADED PROPPELLER UPGRADE.

(a) Increased Funding.—The amount authorized to be appropriated by this Act for Aircraft Procurement, Air Force for the C-130H 8-bladed propeller upgrade is hereby increased by $43,700,000.

(b) Deputies.—(1) The amount authorized to be appropriated by this Act for Aircraft Procurement, Air Force for the KC-46A MADP is hereby reduced by $34,800,000.

(2) The amount authorized to be appropriated by this Act for Aircraft Procurement, Air Force for the P-22A is hereby reduced by $5,900,000.

SA 275. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. . FREE CALL-BLOCKING TECHNOLOGY FOR SERVICEMembers AND THEIR PARENTS AND DEPENDENTS.

(a) Definitions.—In this section:

(1) The term “Commission” means the Federal Communications Commission.

(2) Covered subscriber.—The term “covered subscriber” means a subscriber who is—

(A) a servicemember; or

(B) a parent or dependent of a servicemember.

(3) Dependent.—The term “dependent” has the meaning given the term in section 101(5) of title 38, United States Code.

(4) Originating Provider.—The term “originating provider” means a provider of a voice service or text messaging service that permits a subscriber to originate a call or text message that may be transmitted on the public switched telephone network.

(5) Parent.—The term “parent”—

(A) has the meaning given the term in section 101(5) of title 38, United States Code; and

(B) includes a legal guardian.

(6) Receiving Provider.—The term “receiving provider” means a provider of a voice service or text messaging service that permits a subscriber to receive a call or text message originating, or that may be transmitted, on the public switched telephone network.

(7) Servicemember.—The term “servicemember” has the meaning given the term in section 101(1) of the Servicemembers Civil Readjustment Act (38 U.S.C. 5111).

(b) Optimized Text Message Service; Text Messaging Service.—The terms “text message”, “text messaging service”, and “voice service” have the meanings given those terms in section 227(e)(8) of the Communications Act of 1934 (47 U.S.C. 227(e)(8)), except that such section 227(e)(8) shall be applied as if the amendments made by section 506(a)(2) of division P of the Consolidated Appropriations Act, 2018 (Public Law 115-141) had taken effect on the date of enactment of this Act.

(b) REQUIREMENT TO OFFER TECHNOLOGY TO COVERED SUBSCRIBERS.—The Commission, in consultation with the Secretary of Defense, shall by regulation establish technical and procedural standards to require a receiving provider to, not later than 72 hours after receiving notice from a subscriber that the subscriber is a covered subscriber—

(1) offer to the subscriber, for no additional charge, the option to enable technology that—

(A) identifies an incoming call or text message as originating or probably originating from an automatic telephone dialing system; and

(B) prevents the subscriber from receiving a call or text message identified as described in subparagraph (A) unless—

(i) the call or text message is made or sent by a public safety entity, including a public safety answering point (as defined in section 222(h) of the Communications Act of 1934 (47 U.S.C. 222(h))), an emergency communications center, or law enforcement agency; or

(ii) the subscriber provides affirmative consent; and

(2) require a provider of a voice service or text messaging service to transmit caller identification information to a receiving notice from a subscriber, to, not later than 72 hours after receiving notice from a subscriber that the subscriber is a covered subscriber—

(1) offer to the subscriber, for no additional charge, the option to enable technology that—

(A) identifies an incoming call or text message as originating or probably originating from an automatic telephone dialing system; and

(B) prevents the subscriber from receiving a call or text message identified as described in subparagraph (A) unless—

(i) the call or text message is sent to a public safety entity, including an emergency answering point, an emergency communications center, or a public safety answering point (as defined in section 222(h) of the Communications Act of 1934 (47 U.S.C. 222(h))); or

(ii) the subscriber provides prior express consent to receive the call or text message and has not revoked that consent; and

(2) require the subscriber, for no additional charge, the ability to request that the receiving provider prevent the subscriber from receiving calls or text messages originating from a particular number.

(c) COMMISSION APPEALS PROCESSES RELATING TO ALLEGED AUTODIALERS.—The standards established under paragraph (1) of subsection (b) shall provide for an appeals process under which—

(1) a subscriber of an originating provider (referred to in this subsection as the “originating subscriber”) may notify the Commission that the technology offered under that paragraph provides the capability to block calls or text messages originating from an automatic telephone dialing system; and

(2) the originating provider may request the Commission to review the determination of the Commission.

(d) IN GENERAL.—The amount authorized to be appropriated by this Act for采购 of the C-130H 8-bladed propeller upgrade is hereby increased by $43,700,000.

SA 276. Mr. BLUMENTHAL (for himself and Mr. BROWN) submitted an amendment intended to be proposed by
him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. ___. MODIFICATION OF ELIGIBILITY REQUIREMENTS FOR TRANSFER OF UNUSED ENTITLEMENT TO POST-9/11 EDUCATIONAL ASSISTANCE.

(a) Modification of Eligibility Requirements.—

(1) In General.—Subsection (b) of section 3319 of title 38, United States Code, is amended—

(II) Eligible Individuals.—An individual referred to in subsection (a) is an individual who, at the time of the approval of the individual’s request to transfer entitlement to educational assistance under this section—

(1) has completed at least 10 years of service in the uniformed services, not fewer than six of which were service in the Armed Forces;

(2) is a member of the uniformed services who—

(A) is not an individual described in paragraph (1);

(B) has served at least six years in the Armed Forces;

(C) enters into an agreement to serve as a member of the uniformed services for a period that is no less than the difference between—

(i) 10 years; and

(ii) the period the individual has already served in the uniformed services; or

(3) is described in section 3311(b)(10).

(b) Conforming Amendments.—Such section is amended—

(A) in subsection (a)—

(i) by striking paragraph (2); and

(ii) in paragraph (1), by striking “under subsection (b)(1)” and inserting “under subsection (b)(2)(C)”;

(B) in subsection (1)(2), by striking “under subsection (b)(1)” and inserting “under subsection (b)(2)(C)”;

(i) in subparagraph (A), by inserting “and” after the semicolon;

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B).

(b) Modification of Time to Transfer.—

(1) In General.—Paragraph (1) of subsection (a) of such section is amended to read as follows:

“(1) Time for Transfer.—Subject to the time limitation for use of entitlement under section 3319 of this title, and except as provided in subsection (k), an individual approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time.”

(2) Conforming Amendments.—Such section is further amended—

(A) by amending subsection (g) to read as follows:

“(g) Commencement of Use.—If a dependent to whom entitlement to educational assistance is transferred under this section is a child, or an individual not previously entitled, the use of the transferred entitlement until either—

(1) the completion by the child of the requirements for a secondary school diploma or (equivalency certificate); or

(2) the attainment by the child of 18 years of age;

(B) by striking subsection (k); and

(C) by redesignating subsection (l) as subsection (k).

SA 277. Mr. BLOUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 X, add the following:

SEC. 1086. GOLD STAR FAMILIES FOREVER STAMP.

(a) Findings.—Congress finds that—

(1) Gold Star families are true national heroes, who deserve our deepest gratitude and respect; and

(2) the extraordinary contribution of Gold Star families is beyond measure, not merely for their loss, but the comfort they selflessly provide others and their model of service and sacrifice.

(b) In General.—In order to continue to honor the sacrifices of families who have lost a loved one who was a member of the Armed Forces in combat, the Postmaster General shall provide for the issuance of a forever stamp suitable for that purpose.

(c) Forever Stamp Defined.—In this section, the term “forever stamp” means a definitive stamp that—

(1) meets the postage required for first-class mail up to 1 ounce in weight; and

(2) retains full validity for the purpose described in paragraph (1) even if the rate of that postage is later increased.

(d) Effective Date.—The stamp described in subsection (c) shall begin as soon as practicable after the date of enactment of this Act and shall not thereafter be discontinued.

SA 278. Mr. BLOUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 X, add the following:

SEC. ___. INAPPLICABILITY OF INSURRECTION ACT WITH RESPECT TO ENFORCEMENT OF IMMIGRATION LAWS.

(a) In General.—Chapter 13 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 256. Inapplicability with respect to enforcement of immigration laws

“This chapter shall not be applied—

(1) to authorize the execution of the immigration laws (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), directly or indirectly, by a member of the Department of 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 1290 and insert the following:

SA 279. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 subtitle F of title X, insert the following:
SEC. 1260. SENSE OF SENATE ON ENHANCED CO-OPERATION WITH PACIFIC ISLAND COUNTRIES TO ESTABLISH OPEN-SOURCE INTELLIGENCE FUSION CENTERS IN THE INDO-PACIFIC REGION.

It is the sense of the Senate that—

(1) the Pacific Island countries in the Indo-Pacific region are critical partners of the United States;

(2) the United States should take steps to enhance collaboration with Pacific Island countries;

(3) United States Indo-Pacific Command should pursue the establishment of one or more open-source intelligence fusion centers in the Indo-Pacific region to enhance cooperation with Pacific Island countries, which will give the participating nation in an existing fusion center a partner or ally in lieu of establishing an entirely new fusion center; and

(4) the United States should continue to support the political, economic, and security partnerships among Australia, New Zealand, and other Pacific Island countries.

SA 281. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 2. ESTABLISHMENT OF A HYBRID THREAT CENTER ON INFLUENCE OPERATIONS OF FOREIGN ADVERSARIES.

(a) DEFINITION OF INTELLIGENCE COMMUNITY.—In this section, 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).

(b) ESTABLISHMENT.—The Director of National Intelligence shall establish a hybrid threat center (in this section referred to as the ‘Center’) to assess and track, in a cross-discipline and holistic manner, influence operations of foreign adversaries carried out against the United States.

(c) COMPOSITION.—The Director shall ensure that the Center is composed of individuals from the intelligence community who are experts in the following:

(1) Cybersecurity.

(2) Military communications.

(3) Finance.

(4) Economics.

(5) Disinformation.

(6) Emerging technology.

(7) Leadership.

(8) Regional affairs.

(d) FUNCTIONS.—The functions of the Center are as follows:

(1) To assess and track influence operations of foreign adversaries, including operations of adversaries carried out domestically and operations carried out abroad.

(2) To make information available to the public regarding threats, threats, and tactics deployed by foreign adversaries to undermine our democratic institutions and influence public opinion in the United States.

(3) To monitor disinformation operations and influence campaigns of foreign adversaries.

(4) To give the intelligence community and policymakers greater visibility into nebulous, cross-border influence operations of foreign adversaries.

(5) To monitor open source information, particularly on social media, to analyze disinformation campaigns and the weaponization of information and ensure that open source intelligence is given appropriate weight in analytic products of the intelligence community.

(6) To monitor technological trends, particularly important in cybersecurity and disinformation operations of foreign adversaries, and to make recommendations to the Federal Government accordingly.

(7) To share information, as appropriate, with allied intelligence partners on foreign influence operations and tactics and in so doing establish a two-way exchange of threat information.

(e) ANNUAL REPORTS.—Not less frequently than once each year, the Center shall submit to Congress a report on the activities of the Center and the implications of such activities to the privacy and civil liberties of the people of the United States.

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

(1) the Center should supplant existing task forces at individual agencies that have mandates and resources which are limited by their particular mission and budget;

(2) the Center should be a fully-utilized tool with the capabilities to produce?if there is a need?a preponderance of the evidence so that the Center is able to better advise policymakers on the efficacy and magnitude of operations of foreign adversaries;

(3) the Center should receive additional resources to enable the Center to conduct the research necessary to collect information about influence operations of foreign adversaries;

(4) the Center should coordinate its efforts with the deputy national intelligence director for cyber and emerging technologies to ensure that the Center is fully leveraged with other intelligence agencies that perform similar functions;

(5) the Center should prioritize influence operations of foreign adversaries on the entire threat landscape, particularly those that could impact critical infrastructure;

(6) the Center should ensure that open source intelligence is given appropriate weight in analytic products of the intelligence community;

(7) the Center should coordinate with the intelligence community to monitor disinformation campaigns and the weaponization of information; and

(8) the Center should ensure that appropriate legal authorities are in place to protect the privacy and civil liberties of United States citizens; and

(9) the Center should promulgate best practices to ensure that the security of the Center is protected.

SEC. 2A. ELECTRONIC VOTING ACT OF 2018 MODIFICATIONS.

(a) VOTING SYSTEMS.—The term ‘voting system’ means a voting system that—

(1) is an electronic voting system (as defined in section 302(a)(2) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(2)));

(2) is based on a verifiable paper record in its raw or unaltered form that is both counted and verified by the voter before the voter’s vote is cast and counted, and which shall be counted by hand or read by an optical character recognition device or other counting device.

(b) REGISTRATION.—For purposes of this subsection, the term ‘inaccurate, durable, voter-verifiable paper record’ means any ballot that—

(1) is readable by a tabulating machine used to cast and count the votes; and

(2) is readable by a tabulating machine used to cast and count the votes;

(c) RULE FOR CONSIDERATION OF BALLOT.—For purposes of this subdivision, the term ‘ballot’ means any ballot that—

(1) is readable by a tabulating machine used to cast and count the votes; and

(2) is readable by a tabulating machine used to cast and count the votes;
``(b) CONFORMING AMENDMENT CLARIFYING APPlicABILITY OF ALTERNATIVE LANGUAGE ACCESSIBILITY.—Section 301(a)(4) of such Act (52 U.S.C. 21081(a)(4)) is amended by inserting ``(including the paper ballots required to be used under paragraph (2)'' after ``voting system''.

``(c) OTHER CONFORMING AMENDMENTS.—Section 301(a)(1) of such Act (52 U.S.C. 21081(a)(1)) is amended—

(1) in subparagraph (A)(i), by striking ``counted'' and inserting ``counted, in accordance with paragraphs (2) and (3)''; and

(2) in subparagraph (A)(i), by striking ``counted'' and inserting ``counted, in accordance with paragraphs (2) and (3)'';

(3) in subparagraph (A)(ii), by striking ``counted'' each place it appears and inserting ``counted, in accordance with paragraphs (2) and (3)''; and

(4) in subparagraph (B)(ii), by striking ``counted'' and inserting ``counted, in accordance with paragraphs (2) and (3)''.

``SEC. 163. ACCESSIBILITY AND BALLOT VERIFICATION FOR INDIVIDUALS WITH DISABILITIES.

``(a) IN GENERAL.—Section 301(a)(3)(B) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(3)(B)) is amended to read as follows:

``(B)(i) ensure that individuals with disabilities and others are given an equivalent opportunity to vote, including with privacy and independence, in a manner that produces a voter-verified paper ballot as for other voters;

``(ii) satisfy the requirement of subparagraph (A) through the use of at least one voting system equipped for individuals with disabilities, including nonvisual and enhanced visual accessibility for the blind and visually impaired, and nonmanual and enhanced manual accessibility for the mobility and dexterity impaired, at each polling place; and

``(iii) ensure that the mechanisms of subparagraph (A) and paragraph (2)(A) by using a system that—

``(I) allows the voter to privately and independently verify the permanent paper ballot through the presentation, in accessible form, of the printed or marked vote selections from the same printed or marked information that would be used for any vote counting or auditing; and

``(II) allows the voter to privately and independently cast the permanent paper ballot without requiring the voter to manually handle the paper ballot;''.

``(b) SPECIFIC REQUIREMENT OF STUDY, TESTING, AND OF ACCESSIBILITY AND BALLOT VERIFICATION MECHANISMS.—

(1) STUDY AND REPORTING.—Subtitle C of title II of such Act (52 U.S.C. 21081 et seq.) is amended—

(A) by redesignating section 247 as section 248; and

(B) by inserting after section 246 the following new section:

``SEC. 247. STUDY AND REPORT ON ACCESSIBLE PAPER BALLOT VERIFICATION MECHANISMS.

``(a) STUDY AND REPORT.—The Commission shall make grants to not fewer than 3 eligible entities to study, test, and develop accessible paper ballot voting, verification, and casting mechanisms and devices and best practices to enhance the accessibility of paper ballot voting and verification mechanisms, including voting systems and devices with disabilities, for voters whose primary language is not English, and for voters with difficulties in literacy, including best practices for the mechanism and the processes through which the mechanisms are used.

``(b) ELIGIBILITY.—An entity is eligible to receive a grant under this part if it submits to the Commission a proposal at such time and in such form as the Commission may require an application containing—

``(1) certifications that the entity shall specifically investigate enhanced methods or devices, including non-electronic devices, that will assist such individuals and voters in marking, verifying and casting such ballots and in presenting or transmitting the information printed or marked on such ballots back to such individuals and voters, and casting such ballots;

``(2) a certification that the entity shall complete the activities carried out with the grant not later than December 31, 2020; and

``(3) such other information and certifications as the Director may require.

``(c) AVAILABILITY OF TECHNOLOGY.—Any technology developed with the grants made under this part shall be treated as nonproprietary and shall be made available to the public, including to manufacturers of voting systems.

``(d) COORDINATION WITH GRANTS FOR TECHNOLOGY IMPROVEMENTS.—The Commission shall carry out this section so that the activities carried out with the grants made under subsection (a) are coordinated with the research conducted under the grant program carried out under section 271, to the extent that the Commission determines necessary to provide advancement of accessible voting technology.

``(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a) $5,000,000, to remain available until expended.''

``(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended—

(A) by redesignating the item relating to section 247 as relating to section 248; and

(B) by inserting after the item relating to section 246 the following new item:

``Sec. 247. Study and report on accessible paper ballot verification mechanisms.''

``(c) CLARIFICATION OF ACCESSIBILITY STANDARDS FOR BALLOT VOTING SYSTEMS AND GUIDANCE.—In adopting any voluntary guidance under subsection (a) of title III of the Help America Vote Act with respect to the accessibility of the paper ballot verification requirements for individuals with disabilities, the Election Assistance Commission shall include and apply the same accessibility standards applicable to voting systems for individuals with disabilities that are adopted for accessible voting systems under such title.

``(d) PERMITTING USE OF FUNDS FOR PROTECTION AND VOTING SUPPORT ACTIONS TO ENFORCE ELECTION-RELATED DISABILITY ACCESS.—Section 292(a) of the Help America Vote Act of 2002 (52 U.S.C. 21082(a)) is amended by inserting after '2020' the words 'or 2022' and all that follows and inserting a period.

``SEC. 104. DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.

Sec. 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)) is amended by adding at the end the following new paragraph:

``(7) DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.

``(I) General.—All voter-verified paper ballots required to be used under this Act shall be marked or printed on durable paper.

``(ii) Definition.—For purposes of this Act, paper is 'durable' if it is capable of withstanding multiple counts and recounts by hand without compromising the fundamental integrity of the ballots, and capable of retaining the information marked or printed on them for the full duration of a retention and preservation period of 22 months.

``(III) Requirements for paper ballots used in federal, state, or local elections.

``(A) Paper ballots shall be marked or printed on durable paper, including paper ballots used to record results of electronic voting machines, or which used other voting systems that used or produced

``(B) Readability requirements for paper ballots used in federal, state, or local elections.

``(i) Paper ballots shall be marked or printed with character height, alignment, and spacing sufficient to be read by hand without compromising the fundamental integrity of the ballots, and capable of retaining the information marked or printed on them for the full duration of a retention and preservation period of 22 months.

``(B) Paper ballots shall be marked or printed on durable paper, including paper ballots used to record results of electronic voting machines, or which used other voting systems that used or produced
paper records of the vote verifiable by voters but that are not in compliance with paragraphs (2)(A)(1)(i), (3)(B)(iii)(I) and (II), and (7) of subsection (a) (as amended or added by the Voter Confidence and Increased Accessibility Act of 2018), for a jurisdiction which is not in compliance with the requirements of a regularly scheduled general election for Federal office held in November 2020, or

(II) which will continue to use such printers or system other than a voting system that will be used to cast votes using a pre-printed blank paper ballot.

(IV) Training of election officials.—The chief State election official shall ensure that election officials at polling places in the State are aware of the requirements of this clause, including the requirement to display a notice under subparagraph (III), and are aware that it is a violation of the requirements of this title for an election official to fail to offer an individual the opportunity to cast a vote using a blank pre-printed paper ballot.

(V) Period of applicability.—The requirements of this clause apply only during the period in which the delay is in effect under clause (I).

(C) Special rule for jurisdictions using certain nontabulating ballot marking devices.—In the case of a jurisdiction which uses a nontabulating ballot marking device which automatically deposits the ballot into a privacy sleeve, subparagraph (A) shall apply to a voting system in the jurisdiction as if the reference in such subparagraph to 'any election for Federal office held in 2020 or any succeeding year' were a reference to 'elections for Federal office occurring held in 2022 or each succeeding year', but only with respect to the first 9 months of the period in which the delay is in effect under clause (I).

(D) Maintaining offline backups of voter registration lists.
(A) The vendor must be owned and controlled by a citizen or permanent resident of the United States.

(B) The vendor must disclose to the Chairperson and, to the extent practicable, to the chief State election official of any State to which the vendor provides any goods and services with funds provided under this part, any source code and other intellectual property rights held by the vendor.

(C) The vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

(D) The vendor agrees to maintain its information technology infrastructure in a manner that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

(E) The vendor agrees to meet the requirements of subparagraph (A) with respect to any known or suspected cybersecurity incidents involving any of the goods and services provided by the vendor pursuant to a grant under this part.

(F) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(G) The vendor agrees to promptly notify the Commission and the State of any cybersecurity incident in a manner that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

(H) The vendor must provide all necessary updates to any notification submitted under clause (i) or clause (ii).

(I) The vendor promptly submits to the Commission a notification meeting the requirements of subparagraph (B) to the Secretary and the Chairperson of the Commission as soon as practicable (but in no case later than 3 days after the vendor becomes aware of the possibility that an incident occurred).

(J) The vendor agrees to cooperate with the Commission in providing any other necessary notifications relating to the incident; and

(K) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(L) The vendor agrees to establish a process for investigating any cybersecurity incident that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

(M) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(N) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(O) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(P) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(Q) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(R) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(S) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(T) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(U) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(V) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(W) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(X) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(Y) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.

(Z) The vendor agrees to permit independent security testing by the Commission (in accordance with section 221(a)) and by the State outside of the goods and services provided by the vendor pursuant to a grant under this part.
SEC. 901. DEFINITIONS.

"In this Act, the following definitions apply:

(1) The term 'cybersecurity incident' has the meaning given the term 'incident' in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 111(b)).

(2) The term 'election infrastructure' has the meaning given such term in section 3501 of the Election Security Act.

(3) The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding the item relating to section 901 to read as follows:

"Sec. 901. Definitions.".

Subtitle B—Grants for Risk-Limiting Audits of Results of Elections

SEC. 298. GRANTS FOR CONDUCTING RISK-LIMITING AUDITS OF RESULTS OF ELECTIONS.

(a) AVAILABILITY OF GRANTS.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.), as amended by section 111(a), is amended by adding at the end the following new part:

"PART B FOR CONDUCTING RISK-LIMITING AUDITS OF RESULTS OF ELECTIONS.

SEC. 298A. ELIGIBILITY OF STATES.

"(a) AVAILABILITY OF GRANTS.—The Commission shall make a grant to each eligible State for conducting risk-limiting audits as described in subsection (b) with respect to the regularly scheduled general elections for Federal office held in November 2020 and each succeeding election for Federal office.

"(b) RISK-LIMITING AUDITS DESCRIBED.—In this part, a 'risk-limiting audit' is a post-election process—

"(1) which is conducted in accordance with rules and procedures established by the chief State election official of the State which meet the requirements of subsection (c); and

"(2) under which, if the reported outcome of the election is incorrect, there is at least a predetermined percentage chance that the audit will determine the incorrect outcome, and will be conducted with the correct outcome as determined by a full, hand-to-eye tabulation of all votes validly cast in that election that asserts voter intent manually and directly from voter-verifiable paper records.

"(c) REQUIREMENTS FOR RULES AND PROCEDURES.—The rules and procedures established for conducting a risk-limiting audit shall include the following elements:

"(1) Rules for ensuring the security of ballots and documents that prescribed procedures were followed.

"(2) Rules and procedures for ensuring the accuracy of ballot manifests produced by election officials.

"(3) Rules and procedures for governing the format of ballot manifests, cast vote records, and other data involved in the audit.

"(4) Methods to ensure that any cast vote records used in the audit are those used by the voting system to tally the election results sent to the chief State election official and made public.

"(5) Procedures for the random selection of ballots to be inspected manually during each audit.

"(6) Rules for the calculations and other methods to be used in the audit and to determine whether and when the audit of an election is complete.

"(7) Provisions of policies and requirements for testing any software used to conduct risk-limiting audits.

"(d) DEFINITIONS.—In this part, the following definitions apply:

"(1) The term 'ballot manifest' means a record maintained by each election agency that meets each of the following requirements:

"(A) The record is created without reliance on any part of the voting system used to tabulate votes.

"(B) The record functions as a sampling frame for conducting a risk-limiting audit.

"(2) The term 'distribution' means a listing of all ballots cast and counted by a voting system in an election, including undervotes, overvotes, and other invalid votes.

"(3) The term 'full manual tally' means a recording that includes the total number of physical ballots counted by the agency (including undervotes, overvotes, and other invalid votes).

"(4) The term 'incorrect outcome' means an outcome that differs from the results of an election which will be certified, certified, or announced by a chief State election official or by a court of law.

"(5) The term 'outcome' means the winner of an election, whether a candidate or a position.

"(6) The term 'risk-limiting audit' means an audit conducted under this part that leads to a full manual tally of an election, State law or rules and procedures established by the chief State election official of the State which conducted the audit, or a court of law, to determine voter intent manually, directly from voter-verifiable paper records.

"(7) The term 'risk-limiting audit grant' means a grant under this part to conduct a risk-limiting audit of results of elections.

"(8) The term 'risk-limiting audit grant recipient' means a State that accepts a risk-limiting audit grant under this part.

"(9) The term 'risk-limiting audit grantee' means each State that receives a risk-limiting audit grant under this part.

"(10) The term 'risky election' means an election where the risk-limiting audit grantee has determined that the audit was conducted properly.

"(11) The term 'risky election result' means an election result which does not meet the requirements of subsection (c); and

"(12) The term 'risk-limited audit' means the audit conducted under this part to verify the results of an election administered by the agency (including undervotes, overvotes, and other invalid votes).

"(13) The term 'risk-limited audit report' means a report containing—

"(A) a certification that the audit shall be conducted; and

"(B) a certification that, not later than 5 years after receiving the grant, the State will conduct risk-limiting audits of the results of elections for Federal office held in the State as described in section 298;

"(C) a certification that, not later than one year after the date of the enactment of this section, the chief State election official of the State has established or will establish the rules and procedures for conducting the risk-limiting audits which meet the requirements of section 298(c); and

"(D) a certification that the audit shall be completed not later than the date on which the State certifies the results of the election;

"(E) a certification that, after completing the audit, the State shall publish a report on the results of the audit together with such information as necessary to confirm that the audit was conducted properly;

"(F) a certification that, if a risk-limiting audit conducted under this part leads to a full manual tally of an election, State law requires that the State or election agency shall use the results of the full manual tally as the official results of the election; and

"(G) such other information and assurances as the Commission may require.

"SEC. 298B. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated for grants under this part $20,000,000 for fiscal year 2019, to remain available until expended.

"(b) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 222, is further amended by adding at the end of the items relating to subtitle D of title II the following: s
(which has the meaning given the term “part B institution” in section 322 of such Act (20 U.S.C. 101)) or other minority-serving institution listed in section 371(a) of such Act (20 U.S.C. 377)."

“(2) an organization, association, or a for-profit company, including a small business concern (as such term is defined under section 3(a)(5) of the Small Business Act (15 U.S.C. 637(d)(3)(C))), including a small business concern owned and controlled by socially and economically disadvantaged individuals as defined under subsection (b)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).”.

“(b) DEFINITION.—Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended—

(1) by redesignating paragraphs (6) through (20) as paragraphs (7) through (21), respectively; and

(2) by inserting after paragraph (5) the following new paragraph:

“(6) ELECTION INFRASTRUCTURE.—The term ‘election infrastructure’ means storage facilities, central and decentralized vote tabulation locations, electronic voting machines, electronic polling place kits, electronic voter registration systems, and any and all other systems managed by or used by election agencies to support the administration of elections, except to the extent practicable, commence a security risk and vulnerability assessment (pursuant to paragraph (6) of section 2209(c) of the Homeland Security Act of 2002, as amended by subsection (a)) on election infrastructure that is provided by state actors and terrorist groups, and other activities that could undermine the security and integrity of United States democratic institutions.

SEC. 202. ELECTRONIC INFRASTRUCTURE DESIGNATION—

Subparagraphs (C) and (D) of section 2001(3) of the Homeland Security Act of 2002 (6 U.S.C. 601(3)) is amended by inserting ‘‘, including election infrastructure’’ before the period at the end.

SEC. 203. TIMELY THREAT INFORMATION—

Subsection (d) of section 201 of the Homeland Security Act of 2002 (6 U.S.C. 121) is amended by adding at the end the following new paragraph:

“(24) To provide timely threat information regarding election infrastructure to the chief State election official and the State election official of the State with respect to which such information pertains.”.

SEC. 204. SECURITY CLEARANCE ASSISTANCE FOR ELECTION OFFICIALS.

In order to promote the timely sharing of information on threats to election infrastructure, the Secretary may—

(1) help expedite a security clearance for the chief State election official and other appropriate State personnel involved in the administration of elections, as designated by the chief State election official;

(2) expedite a security clearance for the chief State election official and other appropriate State personnel involved in the administration of elections, as designated by the chief State election official; and

(3) facilitate the issuance of a temporary clearance to the chief State election official and other appropriate State personnel involved in the administration of elections, as designated by the chief State election official, if the Secretary determines that the assessment should be updated to reflect new information regarding the threats involved, the Director shall submit a revised assessment under such section.

SEC. 206. PRE-ELECTION THREAT ASSESSMENTS.

(a) SUBMISSION OF ASSESSMENT BY DNI.—Not later than 90 days after receiving a written request from a chief State election official, the Director shall, to the extent practicable, commence a security risk and vulnerability assessment pursuant to paragraph (6) of section 2209(c) of the Homeland Security Act of 2002, as amended bysubsection (a) on election infrastructure that is provided by state actors and terrorist groups, and other activities that could undermine the security and integrity of United States democratic institutions.
Section 302. National Commission to Protect United States Democratic Institutions

(a) Establishment.—There is established within the legislative branch the National Commission to Protect United States Democratic Institutions (hereafter in this section referred to as the “Commission”).

(b) Purpose.—The purpose of the Commission is to counter efforts to undermine democratic institutions within the United States.

(c) Composition.—

(1) Membership.—The Commission shall be composed of 18 members appointed for the life of the Commission as follows:
   (A) One member shall be appointed by the Secretary.
   (B) One member shall be appointed by the Chairman.
   (C) Two members shall be appointed by the majority leader of the Senate, in consultation with the Committee on Homeland Security and Governmental Affairs, the Chairman of the Committee on the Judiciary, and the Chairman of the Committee on Rules and Administration.
   (D) Two members shall be appointed by the majority leader of the Senate, in consultation with the ranking minority member of the Committee on Homeland Security and Governmental Affairs, the ranking minority member of the Committee on the Judiciary, and the ranking minority member of the Committee on Rules and Administration.
   (E) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the Committee on Homeland Security, the Chairman of the Committee on House Administration, and the Chairman of the Committee on the Judiciary.
   (F) Two members shall be appointed by the majority leader of the House of Representatives, in consultation with the ranking minority member of the Committee on Homeland Security, the ranking minority member of the Committee on the Judiciary, and the ranking minority member of the Committee on House Administration.

(2) Qualifications.—Individuals shall be selected for appointment to the Commission solely on the basis of their professional qualifications, achievements, public stature, and expertise in relevant fields, including, but not limited to cybersecurity, national security, and the Constitution of the United States.

(3) Compensation for Service.—Members shall not receive compensation for services on the Commission, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with chapter 57 of title 5, United States Code.

(4) Deadline for Appointment.—All members of the Commission shall be appointed not later than 60 days after the date of the enactment of this Act.

(5) Vacancies.—A vacancy on the Commission shall constitute a quorum, but a lesser number of members and staff may carry out such administrative activities for the performance of the Commission’s functions.

(6) Civil Rights Review.—Not later than 90 days after the issuance of the national strategy required under subsection (a), the Commission shall carry out a review of the extent to which the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this section.

(7) Powers.—

(1) Hearings and Evidence.—The Commission, or the authority of the Commission, may, for the purpose of carrying out this section, hold hearings and sit and act at such times and places, take such testimony, receive such evidence, and require such records as the Commission considers advisable to carry out its duties.

(2) Contracting.—The Commission may, to such extent and in such manner as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this section.

(3) Assistance from Federal Agencies.—

(a) General Services Administration.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative and other services for the performance of the Commission’s functions.

(b) Other Departments and Agencies.—In addition to the assistance provided under paragraph (1), the Department of Homeland Security, the Election Assistance Commission, and other appropriate departments and agencies shall provide to the Commission such services, funds, facilities, and staff as they may determine advisable and as may be authorized by law.

(c) Public Meetings.—Any public meetings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

(8) Security Clearances.—

(a) General.—The heads of appropriate departments and agencies of the executive branch shall cooperate with the Commission to expeditiously provide Commission members and staff with appropriate security clearances to the extent possible under applicable procedures and requirements.

(b) Preferences.—In appointing staff, obtaining details, and entering into contracts for the provision of services for the Commission, the Commission shall give preference to individuals otherwise who have active security clearances.

(j) Reports.—

(1) Interim Reports.—At any time prior to the transmission of the final report under paragraph (2), the Commission may submit interim reports to the President and Congress such findings, conclusions, and recommendations to strengthen protections for democratic institutions in the United States as have been agreed to by a majority of the members of the Commission.

(2) Final Report.—Not later than 18 months after the date of the first meeting of the Commission, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations to strengthen protections for democratic institutions in the United States as have been agreed to by a majority of the members of the Commission.

(k) Termination.—

(1) In General.—The Commission shall terminate upon the expiration of the 60-day period which begins on the date on which the Commission submits the final report required under subsection (j)(2).

(2) Administrative Activities Prior to Termination.—During the 60-day period described in paragraph (2), the Commission may carry out such administrative activities as may be required to conclude its work, inclusive of providing testimony to Congress concerning the final report and disseminating the final report.
TITLE IV—PROMOTING CYBERSECURITY THROUGH IMPROVEMENTS IN ELECTION ADMINISTRATION

SEC. 401. TESTING OF EXISTING VOTING SYSTEMS.
(a) REQUIRING TESTING OF EXISTING VOTING SYSTEMS.—
(1) IN GENERAL.—Section 231(a) of the Help America Vote Act of 2002 (52 U.S.C. 20951(a)) is amended by adding at the end the following new paragraph:

"(1) To the list of registered voters a polling location, or vote center, or other location at which voters cast votes in an election for Federal office; and

(2) To identify registered voters who are eligible to vote in an election."

(b) EFFECTIVE DATE.—Section 301(e) of such Act (52 U.S.C. 21081(e)), as redesignated by subsection (a), is amended by inserting after section 301 the following new section:

"SEC. 301A. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.
(a) REQUIREMENTS TO SUBMIT REPORTS.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 301 the following new section:

"SEC. 301A. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.
(a) REQUIREMENTS TO SUBMIT REPORTS.—Not later than 120 days before the date of each regularly scheduled general election for Federal office, the chief State election official of a State shall submit a report to the Secretary containing a detailed plan for the usage of electronic poll books and other equipment and components of such system.

(b) EFFECTIVE DATE.—Subsection (a) shall apply with respect to each succeeding regularly scheduled general election for Federal office held in November 2020 and each succeeding regularly scheduled general election for Federal office.

SECTION 402. TREATMENT OF ELECTRONIC POLL BOOKS AS PART OF VOTING SYSTEMS.
(a) INCLUSION IN DEFINITION OF VOTING SYSTEM.—Section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 20951(b)) is amended by adding at the end the following new paragraph:

"(3) ELECTRON CYBERSECURITY GUIDELINES.—Not later than 6 months after the date of the enactment of this paragraph, the Commissioners shall issue electronic cybersecurity guidelines, including standards and best practices for procuring, maintaining, testing, operating, and updating election systems to prevent and deter cybersecurity incidents.

(b) ISSUANCE OF CYBERSECURITY GUIDELINES BY TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.—Section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 20951(b)) is amended by inserting after section 301 the following new section:

"SEC. 301A. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.
(a) REQUIREMENTS TO SUBMIT REPORTS.—Not later than 120 days before the date of each regularly scheduled general election for Federal office, the chief State election official of a State shall submit a report to the Secretary containing a detailed plan for the usage of electronic poll books and other equipment and components of such system.

(b) EFFECTIVE DATE.—Subsection (a) shall apply with respect to the November 2020 and each succeeding regularly scheduled general election for Federal office.

SECTION 403. STREAMLINING COLLECTION OF ELECTION INFORMATION.
Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 21111) is amended—

(1) by striking "The Commission" and inserting "(a) IN GENERAL.—The Commission"; and

(2) by adding at the end the following new subsection:

"(b) WAIVER OF CERTAIN REQUIREMENTS.—Subchapter I of chapter 35 of title 44, United States Code, shall not apply to the collection of information for purposes of maintaining the clearinghouse described in paragraph (1) of subsection (a)."

SECTION 404. ELECTRONIC VOTING SYSTEM SECURITY.
(a) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish a program to improve the cybersecurity of the systems used to administer elections for Federal office by facilitating and encouraging assessments by independent experts in cooperation with State and local election officials and election service providers, to identify and report election cybersecurity vulnerabilities.

(b) ELIGIBILITY.—Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 21111) is amended by striking "subsection (a)."
(5) The term “Secretary” means the Secretary of Homeland Security, or, upon designation by the Secretary of Homeland Security, the Deputy Secretary of Homeland Security, the Director of Cybersecurity and Infrastructure Security of the Department of Homeland Security, or a Senate-confirmed official that reports to the Director.

(6) The term “personnel of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.”

(7) The term “voting system” has the meaning given such term in section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 21081(b)).

TITLE VI—ELECTION SECURITY GRANTS ADVISORY COMMITTEE

SEC. 601. ESTABLISHMENT OF ADVISORY COMMITTEE.

(a) In General.—Subtitle A of title II of the Help America Vote Act of 2002 (52 U.S.C. 20509 et seq.) is amended by adding at the end the following:

“PART IV—ELECTION SECURITY GRANTS ADVISORY COMMITTEE

“SEC. 225. ELECTION SECURITY GRANTS ADVISORY COMMITTEE.

“(a) Establishment.—There hereby established an advisory committee (hereinafter in this part referred to as the ‘Committee’) to assist the Commission with respect to the award of grants to States under this Act for the purpose of election security.

“(b) Duties.—

“(1) IN GENERAL.—The Committee shall, with respect to an application for a grant received by the Commission—

“(A) review such application; and

“(B) recommend to the Commission whether to approve the application.

“(2) Considerations.—In reviewing an application pursuant to paragraph (1)(A), the Committee shall consider—

“(A) the record of the applicant with respect to—

“(i) compliance of the applicant with the requirements under subtitle A of title III; and

“(ii) adoption of voluntary guidelines issued by the Commission under subtitle B of title III; and

“(B) Costs and requirements of election security as described in title III of the For the People Act of 2019.

“(c) Membership.—The Committee shall be composed of the executive directors of the executive directors of the respective entities described in subsection (a) of section 301 of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)).

“(d) No Compensation for Service.—Members of the Committee shall not receive any compensation for their service, but shall be paid travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of Federal 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 Committee.

“(e) Effective Date.—The amendments made by this section shall take effect 1 year after the date of enactment of this Act.”

TITLE VII—USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES

SEC. 701. USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES.

Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 20509(a), as amended by section 104 and section 105, is amended by adding at the end the following new paragraph:

“(b) VOTING MACHINE REQUIREMENTS.—By not later than the date of the regularly scheduled general election for Federal office occurring in November 2022, each State shall seek to ensure that any voting machine used in such election and in any subsequent election for Federal office is manufactured in the United States.”

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 801. DEFINITIONS.

Except as provided in section 503, in this division, the following definitions apply:

(1) The term “Chairman” means the chair of the Election Assistance Commission.

(2) The term “appropriate congressional committees” means the Committees on Homeland Security and House Administration of the House of Representatives and the Committees on Homeland Security and Governmental Affairs of the Senate Rules and Administration of the Senate.

(3) The term “chief State election official” means, with respect to a State, the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (52 U.S.C. 20509) to be responsible for coordination of the State’s responsibilities under such Act.

(4) The term “Commission” means the Election Assistance Commission.

(5) The term “election infrastructure” means systems, sources, and personnel available to carry out their functions (including physical equipment and systems, communications systems (including electronic mail and other communication systems), personnel, and other systems used to manage the election process and to support the administration of elections, the public office, as well as related information and communications technology, including voting machines, electronic mail and other communications systems (including electronic mail and other systems of vendors who have entered into contracts with election agencies to support the administration of elections, manage the election process, and report and display election results), and other systems used to manage the election process and to report and display election results on behalf of an election agency.

(6) The term “Secretary” means the Secretary of Homeland Security.

(7) The term “State” has the meaning given such term in section 901 of the Help America Vote Act of 2002 (52 U.S.C. 21041).

(8) The term “State election authority” has the meaning given such term in section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 20509).
SA 285. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 XVI, add the following:

SEC. 1290. REQUIREMENTS FOR CIVIL NUCLEAR COOPERATION AGREEMENTS WITH THE KINGDOM OF SAUDI ARABIA.

(a) REQUIREMENT.—Any United States-Saudi Arabia civilian nuclear cooperation agreement under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) concluded after the date of the enactment of this Act shall—

(1) prohibit the Kingdom of Saudi Arabia from enriching or separating plutonium on Saudi Arabian territory; and

(2) require the Kingdom of Saudi Arabia to bring into force the Additional Protocol with the International Atomic Energy Agency.

(b) REPORTING ON BALLISTIC MISSILE PROGRAM OF SAUDI ARABIA.—

(1) IN GENERAL.—The Director of National Intelligence shall submit to the appropriate congressional committees, at the time an agreement described under subsection (a) is submitted to Congress pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), a report on the ballistic missile program of Saudi Arabia.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A detailed description of the ballistic missile program of Saudi Arabia.

(B) An assessment of technical and material foreign assistance received by Saudi Arabia has received for its ballistic missile program.

(C) An assessment of the extent to which Saudi Arabia’s ballistic missile program on long-standing United States policy to combat the proliferation of ballistic missile technology in the Middle East.

(D) APPROPRIATE CONGRESSIONAL COMMITTEE DEFINED.—In this subsection, the term ‘‘appropriate congressional committees’’ means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Appropriations, respectively;

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

SA 286. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 835. REQUIREMENT FOR CERTAIN NAVAL VESSEL COMPONENTS TO BE MANUFACTURED ON U.S.-BASED TECHNOLOGY AND INDUSTRIAL BASE.

Section 254(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.

SA 287. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 XV, add the following:

SEC. 1531. REVIEW OF JOINT IMPROVED-THREAT DEFEAT ORGANIZATION RESEARCH RELATING TO HUMANITARIAN DEMINISHING ORGANIZATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall conduct a review of the research of the Joint Improved-Threat Defeat Organization to identify information that may be released to United States humanitarian demining organizations for the purpose of improving the efficiency and effectiveness of humanitarian demining efforts.

(b) RELEASE OF INFORMATION TO HUMANITARIAN DEMINING ORGANIZATIONS.—The Secretary shall release to United States humanitarian demining organizations research identified under subsection (a).

SA 288. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 2002. EDGE COMPUTING PLAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the congressional defense committees, shall submit to Congress a report on edge computing that includes—

(1) to improve the performance of C3I, logistics, and warfighting systems of the Department of Defense; and

(2) to ensure the military departments and defense agencies are postured to quickly take advantage of the innovation occurring in the private sector in artificial intelligence and machine learning.

(b) CONTENTS.—The plan submitted under subsection (a) shall include plans to develop—

(I) the existing military computing infrastructure to implement, manage, coordinate, and field edge computing; and

(II) the human resources and organizational changes necessary to address the use of edge computing in the military.

SEC. 589. HONORARY PROMOTION OF COLONEL CHARLES E. MCGEE TO BRIGADIER GENERAL IN THE AIR FORCE.

Notwithstanding any time limitation with respect to promotions for persons who served in the Armed Forces, the President is authorized to issue an appropriate honorary commission promoting to brigadier general in the Air Force Colonel Charles E. McGee, United States Air Force (retired), a distinguished black war hero.

(2) This section may be cited as the "Charles E. McGee Honorary Promotion Act."
SEC. 1. AUTHORITY TO PLAN, DESIGN, AND CONSTRUCT, OR LEASE, SHARED MEDICAL FACILITIES.

(a) In General.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1104 the following new section: "§ 1104a. Shared medical facilities with the Department of Veterans Affairs

"(a) The Secretary of Defense and the Secretary of Veterans Affairs may enter into agreements with each other for the planning, design, and construction, or leasing, of facilities to be operated as shared medical facilities.

"(b) Transfer of amounts by Secretary of Defense.—(1) The Secretary of Defense may transfer to the Secretary of Veterans Affairs amounts as follows:

"(A) Amounts, not in excess of the amount authorized by law for an unspecified minor military construction project, for the construction of a shared medical facility if—

"(i) the amount of the share of the Department of Defense for the estimated cost of the project does not exceed the amount specified in subsection (a)(2) of section 2805 of this title; and

"(ii) the other requirements of such section have been met with respect to amounts identified for transfer.

"(B) Amounts appropriated for the Defense Health Program for the purpose of the planning, design, or construction, or the leasing of space, for a shared medical facility.

"(2) The authority to transfer amounts under this section is in addition to any other authority to transfer amounts available to the Secretary of Defense.

"(3) Section 2215 of this title does not apply to a transfer of funds under this subsection.

"(c) Transfer of amounts by Secretary of Veterans Affairs.—The Secretary of Veterans Affairs may transfer to the Secretary of Defense amounts as follows:

"(1) Amounts appropriated to the Secretary of Veterans Affairs for 'Construction, major projects' for use for the planning, design, or construction of a shared medical facility if the amount of the share of the Department of Veterans Affairs for the estimated cost of the project does not exceed the amount specified in section 8104(a)(3)(A) of title 38.

"(2) Amounts appropriated to the Secretary of Veterans Affairs for 'Construction, major projects' for use for the planning, design, or construction of a shared medical facility if—

"(A) the amount of the share of the Department of Veterans Affairs for the estimated cost of the project exceeds the amount specified in subsection (a)(3) of section 8104 of title 38; and

"(B) the other requirements of such section have been met with respect to amounts identified for transfer.

"(3) Amounts appropriated to the applicable appropriation account of the Department of Veterans Affairs for the purpose of leasing space for a shared medical facility if the amount of the share of the Department of Veterans Affairs for the estimated cost of the project does not exceed the amount specified in section 8104(a)(3)(B) of title 38.

"(d) Receipt of amounts by Secretary of Defense.—(1) Any amount transferred to the Secretary of Defense by the Secretary of Veterans Affairs for expenses for the planning, design, and construction of a shared medical facility, if the amount of the share of the Department of Defense for the cost of such project does not exceed the amount specified in section 2805(a)(2) of this title, may be credited to accounts of the Department of Defense available for the construction of a shared medical facility.

"(2) Any amount transferred to the Secretary of Defense by the Secretary of Veterans Affairs for expenses for the planning, design, and the leasing of space, for a shared medical facility may be credited to accounts of the Department of Defense available for such purposes, and may be used for such purposes.

"(3) Using accounts credited with transfers from the Secretary of Veterans Affairs under paragraphs (1) or (2), the Secretary of Defense may carry out unspecified minor military construction projects, if the share of the Department of Defense for the cost of such project does not exceed the amount specified in section 2805(a)(2) of this title.

"(e) Receipt of amounts by Secretary of Veterans Affairs.—(1) Any amount transferred to the Secretary of Veterans Affairs by the Secretary of Defense for necessary expenses for the planning, design, and construction of a shared medical facility, if the amount of the share of the Department of Veterans Affairs for the cost of such project does not exceed the amount specified in section 2805(a)(2)(A) of title 38, may be credited to the 'Construction, minor projects' account of the Department of Veterans Affairs and used for the necessary expenses of constructing such facility.

"(2) Any amount transferred to the Secretary of Veterans Affairs by the Secretary of Defense for necessary expenses for the planning, design, and construction of a shared medical facility, if the amount of the share of the Department of Veterans Affairs for the cost of such project exceeds the amount specified in subsection (a)(3)(A) of section 8104 of title 38, may be credited to the 'Construction, major projects' account of the Department of Veterans Affairs and used for the necessary expenses of constructing such shared medical facility if the other requirements of such section have been met with respect to amounts identified for transfer.

"(3) Any amount transferred to the Secretary of Veterans Affairs by the Secretary of Defense for the purpose of leasing space for a shared medical facility may be credited to accounts of the Department of Veterans Affairs available for such purposes, and may be used for such purposes.

"(f) Merger of amounts transferred.—Any amount transferred under this section shall be merged with, and available for the same purposes and the same time period as, the appropriation or fund to which transferred.

"(g) Shared Medical Facility Defined.—(1) In this section, the term 'shared medical facility' means a building or buildings, or a campus, intended to be used by both the Department of Defense and the Department of Veterans Affairs for the provision of health care services, whether under the jurisdiction of the Secretary of Defense or the Secretary of Veterans Affairs, and that is not located on a military installation or on real property under the jurisdiction of the Secretary of Veterans Affairs.

"(2) The term includes any necessary building and auxiliary structure, garage, parking facility, mechanical equipment, abutting sidewalks, and accommodations for attending personnel.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1104 the following new item:

"1104a. Shared medical facilities with the Department of Veterans Affairs."

(c) Technical Correction.—Paragraph (3) of section 8104(a) of title 38, United States Code, is amended to read as follows:

"(3) For purposes of this subsection:

"(A) The term 'major medical facility project' means a project for the construction, alteration, or acquisition of a medical facility involving expenditure of more than $20,000,000, but such term does not include an acquisition by exchange, non-recurring maintenance projects of the Department of Defense or the construction, or acquisition of a shared Federal medical facility for which the Department's estimated share of the project costs does not exceed $20,000,000.

"(B) The term 'major medical facility lease' means a lease for space for use as a new medical facility at an average annual rent of more than $20,000,000 for leases procured through the General Services Administration under section 3307(a)(2) of title 40, which shall be subject to annual adjustment in accordance with section 3307(h) of such title, but such term does not include a lease for space for use as a shared Federal medical facility for which the Department's estimated share of the lease costs does not exceed that dollar threshold.,"

SA 290. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to carry out unspecified minor military construction projects of the Department of Defense or the Secretary of Veterans Affairs, and whether or not located on a military installation or on real property under the jurisdiction of the Secretary of Veterans Affairs.

(c) Definition of Edge Computing.—In this section, the term ‘edge computing’ means a method of optimizing applications or cloud computing systems by taking some portion of an application's processing and services away from one or more central nodes (referred to as the ‘core’) to the other logical extreme (referred to as the ‘edge’) of the Internet which is in close contact with the physical world or end users.
SEC. 1. CLIMATE SECURITY ENVOY.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2561a) is amended—

(1) by redesigning subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

"(g) CLIMATE SECURITY ENVOY.—

"(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, the President shall appoint, by and with the advice and consent of the Senate, a Climate Security Envoy, who shall serve in the Department of State and International Environmental and Scientific Affairs of the Department of State.

"(2) DUTIES.—The Climate Security Envoy—

"(A) shall develop a climate security policy in accordance with paragraph (3);

"(B) shall coordinate the integration of scientific data on the current and anticipated effects of climate change into applied strategies across programmatic and regional bureaus of the Department of State and into the Department’s decision-making processes;

"(C) shall serve as a key point of contact for other Federal agencies, including the Department of Defense, the Department of Homeland Security, and the Intelligence Community, on climate security issues;

"(D) shall use the voice, vote, and influence of the United States to encourage other countries and international multilateral organizations to support the principles of the climate security policy developed under paragraph (3);

"(E) shall perform such other duties and exercise such powers as the Secretary of State shall prescribe; and

"(F) may not—

"(i) perform the functions of the Special Envoy for Climate Change to the United Nations; or

"(ii) serve as the United States negotiator in any international forum to address climate change.

"(3) CLIMATE SECURITY POLICY.—The Climate Security Envoy shall develop and facilitate the implementation of a climate security policy that requires the Bureau of Conflict and Stabilization Operations, the Bureau of Political-Military Affairs, embassies, regional bureaus, and other offices with a role in conflict avoidance, prevention and security assistance, or humanitarian disaster response, prevention, and assistance to assess, develop, budget for, and (upon approval) implement plans, policies, and actions—

"(A) to enhance the resilience capacities of foreign countries to the effects of climate change as a means of reducing the risk of conflict and instability;

"(B) to evaluate specific added risks to certain regions and countries that are—

"(i) vulnerable to the effects of climate change; and

"(ii) strategically significant to the United States;

"(C) to account for the impacts on human health, safety, economic instability, food production, fresh water and other critical natural resources, and economic activity;

"(D) to coordinate the integration of climate change assessments into the decision-making process for awarding foreign assistance;

"(E) to advance principles of good governance by encouraging foreign governments, particular nations that are least capable of coping with the effects of climate change—

"(i) to conduct climate security evaluations; and

"(ii) to facilitate the development of climate security action plans to ensure stability and public safety in disaster situations in a humane and responsible fashion; and

"(F) to evaluate the vulnerability, security, susceptibility, and resiliency of United States interests and non-defense assets abroad.

"(4) REPORT.—The Climate Security Envoy shall regularly report to the Secretary of State concerning the activities described in paragraphs (2) and (3) to integrate climate concerns into agendas and program budget requests.

"(5) BANK AND STATUS OF AMBASSADOR.—The Climate Security Envoy shall have the rank and status of Ambassador-at-Large.

"(6) DEFINED TERM.—In this subsection, the term ‘climate security’ means the effects of climate change on—

"(A) United States national security concerns and subnational, national, and regional political, economic, and social concerns;

"(B) overseas security and conflict situations that are potentially exacerbated by dynamic environmental factors and events, including—

"(i) the intensification and frequency of droughts, floods, wildfires, tropical storms, and other extreme weather events;

"(ii) changes in historic US foreign policy with regard to weather, drought, and wildfire patterns;

"(iii) the expansion of geographical ranges of droughts, floods, and wildfires into regions that had not regularly experienced such phenomena;

"(iv) global sea level rise patterns and the expansion of geographical ranges affected by drought; and

"(v) changes in marine environments that affect critical geostategic waterways, such as the Arctic Ocean, the South China Sea, the South Pacific Ocean, the Barents Sea, and the Beaufort Sea.’’.

SA 292. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 1. UNITED STATES SPECIAL REPRESENTATIVE FOR THE ARCTIC.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2561a) is amended—

(1) by redesigning subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

"(g) SPECIAL REPRESENTATIVE FOR THE ARCTIC.—

"(1) DESIGNATION.—The Secretary of State shall designate a Special Representative for the Arctic.

"(ii) to coordinate the United States Government response to international disputes and needs in the Arctic;

"(B) to represent the United States Government, as appropriate, in multilateral fora in discussions concerning access, cooperation, conservation, cultural relations, and transit in the Arctic; and

"(C) to formulate United States policy to assist in the resolution of international conflicts in the Arctic.

"(2) OTHER RESPONSIBILITIES.—The Special Representative for the Arctic shall carry out other assigned responsibilities, in addition to the duties described in paragraph (1).’’.
SA 293. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for the Department of Energy, to 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 following:

**TITLE XVII—SAUDI ARABIA ACCOUNTABILITY AND YEMEN ACT**

SEC. 1701. SHORT TITLE.

This title may be cited as the “Saudi Arabia Accountability and Yemen Act of 2019”.

**Subtitle A—Peaceful Resolution of the Civil War in Yemen and Protection of Civilians**

SEC. 1711. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to support United Nations-led efforts for a political, military, and technical settlement that leads to a territorially unified, stable, and independent Yemen;—

(2) that on the urgent need for a political solution, consistent with United Nations Security Council Resolution 2216 (2015), or any successor United Nations Security Council Resolution directing an end to violence in Yemen and peaceful resolution of the conflict in that country;—

(3) to reject all statements, policies, or actions advocating for a military solution to the civil war in Yemen;—

(4) to encourage long-standing United States security partners, including the Government of Saudi Arabia, the Government of the United Arab Emirates, and the Government of Yemen, to take the lead in confidence-building measures that open space for political dialogue to end the war in Yemen and address the humanitarian crises; and—

(5) to support the implementation of the agreements reached between the parties to the conflict in Yemen, including the Stockholm Agreement; and

SEC. 1712. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) continued direct negotiations between the Government of Saudi Arabia, the internationally-recognized Government of Yemen, and representatives of the Houthi movement (also known as “Ansar Allah”) are required—

(A) to reach a political solution;—

(B) to implement the agreements reached between the Saudi-led coalition, the internationally recognized Government of Yemen, local Yemeni forces, and Ansar Allah at Stockholm, Sweden on December 13, 2018, consistent with United Nations Security Council Resolution 2451 (2018);—

(C) to address the suffering of the Yemeni people; and—

(D) to counter efforts by Iran, al Qaeda, and ISIS to exploit instability for their own malign purposes;—

(2) the Government of Saudi Arabia and the Government of the United Arab Emirates bear significant responsibility for the economic stabilization and eventual reconstruction of Yemen; and—

(3) the United States and the international community must continue to support the work of United Nations Special Envoy Martin Griffiths to achieve a political solution to the civil war in Yemen, including by supporting the implementation of the Stockholm Agreement and United Nations Security Council Resolution 2451 (2018).

**SEC. 1713. UNITED STATES STRATEGY FOR ENDING THE WAR IN YEMEN.**

(a) DEFINED TERM.—In this subtitle, the term “appropriate congressional committee” means—

(1) the Committee on Foreign Relations of the Senate;—

(2) the Committee on Armed Services of the Senate;—

(3) the Committee on Foreign Affairs of the House of Representatives; and—

(4) the Committee on Armed Services of the House of Representatives.

(b) STRATEGY.—Not later than 30 days after the date of enactment of this Act, and every 90 days thereafter until a complete cessation of hostilities in the Yemeni civil war, the Secretary of State, the Administrator of the National Development, the Secretary of Defense, and the Director of National Intelligence shall provide a briefing to the appropriate congressional committees that describes the causes and consequences of civilian harm occurring in the armed conflict in Yemen, including war crimes, and gross violations of human rights as a result of the actions of all parties to the conflict.

(c) ELEMENTS.—The report required under subsection (b) shall include—

(1) a description of civilian harm occurring in the context of the armed conflict in Yemen, including—

(A) mass casualty incidents; and—

(B) an assessment regarding whether the conflict in Yemen is being fought with proportional means;—

(C) an assessment regarding whether any combatants in Yemen, including war crimes, and gross violations of human rights perpetrated by parties to the conflict in Yemen, including—

(i) all forces involved in the Saudi-led coalition and all forces fighting on its behalf;—

(ii) the internationally recognized Government of Yemen, local Yemeni forces, and Ansar Allah at Stockholm, Sweden on December 13, 2018, consistent with United Nations Security Council Resolution 2451 (2018);—

(iii) the United States and its allies;—

(iv) any other combatants in the conflict;—

(2) a description of civilian harm occurring in the context of the armed conflict in Yemen, including—

(A) a comprehensive list of all sources of support received by these groups; and—

(B) an assessment regarding whether the activities of Al Qaeda in the Arabian Peninsula and the Islamic State in Yemen have expanded or diminished since the beginning of the war in Yemen;—

(3) a description of the steps necessary to encourage the parties to the conflict in Yemen to take necessary steps referred to in paragraphs (2) and (3);—

(4) a description of whether the Saudi-led coalition, the internationally recognized Government of Yemen, local Yemeni forces, and Ansar Allah are taking the necessary steps referred to in paragraphs (2) and (3);—

(5) a description of United States activities to encourage all parties to take the necessary steps referred to in paragraphs (2) and (3);—

(6) an assessment of the threat posed by Al Qaeda and the Islamic State in Yemen to United States national security, including—

(A) a description of the potential threat to the United States by Al Qaeda and the Islamic State in Yemen;—

(B) an assessment regarding whether the activities of Al Qaeda in the Arabian Peninsula and the Islamic State in Yemen have expanded or diminished since the beginning of the war in Yemen;—

(7) an assessment of the efforts of United States military forces in Yemen, including—

(A) a description of United States activities in Yemen, including—

(i) a comprehensive list of all recipients of illicit Iranian support in Yemen;—

(ii) a description of whether the Saudi-led coalition, the internationally recognized Government of Yemen, local Yemeni forces, and Ansar Allah are taking the necessary steps referred to in paragraphs (2) and (3);—

(iii) an assessment of the potential threat to the United States by Al Qaeda and the Islamic State in Yemen;—

(iv) an assessment of the threat posed by Al Qaeda and the Islamic State in Yemen to United States national security, including—

(A) a description of the potential threat to the United States by Al Qaeda and the Islamic State in Yemen;—

(B) an assessment regarding whether the activities of Al Qaeda in the Arabian Peninsula and the Islamic State in Yemen have expanded or diminished since the beginning of the war in Yemen;—

(8) a description of Iran’s activities in Yemen, including—

(A) a description of Iran’s activities in Yemen, including—

(i) a description of Iran’s activities in Yemen, including—

(ii) a description of Iran’s activities in Yemen, including—

(iii) a description of Iran’s activities in Yemen, including—

(iv) a description of Iran’s activities in Yemen, including—

(v) a description of Iran’s activities in Yemen, including—

(vi) a description of Iran’s activities in Yemen, including—

(vii) a description of Iran’s activities in Yemen, including—

(viii) a description of Iran’s activities in Yemen, including—

(ix) a description of Iran’s activities in Yemen, including—

(x) a description of Iran’s activities in Yemen, including—

(xi) a description of Iran’s activities in Yemen, including—

(xii) a description of Iran’s activities in Yemen, including—

(xiii) a description of Iran’s activities in Yemen, including—

(xiv) a description of Iran’s activities in Yemen, including—

(xv) a description of Iran’s activities in Yemen, including—

(xvi) a description of Iran’s activities in Yemen, including—

(xvii) a description of Iran’s activities in Yemen, including—

(xviii) a description of Iran’s activities in Yemen, including—

(xix) a description of Iran’s activities in Yemen, including—

(xx) a description of Iran’s activities in Yemen, including—

(9) a description of Iran’s activities in Yemen, including—

(A) a description of Iran’s activities in Yemen, including—

(B) a description of Iran’s activities in Yemen, including—

(C) a description of Iran’s activities in Yemen, including—

(D) a description of Iran’s activities in Yemen, including—

(E) a description of Iran’s activities in Yemen, including—

(F) a description of Iran’s activities in Yemen, including—

(G) a description of Iran’s activities in Yemen, including—

(H) a description of Iran’s activities in Yemen, including—

(I) a description of Iran’s activities in Yemen, including—

(J) a description of Iran’s activities in Yemen, including—

(K) a description of Iran’s activities in Yemen, including—

(L) a description of Iran’s activities in Yemen, including—

(M) a description of Iran’s activities in Yemen, including—

(N) a description of Iran’s activities in Yemen, including—

(O) a description of Iran’s activities in Yemen, including—

(P) a description of Iran’s activities in Yemen, including—

(Q) a description of Iran’s activities in Yemen, including—

(R) a description of Iran’s activities in Yemen, including—

(S) a description of Iran’s activities in Yemen, including—

(T) a description of Iran’s activities in Yemen, including—

(U) a description of Iran’s activities in Yemen, including—

(V) a description of Iran’s activities in Yemen, including—

(W) a description of Iran’s activities in Yemen, including—

(X) a description of Iran’s activities in Yemen, including—

(Y) a description of Iran’s activities in Yemen, including—

(Z) a description of Iran’s activities in Yemen, including—

(a) RESTRICTION.—Except as provided in subsection (b), during the period beginning on the date of the enactment of this Act and ending on September 30, 2020, the United States Government may not sell, transfer, or authorize licenses for export to the Government of Saudi Arabia any item designated under Category

(b) REPEAL.—Subsection (a) shall be null and void on the date of the enactment of this Act.
III, IV, VII, or VIII on the United States Munitions List pursuant to section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2789(a)(1)); and

shall suspend any licenses or other approvals that were issued before the date of the enactment of this Act for the export to the Government of Saudi Arabia of any item designated under Category IV of the United States Munitions List.

(b) Exception.—The prohibition under subsection (a) shall not apply to sales, transfers, or export licenses relating to ground-based missile defense systems.

(c) Waiver.—The President may waive the restrictions prescribed in subsection (a) for items designated under Categories III, VII, and VIII of the United States Munitions List not earlier than 30 days after—

(I) the Secretary of State, in coordination with the Secretary of Defense, submits a written, unclassified certification to the appropriate congressional committees stating that—

(A) such waiver is in the national security interests of the United States;

(B) the Saudi-led coalition, during the 180-day period immediately preceding the date of such certification, has conducted operations in Yemen that have been in accordance with international law and consistent with the principles and purposes of the United Nations.

(ii) conducted ground incursions into the territory of Saudi Arabia or the United Arab Emirates;

(iii) is otherwise hindering the efforts of humanitarian organizations, or any other actors engaged in humanitarian aid and relief activities in Yemen or across conflict lines.

(b) Report required.—Not later than 30 days after the date of the enactment of this Act, and every 30 days thereafter, the Secretary of Defense shall submit a report to each congressional committee referred to in paragraph (1) containing—

(I) an explanation of the expenses described in paragraph (1) that have been reimbursed; and

(II) the amount of the expenses described in paragraphs (1) through (3) that—

(i) are in the United States;

(ii) are transported into the United States;

(iii) are in, or come into, the possession or control of a United States person;

(iv) are provided to, or for the benefit of, a non-Saudi entity or person.

(c) Elements.—The report required under subsection (b) shall include—

(I) an assessment of the efforts of the Saudi-led coalition to provide financial, material, technological, or other support for, or goods or services in support of, a person referred to in subsection (a) or (b);

(II) a description of the efforts of the Saudi-led coalition to support or enable the activities of Ansar Allah referred to in paragraph (1); and

(III) a description of the efforts of the Saudi-led coalition to support or enable the activities of Ansar Allah referred to in paragraph (2).

(d) Sanctions.—If the President determines that—

(I) the Secretary of State has engaged in any of the actions described in subsection (c)(1)(C), the Secretary of State and the Secretary of Defense shall provide a classified briefing to the appropriate congressional committees assessing the responsiveness, completeness, and accuracy of such certification.

(II) a successor entity to a person referred to in paragraphs (1) through (3) is acting for or on behalf of, or otherwise supporting, a person referred to in paragraphs (1) through (3);

(III) a person referred to in paragraphs (1) through (3) is responsible for actions or policies that—

(A) are contrary to the principles and purposes of the United Nations;

(B) are otherwise hindering the efforts of humanitarian organizations to provide relief to civilians in Yemen;

(IV) a person referred to in paragraphs (1) through (3) is responsible for actions or policies that—

(A) are contrary to the principles and purposes of the United Nations;

(B) are otherwise hindering the efforts of humanitarian organizations to provide relief to civilians in Yemen;

(2) efforts to promote stabilization and reconstruction in Yemen have been reimbursed;

(3) the amount of the expenses described in paragraphs (1) through (3).

(e) Report required.—Not later than 30 days after the date of the enactment of this Act, and every 30 days thereafter, the Secretary of Defense shall submit a report to the appropriate congressional committees containing—

(I) a description of the efforts of the Saudi-led coalition to support or enable the activities of Ansar Allah referred to in paragraph (1); and

(II) an explanation of the efforts of the Saudi-led coalition to support or enable the activities of Ansar Allah referred to in paragraph (2).

(f) Sanctions.—If the President determines that—

(I) a successor entity to a person referred to in paragraphs (1) through (3) is acting for or on behalf of, or otherwise supporting, a person referred to in paragraphs (1) through (3); or

(II) a person referred to in paragraphs (1) through (3) is engaging in acts of violence against such actors in Yemen or across conflict lines and borders;

(g) Penalties.—Any person that violates, attempts to violate, conspires to violate, or causes a violation described in subsection (b), or any regulation, license, or order issued to carry out such paragraph, shall be subject to the penalties set forth in subsection (a).
sanctions described in subsection (c) on any person that the President determines—

(1) has knowingly assisted, sponsored, provided, or attempted to provide significant financial or technological support for, or goods or services in support of, the Houthis movement in Yemen, its successor entities, entities that own or control, or are owned or controlled by, the Houthis movement, or entities acting for, or on behalf of, the Houthis movement;

(2) has knowingly engaged in any activity that materially contributes to the supply, sale, or direct or indirect transfer to or from the Houthis movement in Yemen, its successor entities, entities that own or control, or are owned or controlled by, the Houthis movement, or entities acting for or on behalf of the Houthis movement;

(3) owns or controls, or is in the possession of, a person referred to in paragraph (1), (2), or (3); or

(4) is in the alien’s possession.

(2) ARCHAEOLOGICAL OR ETHNOLOGICAL MATERIAL.—Any person who—

(a) attempts to violate, conspires to violate, or aids or abets in the violation of, any authorization or regulation, license, or order issued to carry out such paragraph, shall be subject to the penalties set forth in subsection (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of this section.

(3) PENALTIES.—Any person that violates, attempts to violate, conspires to violate, or aids or abets in the violation of, any authorization or regulation, license, or order issued to carry out such paragraph, shall not receive any credit in the United States, or Yemen, as applicable, for the provision of urgently needed humanitarian assistance.

SEC. 1719. GAO REVIEW OF UNITED STATES MILITARY SUPPORT TO SAUDI-LED COALITION IN YEMEN.

(a) REVIEW.—The Comptroller General of the United States shall conduct a review of the United States military support to the Saudi-led coalition in Yemen, including—

(1) the manner and extent to which the United States military provides support to the Saudi-led coalition;

(2) how the Department of Defense prioritizes aerial refueling capabilities in support of the Saudi-led coalition aircraft;

(3) whether and how the Department of Defense determines the efficacy of defensive advice and assistance to the Saudi-led coalition, including with respect to ballistic missiles and other threats to the sovereignty of regional partners;

(4) the responsiveness, completeness, and accuracy of any certifications submitted pursuant to section 1290 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 116–222);

(5) whether and how the Department of Defense determines the efficacy of defensive advice and assistance to the Saudi-led coalition, including with respect to ballistic missiles and other threats to the sovereignty of regional partners;

(6) the responsiveness, completeness, and accuracy of any certifications submitted pursuant to section 1290 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 116–222);

(b) BRIEFING.—Not later than 15 days after the date of the enactment of this Act, the President shall brief the appropriate congressional committees describing the results of the review conducted under subsection (a) to the appropriate congressional committees.

(c) REPORT.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report describing the results of the review conducted under subsection (a) to the appropriate congressional committees.
appropriate congressional committees (as defined in section 1293(k) of the Global Magnitsky Human Rights Accountability Act, as amended by subsection (a)(7)) regarding the implementation of the amendment made by subsection (a)(3).

SEC. 1732. REPORT ON SAUDI ARABIA'S HUMAN RIGHTS RECORD.

Not later than 30 days after the date of the enactment of this Act, the Secretary of State, in accordance with section 502B(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2804c), shall submit an unclassified, written report to Congress—

(1) includes the information required under such section 502B(c);

(2) describes the extent to which officials of the Government of Saudi Arabia, including members of the military or security services, are responsible for or complicit in gross violations of internationally recognized human rights, including violations of the human rights of journalists, bloggers, and those who support women's rights or religious freedom;

(3) describes the extent to which the Government of Saudi Arabia—

(A) has knowingly blocked access to Yemeni political parties, the military, or other facilities used by the United Nations, its specialized agencies and implementing partners, national and international nongovernmental organizations, or any other actors engaged in humanitarian relief activities in Yemen;

(B) has hindered the efforts of the organizations referred to in subparagraph (A) to deliver humanitarian relief, including through diversion of goods and materials intended to provide relief to civilians in Yemen;

(C) has prohibited or directly or indirectly restricted the transport or delivery of United States humanitarian assistance to Yemen; and

(D) complied with the Secretary of State’s statement on October 30, 2018, related to “ending the conflict in Yemen”; and

(4) identifies the percentage by which civilian casualties and deaths, respectively, increased as a result of Saudi coalition air strikes in Yemen between November 2017 and August 2018.

Subtitle C—General Provisions

SEC. 1741. RULE OF CONSTRUCTION.

Nothing in this section may be construed to limit the authority of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

SEC. 1742. SUNSET.

This title shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.

SA 294. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, and for defense activities of the Department of Energy, to 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. 261. SUSPENSION OF ARMS SALES TO SAUDI ARABIA AND THE UNITED ARAB EMIRATES NOT REVIEWED BY CONGRESS.

(a) In General.—Any letter of offer, license, or approval issued pursuant to the Arms Export Control Act (22 U.S.C. 2751 et seq.) primarily in relation to Saudi Arabia or the United Arab Emirates is terminated as of the date of enactment of this Act if such letter of offer, license, or approval is—

(1) required to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 262. SAFE ACT.

(a) Short Title.—This section may be cited as the “Saudi Arabia False Emergencies Act” or the “SAFE Act”.

(b) SUSPENSION OF ARMS SALES TO SAUDI ARABIA AND THE UNITED ARAB EMIRATES NOT REVIEWED BY CONGRESS.—

(1) In General.—Any letter of offer, license, or approval issued pursuant to the Arms Export Control Act (22 U.S.C. 2751 et seq.) primarily in relation to Saudi Arabia or the United Arab Emirates is terminated as of the date of enactment of this Act if such letter of offer, license, or approval is related to a determination of the existence of an emergency under section 3(d)(2) of the Arms Export Control Act (22 U.S.C. 2753(d)(2)) or sub-section (b)(1), (c)(2), or (d)(2) of section 36 of such Act (22 U.S.C. 2776). All exports, re-exports, transfers, and re-transfers pursuant to such letter of offer, license, or approval are prohibited.

(2) RESUBMISSION.—Any letter of offer, license, or approval terminated pursuant to paragraph (1) may be resubmitted to Congress in accordance with section 3 or 36 of the Arms Export Control Act (22 U.S.C. 2753 and 2776), as amended by subsection (c).

(c) PROTECTION OF CONGRESSIONAL REVIEW AND OVERSIGHT OF ARMS SALES TO SAUDI ARABIA AND OTHER COUNTRIES.—entity cited as the “Saudi Arabia False Emergencies Act”.

Notwithstanding any other provision of this Act, the President—

(1) a determination pursuant to subsection (b)(1), (c)(2), or (d)(2) or section 3(d)(2) that an emergency exists;

(2) the President—

(a) shall apply only to the North Atlantic Treaty Organization, any member country of the North Atlantic Treaty Organization, Australia, Japan, the Republic of Korea, Israel, and New Zealand; and

(b) shall not be valid for any country whose government is negotiating, or has conducted, a significant transaction described in section 231 of the Countering America’s Adversaries Through Sanctions Act (22 U.S.C. 9525);

(2) the President—

(a) shall submit a determination and detailed justification for each letter of offer, license, or approval subject to an emergency determination;

(b) shall include a specific and detailed description of how such waiver of the congressional review requirements directly responds to or addresses the circumstances of the emergency cited in the determination;

(3) the determination described in paragraph (2)(A) shall only be available for a certification for a letter of offer, license, or approval for defense articles or defense services—

(A) that directly respond to or counter a physical security threat; and

(B) 75 percent which of will be delivered not later than 2 months after the date of such determination;''

SA 295. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 263. PROTECTION OF CONGRESSIONAL REVIEW AND OVERSIGHT OF ARMS SALES TO SAUDI ARABIA AND OTHER COUNTRIES.

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following:

"(j) DETERMINATION OF AN EMERGENCY.—Notwithstanding any other provision of this Act related to a determination of an emergency to waive congressional review of proposed letters of offer, licenses, or approvals—

(1) a determination pursuant to subsection (b)(1), (c)(2), or (d)(2) or section 3(d)(2) that an emergency exists;

(2) the President—

(a) shall apply only to the North Atlantic Treaty Organization, any member country of the North Atlantic Treaty Organization, Australia, Japan, the Republic of Korea, Israel, and New Zealand; and

(b) shall not be valid for any country whose government is negotiating, or has conducted, a significant transaction described in section 231 of the Countering America’s Adversaries Through Sanctions Act (22 U.S.C. 9525);

(3) the determination described in paragraph (2)(A) shall only be available for a certification for a letter of offer, license, or approval for defense articles or defense services—

(A) that directly respond to or counter a physical security threat; and

(B) 75 percent which of will be delivered not later than 2 months after the date of such determination;''

SA 296. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 264. PROTECTION OF CONGRESSIONAL REVIEW AND OVERSIGHT OF ARMS SALES TO SAUDI ARABIA AND OTHER COUNTRIES.

Section 36 of the Arms Export Control Act (22 U.S.C. 2776), as amended by subsection (c).

(1) in General.—Any letter of offer, license, or approval issued pursuant to the Arms Export Control Act (22 U.S.C. 2751 et seq.) primarily in relation to Saudi Arabia or the United Arab Emirates is terminated as of the date of enactment of this Act if such letter of offer, license, or approval is related to a determination of the existence of an emergency under section 3(d)(2) of the Arms Export Control Act (22 U.S.C. 2753(d)(2)) or subsection (b)(1), (c)(2), or (d)(2) of section 36 of such Act (22 U.S.C. 2776). All exports, re-exports, transfers, and re-transfers pursuant to such letter of offer, license, or approval are prohibited.

(2) RESUBMISSION.—Any letter of offer, license, or approval terminated pursuant to paragraph (1) may be resubmitted to Congress in accordance with section 3 or 36 of the Arms Export Control Act (22 U.S.C. 2753 and 2776), as amended by subsection (c).

(c) PROTECTION OF CONGRESSIONAL REVIEW AND OVERSIGHT OF ARMS SALES TO SAUDI ARABIA AND OTHER COUNTRIES.—Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following:

"(j) DETERMINATION OF AN EMERGENCY.—Notwithstanding any other provision of this Act related to a determination of an emergency to waive congressional review of proposed letters of offer, licenses, or approvals—

(1) a determination pursuant to subsection (b)(1), (c)(2), or (d)(2) or section 3(d)(2) that an emergency exists;

(A) shall apply only to the North Atlantic Treaty Organization, any member country of the North Atlantic Treaty Organization, Australia, Japan, the Republic of Korea, Israel, and New Zealand; and

(B) shall not be valid for any country whose government is negotiating, or has conducted, a significant transaction described in section 231 of the Countering America’s Adversaries Through Sanctions Act (22 U.S.C. 9525);

(2) the President—

(a) shall submit a determination and detailed justification for each letter of offer, license, or approval subject to an emergency determination;

(b) shall include a specific and detailed description of how such waiver of the congressional review requirements directly responds to or addresses the circumstances of the emergency cited in the determination; and

(3) the determination described in paragraph (2)(A) shall only be available for a certification for a letter of offer, license, or approval for defense articles or defense services—

(A) that directly respond to or counter a physical security threat; and

(B) 75 percent which of will be delivered not later than 2 months after the date of such determination;''

SA 297. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction,
and for defense activities of the Department of Energy, to 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. 3. AUTHORITIES OF THE CHIEF EXECUTIVE OFFICER: LIMITATION ON CORPORATE LEADERSHIP OF GRANTEES.

Section 305 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204) is amended—

(1) in subsection (a), by inserting at the end the following:

“(23)(A) To require semi-annual content reviews of each language service of each surrogate network, consisting of a review of at least 10 percent of available material, by fluent language speakers and experts without direct affiliation to the network and language being reviewed, who are seeking any evidence of inappropriate or unprofessional content, which shall be submitted to the Chief Executive Officer; and

(b) to submit a list of anomalous reports to the appropriate congressional committees, including status updates on anomalous services during the 3-year period commencing on the date of the enactment of the U.S. Agency for Global Media Reform Act.

SEC. 4. INTERNATIONAL BROADCASTING ADVISORY BOARD.

Section 306 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6205) is amended—

(1) by striking subsections (a) through (c) and inserting the following:

“(a) IN GENERAL.—The International Broadcasting Advisory Board (referred to in this section as the ‘Advisory Board’) shall—

(1) constitute the first Advisory Board; and

(2) hold office until replaced without re-appointment to the Advisory Board.

(c) COMPOSITION OF THE ADVISORY BOARD.—

(1) constitute the first Advisory Board; and

(2) hold office until replaced without re-appointment to the Advisory Board.

SEC. 5. ENHANCING UNITED STATES INTELLIGENCE ON GLOBAL CLIMATE DISTURBANCES.

(a) In General.—The Secretary of State, in cooperation with other relevant agencies, shall conduct periodic comprehensive evaluations of present and ongoing disruptions to the global climate system, including—

(1) the intensity, frequency, and range of natural disasters;

(2) the scarcity of global natural resources, including fresh water;

(3) global food, health, and energy insecurities;

(4) conditions that contribute to—

(A) intrastate and interstate conflicts;

(B) foreign political and economic instability;

(C) international migration of vulnerable and underserved populations;

(D) the failure of national governments; and

(E) gender-based violence; and

(5) United States and allied military readiness, operations, and strategy.

(b) PURPOSES.—The purposes of the evaluations conducted under subsection (a) are—

(1) to support the practical application of scientific data and research on climate change’s dynamic effects around the world to improve resilience, adaptability, security, and stability despite growing global environmental risks and changes;

(2) to ensure that the strategic planning and mission execution of United States international development and diplomatic missions adequately account for heightened and dynamic risks and challenges associated with the effects of climate change;

(3) to improve coordination between United States science agencies conducting research and forecasts on the causes and effects of climate change and United States national security agencies; and

(4) to better understand the disproportionate effects of global climate disruptions on women, girls, indigenous communities, and other historically marginalized populations.

(c) SCOPE.—The evaluations conducted under subsection (a) shall—

(1) examine developing countries’ vulnerabilities and risks associated with global, regional, and localized effects of climate change; and

(2) assess and make recommendations on necessary measures to mitigate risks and reduce vulnerabilities associated with effects, including—

(A) sea level rise;

(B) freshwater resource scarcity;

(C) wildfires; and

(D) increased intensity and frequency of extreme weather conditions and events, such as flooding, drought, and extreme storm events, including tropical cyclones.

SA 299. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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:

Subtitle —U.S. Agency for Global Media

SEC. 1. SHORT TITLE.

This subtitle may be cited as the “U.S. Agency for Global Media Reform Act”.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that the Office of Cuba Broadcasting should—

(1) remain an independent entity of the United States Agency for Global Media; and

(2) take steps to ensure that the Office is fulfilling its core mission of promoting freedom and democracy by providing the people of Cuba with objective news and information programming.

SEC. 3. CONDITIONS.

Nothing in this Act—

(A) shall be construed to require that any member of the Advisory Board appointed under paragraph (1)(A)—

(i) 2 members who are not affiliated with the same political party, shall be appointed to the Board; and

(ii) the Senate shall not approve a Board more than 3 members of the Advisory Board appointed under paragraph (1)(A) may be affiliated with the same political party.

(B) shall be construed to apply to subparagraph (B), members of the Advisory Board shall serve for a single term of 4 years, next to the date of the enactment of the U.S. Agency for Global Media Reform Act;
“(ii) 2 members who are not affiliated with the same political party, shall be appointed for terms ending on the date that is 4 years after the date of the enactment of the U.S. Agency for Global Media Reform Act; and

“(iii) 2 members who are not affiliated with the same political party, shall be appointed for terms ending on the date that is 6 years after the date of the enactment of the U.S. Agency for Global Media Reform Act.

“(b) SECRETARY OF STATE.—The Secretary of State shall serve as a member of the Advisory Board for the duration of his or her tenure as Secretary of State.

“(c) SERVICE BEYOND TERM.—Any member whose term has expired shall continue to serve as a member of the Advisory Board until the expiration of the term of the successor who has been appointed and confirmed by the Senate.

“(d) SECRETARY OF STATE.—When there is a vacancy in the office of Secretary of State, the Acting Secretary of State shall serve as a member of the Advisory Board until a new Secretary of State is appointed.”.

“(2) SUBSECTION.—(A) in the subsection heading, by inserting “Advisory Board” before “Board” and inserting “Advisory Board” for “Board” and “Advisory Board” for “Board” and (B) in paragraph (2), by inserting “who are not affiliated” and (C) by striking subsections (e) and (f) and inserting the following:

“(e) FUNCTIONS OF THE ADVISORY BOARD.—The members of the Advisory Board shall—

“(1) serve the Chief Executive Officer of the United States Agency for Global Media with advice and recommendations for improving the effectiveness and efficiency of the Agency and its programming;

“(2) meet with the Chief Executive Officer at least twice annually and at additional meetings at the request of the Chief Executive Officer or the Chair of the Advisory Board;

“(3) report periodically, or upon request, to the congressional committees specified in subsection (d)(2) regarding its advice and recommendations for improving the effectiveness and efficiency of the United States Agency for Global Media and its programming;

“(4) obtain information from the Chief Executive Officer, as needed, for the purposes of fulfilling the functions described in this subsection;

“(5) consult with the Chief Executive Officer regarding budget submissions and strategic plans before they are submitted to the Office of Management and Budget or to Congress;

“(6) advise the Chief Executive Officer to ensure that—

“(A) the Chief Executive Officer fully respects the professional integrity and editorial independence of United States Agency for Global Media broadcasters, networks, and grantees; and

“(B) agency networks, broadcasters, and grantees adhere to the highest professional standards and ethics of journalism, including taking necessary actions to uphold professional standards to produce consistently reliable, authoritative, accurate, objective, and comprehensive news and information; and

“(7) provide other strategic input to the Chief Executive Officer.

“(f) APPOINTMENT OF HEADS OF NETWORKS.—

“(1) IN GENERAL.—The head of Voice of America, the Office of Cuba Broadcasting, of RFE/RL, Inc., of Radio Free Asia, of the Middle East Broadcasting Networks, or of any other network that receives grants for the public interest shall be appointed by the Chief Executive Officer. Such appointment may only be appointed or removed if such action has been approved by a majority vote of the Advisory Board.

“(2) REQUIREMENT.—Prior to consulting with the Chief Executive Officer, 5 or more members of the Advisory Board may unilaterally remove any such head of network or grantee network described in paragraph (1).

“(3) QUORUM.—

“(A) IN GENERAL.—A quorum shall consist of 4 members of the Advisory Board (excludng the Secretary of State).

“(B) DECISIONS.—Except as provided in paragraph (2), decisions of the Advisory Board shall be made by majority vote, a quorum being present.

“(C) CLOSED SESSIONS.—The Advisory Board may meet in closed sessions in accordance with section 552b of title 5, United States Code.

“(d) COMPENSATION.—

“(1) IN GENERAL.—Members of the Advisory Board, while attending meetings of the Advisory Board or while engaged in duties relating to such meetings or in other activities of the Advisory Board under this section (including travel time) shall be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(2) TRAVEL EXPENSES.—While away from their homes or regular places of business, members of the Board may be allowed travel expenses, including per diem in lieu of subsistence, and such other expenses as are necessary for the performance of such title for persons in the Government service employed intermittently.

“(D) SECRETARY OF STATE.—The Secretary of State is not entitled to any compensation under this title, but may be allowed travel expenses in accordance with paragraph (2).

“(e) SUPPORT STAFF.—The Chief Executive Officer shall, from within existing United States Agency for Global Media personnel, provide the Advisory Board with an Executive Secretary and such administrative staff and support as may be necessary to enable the Advisory Board to carry out subsections (e) and (f).”.

“SEC. 5. CONFORMING AMENDMENTS.


“(1) in section 306—

“(A) in the section heading, by striking "Broadcasting Board of Governors" and inserting "United States Agency for Global Media";

“(B) in subsection (a), by striking "Broadcasting Board of Governors" and inserting "United States Agency for Global Media";

“(C) in subsection (b)(1), by striking "Broadcasting Board of Governors" and inserting "United States Agency for Global Media";

“(D) in subsection (b)(2), by striking "Board" each place such term appears and inserting "Agency";

“(E) in subsection (c), by striking "Board" each place such term appears and inserting "Agency";

“(2) in section 308—

“(A) in subsection (a), in the matter preceding paragraph (1), by striking "Board" and inserting "Agency";

“(B) in subsection (b), by striking "Board" each place such term appears and inserting "Agency";

“(C) in subsection (d), by striking "Board" and inserting "Agency";

“(D) in subsection (g), by striking "Board" each place such term appears and inserting "Agency";

“(E) in subsection (b)(5), by striking "Board" and inserting "Agency"; and

“(F) in subsection (i), by striking "Board" and inserting "Agency";

“(4) in section 309—

“(A) in subsection (c)(1), by striking "Board" each place such term appears and inserting "Agency";

“(B) in subsection (e), in the matter preceding paragraph (1), by striking "Board" and inserting "Agency";

“(C) in subsection (f), by striking "Board" each place such term appears and inserting "Agency"; and

“(D) in subsection (g), by striking "Board" and inserting "Agency";

“(6) in section 310(a), by striking "Broadcasting Board of Governors" and inserting "United States Agency for Global Media";

“(7) in section 310(b), by striking "Board" and inserting "Agency";

“(8) in section 313, in the matter preceding paragraph (1), strike "Board" and insert "Agency";

“(9) in section 314, by striking "(d) the terms ‘Board’ and Chief Executive Officer of the Broadcasting Board of Governors’ and inserting "United States Agency for Global Media’ and the Chief Executive Officer of the Agency’ means the United States Agency for Global Media’; and

“(10) in section 315—

“(A) in subsection (a)(1), by striking "Broadcasting Board of Governors" and inserting "United States Agency for Global Media’; and

“(B) in subsection (c), by striking "Broadcasting Board of Governors" and inserting "United States Agency for Global Media’.

“SA 300. Mr. MANCHIN (for himself, Mrs. CAPITO, and Mr. ROMNEY) submitted an amendment intended to be presented by Mr. Manchin to the Senate Concurrent Resolution Number 79, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 585. HONORING THE LAST SURVIVING MEDAL OF HONOR RECIPIENT OF WORLD WAR II.

“(a) USE OF RONUTDA.—The individual who is the last surviving recipient of the Medal of Honor for acts performed during World War II shall be permitted to lie in state in the rotunda of the Capitol upon death, if the individual (or the next of kin of the individual) so elects.

“(b) IMPLEMENTATION.—The Architect of the Capitol, under the direction of the President pro tempore of the Senate and the Speaker of the House of Representatives, shall take the necessary steps to implement subsection (a).
SA 301. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for military facilities of the Department of Energy, to 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:


(a) TRANSFERS TO 1974 UMWA PENSION PLAN.

(1) IN GENERAL.—Subsection (i) of section 402 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232) is amended

(A) in paragraph (3)(A), by striking "$490,000,000" and inserting "$750,000,000";

(B) by redesignating paragraph (4) as paragraph (5); and

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

"(4) ADDITIONAL AMOUNTS.—

"(A) CALCULATION.—If the dollar limitation specified in paragraph (3)(A) exceeds the aggregate amount required to be transferred under paragraphs (1) and (2) for a fiscal year, the Secretary of the Treasury shall transfer an additional amount equal to the difference between such dollar limitation and such aggregate amount to the trustees of the 1974 UMWA Pension Plan to pay benefits required under that plan.

"(B) CESSATION OF TRANSFERS.—The transfers described in subparagraph (A) shall cease at the end of the first fiscal year beginning after the first plan year for which the funded percentage (as defined in section 432(j)(2) of the Internal Revenue Code of 1986) of the 1974 UMWA Pension Plan is at least 100 percent.

"(C) PROHIBITION ON BENEFIT INCREASES, ETC.—During a fiscal year in which the 1974 UMWA Pension Plan is receiving transfers under subparagraph (A), no amendment of such plan which increases the liabilities of the plan by reason of any increase in benefits, any change in the accrual of benefits, or any other increase in benefits at which benefits become nonforfeitable under the plan may be adopted unless the amendment is required as a condition of qualification under part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986.

"(D) TREATMENT OF TRANSFERS FOR PURPOSES OF WITHDRAWAL LIABILITY UNDER ERISA.— Any transfer made under subparagraph (A) (and any earnings attributable thereto) shall be disregarded in determining the unfunded vested benefits of the 1974 UMWA Pension Plan and the allocation of such unfunded vested benefits to an employer for purposes of determining the employer's withdrawal liability under section 4204 of ERISA.

(2) by striking ''January 1, 2017'' in clause (ii) and inserting ''the National Defense Authorization Act for Fiscal Year 2019'';

(3) by striking ''(ii) ELECTRONIC SUBMISSION.—The report required under clause (i) shall be submitted electronically.";

(4) by striking paragraph (5) and inserting the following:

(5) INFORMATION SHARING.—The Secretary of the Treasury may waive the requirements of clause (1) with respect to information submitted under this paragraph if the Secretary determines that disclosure of such information to a person who is not an employee or a related person of the employer is necessary to facilitate the purposes of the 1974 UMWA Pension Plan.

(6) TREATMENT OF TRANSFERS FOR PURPOSES OF WITHDRAWAL LIABILITY UNDER ERISA.—Any transfer made under paragraph (3)(A) (and any earnings attributable thereto) shall be disregarded in determining any contribution obligations under such plans, the actuarial value of any plan assets, a related coal wage agreement, and any other benefit or ancillary benefit plans relating to the plan and the assumptions relied upon in making such projections.

(7) DETERMINATION OF UNFUNDED VESTED BENEFITS.—A transfer made under paragraph (3) shall be treated as an increase in the unfunded vested benefits of the 1974 UMWA Pension Plan, and shall be included in the contributions required by the employer to the 1974 UMWA Pension Plan for purposes of clause (1).
ordered to lie on the table; as follows:

(a) In General.—The Secretary of Defense and the Secretary of State, in coordination with the appropriate United States Government officials, shall jointly update, with the additional elements described in subsection (b), the comprehensive strategy to counter the threat of malign influence operations developed pursuant to section 1239A of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–338).

(b) Additional Elements.—The updated strategy required under subsection (a) shall include the following:

(1) With respect to each element specified in paragraphs (1) through (7) of subsection (b) of such section 1239A, actions to counter the threat of malign influence operations include:

(1) the threat of malign influence operations by the People’s Republic of China, and any other country engaged in significant malign influence operations by the Russian Federation, the People’s Republic of China, and any other country engaged in significant malign influence operations.

(c) Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a report detailing the updated strategy required under subsection (a).

(d) Appropriate Committees of Congress.—in the case of an appropriation for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 X, add the following:

SEC. 1. REPEAL OF REQUIREMENT TO SELL CERTAIN FEDERAL PROPERTY IN PLUM ISLAND, NEW YORK.

(a) Repeal of Requirement in Public Law 110–329.—Section 3688 of title 10, United States Code, is amended by inserting a period at the end of subsection (a). 3688 is repealed.

(b) Repeal of Requirement in Public Law 112–74.—Section 358 of the Department of Homeland Security Appropriations Act, 2012 (6 U.S.C. 190 note; division D of Public Law 112–74) is repealed.

(c) Definition of Appropriate Committees of Congress.—In this section, the term ‘‘appropriate committees of Congress’’ means—

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

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

SA 305. Mr. Wyden submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 12. UPDATED STRATEGY TO COUNTER THE THREAT OF MALIGN INFLUENCE BY THE RUSSIAN FEDERATION AND OTHER COUNTRIES.

(a) In General.—The Secretary of Defense and the Secretary of State, in coordination with the appropriate United States Government officials, shall jointly update, with the additional elements described in subsection (b), the comprehensive strategy to counter the threat of malign influence operations developed pursuant to section 1239A of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–338).

(b) Additional Elements.—The updated strategy required under subsection (a) shall include the following:

(1) With respect to each element specified in paragraphs (1) through (7) of subsection (b) of such section 1239A, actions to counter the threat of malign influence operations include:

(1) the threat of malign influence operations by the People’s Republic of China, and any other country engaged in significant malign influence operations.

(c) Report.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on the death of Jamal Khashoggi. Such report shall include identification of those who carried out, participated in, ordered, or were otherwise complicit in or responsible for the death of Jamal Khashoggi.

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

SA 306. Mr. Wyden submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 XVI, add the following:

SEC. 2. REQUIREMENT FOR FULL-DISK ENCRYPTION OF NATIONAL SECURITY SYSTEMS.

(a) Requirement.—Not later than 180 days after the date of the enactment of this Act, the Committee on National Security Systems shall update Committee on National Security Systems Instruction Number 1233 entitled ‘‘Security Categorization and Control Selection for National Security Systems’’ to require that each national security system is configured to protect, with full-disk encryption, all information stored at rest on that system unless the head of the entity responsible for that system obtains a written waiver of such requirement from both the Chief Information Security Officer of the Department of Defense and the Chief Information Security Officer of the National Security Agency.

(b) Notice.—In any case in which the Chief Information Security Officer of the Department of Defense and the Chief Information Security Officer of the National Security Agency both provide waivers for a national security system under subsection (a) for a national security system for which information security officers shall, not later than 90 days after both waivers have been issued, formally submit to the appropriate committees of Congress copies of such waivers.

(c) Definition of Appropriate Committees of Congress.—In this section, the term ‘‘appropriate committees of Congress’’ means—

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

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Homeland Security of the House of Representatives.
receives a report under paragraph (2), the Secretary of State may not issue a visa, and shall revoke any visa issued, to a Member of the Council of Ministers of Saudi Arabia, an immediate family member of a Member of the Council of Ministers of Saudi Arabia, a descendant of the King of Saudi Arabia, or an immediate family member of such a descendant until the date on which the citizen or national of Saudi Arabia described in the report is extradited to the United States for completion of the trial or sentencing;

(B) publish a report based on the information collected under subparagraph (A), and once every year thereafter, the Attorney General pursuant to subsection (c)(3) of the Preserving American Justice Act for any period beginning with the date that is 30 days after such foreign government is added to such list and ending with the date such foreign government is removed from such list.

SEC. 308. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was amended—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following:

"(c) EXCEPTION.—Subsection (a)(1) shall not apply to any foreign government which has not stated by the Attorney General pursuant to subsection (c)(3) of the Preserving American Justice Act for any period beginning with the date that is 30 days after such foreign government is added to such list and ending with the date such foreign government is removed from such list.

SA 308. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 VII, add the following:

SEC. 718. REQUIREMENT TO USE HUMAN-BASED METHODS FOR CERTAIN MEDICAL TRAINING.

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

(1) The Department of Defense has made impressive strides in the development and use of methods of medical training and troop protection, such as the use of tourniquets and limb amputations in the list that has led to decreased battlefield fatalities.

(2) The Department of Defense uses more than 8,000 live animals each year to train physicians, medical personnel, and other personnel methods of responding to severe battlefield injuries.

(3) The civilian sector has almost exclusively phased in the use of superior human-based training methods for numerous medical procedures currently taught in military courses using animals.

(b) REQUIREMENTS.—

(1) The Department of Defense and other entities of the Department of Defense have taken significant steps to develop methods to replace live animal-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries with the goal of replacing live animal-based training methods.

(2) Not later than October 1, 2022, the Secretary—

(A) shall only use human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries; and

(B) may not use animals for such purpose.

''(c) ANNUAL REPORTS.—(1) Not later than October 1, 2018, and each year thereafter, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries under this section.

(2) Each report under this subsection on or after October 1, 2022, shall include a description of any exemption under paragraph (a) that is in force at the time of such report, and a current justification for such exemption.

(3) DEFINITIONS.—In this section:

(1) The term 'combat trauma injuries' means severe injuries likely to occur during combat, including—

(A) amputation resulting from blast injuries;

(B) tension pneumothorax;

(C) amputation resulting from blast injury;

(D) compromises to the airway; and

(E) other injuries.

(2) The term 'human-based training methods' means, with respect to training individual medical treatment, the use of systems and devices that do not use animals, including—

(A) hemostatic devices;
"(A) simulators;

"(B) partial task trainers;

"(C) moulage;

"(D) simulated combat environments;

"(E) training aids that allow individuals to learn or practice specific medical procedures.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by adding at the end the following new item:

"2017. Use of human-based methods for certain medical training."

SA 309. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1088. INCLUSION OF PROGRESS OF THE DEPARTMENT OF DEFENSE IN ACHIEVING FINANCIAL IMPROVEMENT AND SUSTAINABILITY IN ANNUAL REPORTS.

Section 256h(b)(1)(B) of title 10, United States Code, is amended by adding at the end the following new clause:

"(ix) A plan for remediating each such weakness.

"(x) A description of the material weaknesses of such military department or Defense Agency in achieving auditable financial statements."

"(II) The underlying causes of each such weakness.

"(III) A plan for remediating each such weakness."

SA 310. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 VII, add the following:

SEC. 718. PRESERVATION OF RESOURCES OF THE ARMED MEDICAL RESEARCH AND MATERIAL COMMAND AND TREATMENT OF REALIGNMENT OF SUCH COMMAND.

(a) IN GENERAL.—The Secretary of Defense shall preserve the resources of the Army Medical Research and Materiel Command for use by such command, which shall include manpower and funding, as such command realigns with the Army Futures Command in 2019 and the Defense Health Agency in 2020.

(b) TRANSFER OF FUNDS.—Upon completion of the realignment described in subsection (a), all amounts available for the Army Medical Research and Materiel Command, at the baseline for such amounts for fiscal year 2019, shall be transferred from accounts for research, development, test, and evaluation for the Army to accounts for the Defense Health Program.

(c) CONTINUATION AS CENTER OF EXCELLENCE.—After completion of the realignment described in subsection (a), the Army Medical Research and Materiel Command and Fort Detrick shall continue to serve as a Center of Excellence for Joint Biomedical Research, Development, and Transition Management for efforts undertaken under the Defense Health Program.

SA 311. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1106. REPORTS ON USE OF DIRECT HIRING AUTHORITY BY THE DEPARTMENT OF DEFENSE.

Not later than 180 days after the date of enactment of this Act, the Secretary of Defense (with respect to the Department of Defense) and each Secretary of a military department (with respect to such military department) shall submit to the congressional defense committees a report on the use by the department concerned of direct hiring authority (DHA) for civilian employees of such department. Each report shall set forth the following:

(1) Citations to each of the direct hiring authorities currently available to the department concerned.

(2) The current number of civilian employees of the department concerned who were hired using direct hiring authority (whether or not such authority is currently in force), and the grade level and occupational series of such civilian employees.

(3) A description and assessment of the challenge, if faced by the department concerned, in hiring civilian employees for critical positions and occupational series, and a description and assessment of the role of current or existing direct hiring authorities in addressing such challenges.

(4) A proposal for increasing the number of civilian employees of the department concerned who are employed using direct hiring authority.

SA 312. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 2. ENERGETICS PLAN.

The Secretary of the Navy shall, working with the technical directors at the Naval Surface Warfare Centers, develop an energetics research and development plan to enable a long-term multi-domain research, development, prototyping, and experimentation effort that—

(1) improves the lethality, range, and speed of energetic weapons;

(2) advances the development of high yield conventional energetics capabilities; and

(3) increases the size of the national energetic workforce.

SA 313. Ms. MURkowski (for herself, Mr. MANCHIN, Mr. TILLIS, Mr. CRAMER, Mrs. CAPITO, Mr. SULLIVAN, Mr. RISCH, Mr. JONES, and Ms. MCSALLY) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 _____, insert the following:

Subtitle _M_—Minerals Security and Technology

PART I—AMERICAN MINERAL SECURITY

SEC. 01. DEFINITIONS.

In this part:

(1) BYPRODUCT.—The term “byproduct” means a critical mineral.

(A) the recovery of which depends on the production of a host mineral that is not designated as a critical mineral; and

(B) that exists in sufficient quantities to be recovered during processing or refining.

(2) CRITICAL MINERAL.—

(A) IN GENERAL.—The term “critical mineral” means any mineral, element, substance, or material designated as critical by the Secretary under section 03.

(B) EXCLUSIONS.—The term “critical mineral” does not include—

(i) fuel minerals, including oil, natural gas, or any other fossil fuels; or

(ii) water, ice, or snow.

(3) CRITICAL MINERAL MANUFACTURING.—The term “critical mineral manufacturing” means—

(A) the exploration, development, mining, production, processing, refining, alloying, separation, concentration, magnetic sintering, melting, or beneficiation of critical minerals within the United States;

(B) the fabrication, assembly, or production, within the United States, of equipment, components, or other goods with energy technology-, defense-, agriculture-, consumer electronics-, or health care-related applications; or

(C) any other value-added, manufacturing-related use of critical minerals undertaken within the United States.

(4) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 3304).

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(6) STATE.—The term “State” means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands; and

(G) the United States Virgin Islands.

SEC. 02. POLICY.

(a) IN GENERAL.—Section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602) is amended in the second sentence—

(1) by striking paragraph (3) and inserting the following:
(3) establish an analytical and forecasting capability for identifying critical mineral demand, supply, and other factors to allow informed actions to be taken to avoid supply shortfalls, mitigate price volatility, and prepare for demand growth and other market shifts;

(2) in paragraph (6), by striking “and” after the semicolon at the end; and

(3) by striking paragraph (7) and inserting the following:

(7) facilitate the availability, development, information and data, and processing of domestic resources to meet national material or critical mineral needs; and

(8) avoid duplication of effort, prevent unnecessary surveys, and minimize delays in the administration of applicable laws (including regulations) and the issuance of permits and authorizations necessary to explore for, develop, and produce critical minerals and to construct critical mineral manufacturing facilities in accordance with applicable environmental and land management laws;

(9) strengthen—

(A) educational and research capabilities at not lower than the secondary school level; and

(B) workforce training for exploration and development of critical minerals and critical mineral manufacturing;

(10) foster international cooperation through technology transfer, information sharing, and other means;

(11) promote the efficient production, use, and recycling of critical minerals; and

(12) develop alternatives to critical minerals; and

(13) establish contingencies for the production or, as access to, critical minerals for which viable sources do not exist within the United States.

(b) CONSEQUENTIAL AMENDMENT.—Section 2(b) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 160(b)) is amended by striking “(b)” as used in this Act, the term” and inserting the following:

“(b) DEFINITIONS.—In this Act:

(1) CRITICAL MINERAL.—The term ‘critical mineral’ means any mineral, element, substance, or material designated as critical by the Secretary under section 03 of the National Defense Authorization Act for Fiscal Year 2020.

(2) MATERIALS.—The term ‘critical material’ means any mineral, element, substance, or material designated as critical by the Secretary under section 03 of the National Defense Authorization Act for Fiscal Year 2020.

(c) RESOURCE ASSESSMENT.—

(1) a description of the final methodology for determining which minerals, elements, substances, and materials qualify as critical minerals; and

(2) the final list of critical minerals.

(d) DESIGNATIONS.—

(1) In general.—For purposes of carrying out this section, the Secretary shall maintain a list of critical minerals, including probability estimates of tonnage and grade, using all available public and private information and datasets, including exploration histories.

(b) SUPPLEMENTAL INFORMATION.—In carrying out this section, the Secretary may carry out surveys and field work (including drilling, remote sensing, geophysical surveys, topographical and geological mapping, and geochemical sampling and analysis) to determine the existence of critical minerals in the United States.

(c) PUBLIC ACCESS.—Subject to applicable law, to the maximum extent practicable, the Secretary shall make all data and metadata collected from the comprehensive national assessment carried out under subsection (a) publically and electronically accessible.

(d) TECHNICAL ASSISTANCE.—At the request of the Governor of a State or the head of an Indian tribe, the Secretary may provide technical assistance to State governments and Indian tribes conducting critical mineral resource assessments on off-Federal land.

(e) PRIORITIZATION.—

(1) In general.—The Secretary may sequence the completion of resource assessments for each critical mineral such that critical minerals considered to be most critical under the methodology established under section 03 are completed first.

(2) REPORTING.—During the period beginning not later than 1 year after the date of enactment of this Act and ending on the date of completion of a list required under this section, the Secretary shall submit to Congress on an annual basis an interim report that—

(A) identifies the sequence and schedule for completion of the assessments if the Secretary sequences the assessments; or

(B) describes the progress of the assessments if the Secretary does not sequence the assessments.

(f) UPDATES.—The Secretary may periodically update the assessments conducted under this section based on—

(1) the generation of new information or datasets by the Federal Government; or

(2) the receipt of new information or datasets from critical mineral producers, State geological surveys, academic institutions, trade associations, or other persons.

(g) EXPANSION.—In carrying out the assessments under this section, the Secretary shall complete a resource assessment for each additional mineral or element subsequently designated as a critical mineral under this section no later than 2 years after the designation of the mineral or element.

(h) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the status of geological surveying of Federal land for any mineral commodity—

(1) for which the United States was dependent on a foreign country for more than 25 percent of the United States supply, as depicted in the report issued by the United States Geological Survey entitled “Mineral Commodity Summaries 2019”; and

(2) that is not designated as a critical mineral under section 03.

SEC. 05. PERMITTING.

(a) Sense of Congress.—It is the sense of Congress that—

(1) critical minerals are fundamental to the economy, competitiveness, and security of the United States;

(2) to the maximum extent practicable, the critical mineral needs of the United States should be satisfied by minerals responsibly produced and recycled in the United States; and

(3) the Federal permitting process has been identified as an impediment to critical mineral production and the mineral security of the United States.
(b) PERFORMANCE IMPROVEMENTS.—To improve the quality and timeliness of decisions, the Secretary (acting through the Director of the Bureau of Land Management) and the Secretaries shall, through interagency cooperation, encourage and foster the following: (1) the development of alternative or revised processing methods, energy applications, and other beneficial uses of critical minerals processing byproducts; (2) the identification and development of new critical minerals, while maintaining environmental standards; (3) the establishment and adherence to timelines and schedule for the consideration of, and decisions regarding, applications, operating plans, leases, licenses, permits, and other use authorizations for mineral-related activities on Federal land; (4) establishing, clear, quantifiable, and temporal permitting performance goals and tracking progress against those goals; (5) engaging in early collaboration among agencies, project sponsors, and affected stakeholders—

(A) to incorporate and address the interests of those parties; and

(B) to minimize delays;

(6) providing demonstrable improvements in the performance of Federal permitting and processing (including lower costs and more timely decisions);

(7) expanding and institutionalizing permitting and review process improvements that hold promise to be effective;

(8) developing mechanisms to better communicate priorities and resolve disputes among agencies at the national, regional, State, and local levels; and

(9) developing other practices, such as preapplication procedures,

(c) REVIEW AND REPORT.—Not later than 1 year after enactment of this Act, the Secretaries shall submit to Congress a report that—

(1) identifies additional measures (including regulatory reform, process improvements, or appropriate) that would increase the timeliness of permitting activities for the exploration and development of domestic critical minerals;

(2) identifies options (including cost recovery paid by permit applicants) for ensuring adequate staffing and training of Federal entities and personnel responsible for the consideration of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land;

(3) quantifies the amount of time typically required (including range derived from minimum and maximum durations, mean, median, variance, and other statistical measures or representations) to complete each step (including those aspects outside the control of the executive branch, such as judicial review, applicant decisions, or State and local government involvement) associated with the development and processing of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land, which shall serve as a baseline for the performance metric under subsection (d); and

(4) describes actions carried out pursuant to subsection (b).

(d) PERFORMANCE Metric.—Not later than 90 days after the date of submission of the report under subsection (c), the Secretaries, after providing public notice and an opportunity to submit comments, shall establish and publish a performance metric for evaluating the progress made by the executive branch to expedite the permitting of activities that will increase exploration and development of domestic critical minerals, while maintaining environmental standards;

(e) ANNUAL REPORT.—Not later than 1 year after the first budget submission by the President under section 1105 of title 31, United States Code, after publication of the performance metric required under subsection (d), and annually thereafter, the Secretaries shall submit to Congress a report that—

(1) summarizes the implementation of recommendations or alternative options identified in paragraphs (1) and (2) of subsection (c);

(2) using the performance metric under subsection (d), describes progress made by the executive branch, as compared to the baseline established pursuant to subsection (c)(3), on expediting the permitting of activities that will increase exploration for, and development of, domestic critical minerals; and

(3) compares the United States to other countries in the permitting efficiency and any other criteria relevant to the globally competitive critical minerals industry.

(f) INDIVIDUAL PROJECTS.—Using data from the Secretary of Energy, the Director of the Office of Management and Budget shall prioritize inclusion of individual critical mineral projects on the website operated by the Office of Management and Budget in accordance with section 1122 of title 31, United States Code.

(g) REPORT OF SMALL BUSINESS ADMINISTRATION.—Not later than 1 year and 300 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall submit to the applicable committees of Congress a report that assesses the performance of Federal agencies in accordance with section 1122 of title 31, United States Code.

(h) APPLICATION.—Section 41001(6)(A) of the FAST Act (42 U.S.C. 4570m(6)(A)) is amended in the matter preceding clause (1) by inserting “including critical mineral manufacturing (as defined in section 91 of the National Defense Authorization Act for Fiscal Year 2020)” after “manufacturing.”

SEC. 96. FEDERAL REGISTER PROCESS.

(a) DEPARTMENTAL REVIEW.—Absent any extraordinary circumstance, and except as otherwise required by law, the Secretary and the Secretary of the Treasury shall ensure that each Federal Register notice described in section (b) shall be—

(1) subject to any required reviews within the Department of the Treasury or the Department of Agriculture; and

(2) published in final form in the Federal Register not later than 45 days after the date of initial public notice.

(b) PREPARATION.—The preparation of Federal Register notices required by law associated with the issuance of a critical mineral exploration or mine permit shall be delegated to the organizational level within the agency responsible for issuing the critical minerals exploration or mine permit.

(c) TRANSMISSION.—All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated in, and transmitted to the Federal Register from, the office in which, as applicable—

(1) the documents or meetings are held; or

(2) the activity is initiated.

SEC. 97. RECYCLING, EFFICIENCY, AND ALTERNATIVES.

(a) ESTABLISHMENT.—The Secretary of Energy (referred to in this section as the “Secretary”) shall—

(1) to promote the efficient production, use, and recycling of critical minerals throughout the supply chain; and

(2) to develop regulatory innovations to critical minerals that do not occur in significant abundance in the United States.

(b) cooperators.—In carrying out the program, the Secretary shall cooperate with appropriate—

(1) Federal agencies and National Laboratories;

(2) critical mineral producers;

(3) critical mineral processors;

(4) critical mineral manufacturers;

(5) trade associations;

(6) academic institutions;

(7) small businesses; and

(8) other relevant entities or individuals.

(c) ACTIVITIES.—Under the program, the Secretary shall carry out activities that include the identification and development of—

(1) advanced critical mineral extraction, production, separation, alloying, or processing technologies that increase the energy consumption, environmental impact, and costs of those activities, including—

(A) efficient water and wastewater management strategies;

(B) technologies and management strategies to control the environmental impacts of recycling in existing critical mineral supply chains; and

(C) technologies for separation and processing; and

(D) technologies for increasing the recovery rates of byproducts from host metal ores;

(2) technologies or process improvements that minimize the use, or lead to more efficient use, of critical minerals across the full supply chain;

(3) technologies, process improvements, or design optimizations that facilitate the recycling of critical minerals; and

(d) reports.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report summarizing the activities, findings, and progress of the program.

SEC. 98. ANALYSIS AND FORECASTING.

(a) CAPABILITIES.—In order to evaluate existing critical mineral policies and inform uniform future actions that may be taken to avoid supply shortages, mitigate price volatility,
and prepare for demand growth and other market shifts, the Secretary, in consultation with the Energy Information Administration, academic institutions, and others in order to maximize the application of existing competencies related to developing and maintaining computer-models and similar analytical tools, shall conduct and publish the results of an annual report that includes—

(1) as part of the annually published Mineral Commodity Summaries from the United States Geological Survey, a comprehensive review of critical mineral production, consumption, and recycling patterns, including—

(A) the quantity of each critical mineral domestically produced during the preceding year;
(B) the quantity of each critical mineral domestically consumed during the preceding year;
(C) market price data or other price data for each critical mineral;
(D) an assessment of—

(i) critical mineral requirements to meet the national security, energy, economic, industrial, technological, and other needs of the United States during the preceding year;
(ii) the reliance of the United States on foreign sources to meet those needs during the preceding year; and
(iii) the implications of any supply shortages, restrictions, or disruptions during the preceding year;
(E) the quantity of each critical mineral domestically recycled during the preceding year;
(F) the market penetration during the preceding year of alternatives to each critical mineral; and
(G) a discussion of international trends associated with the discovery, production, consumption, use, costs of production, prices, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(2) a comprehensive forecast, entitled the “Annual Critical Minerals Outlook”, of projected critical mineral production, consumption, and recycling patterns, including—

(A) the quantity of each critical mineral projected to be domestically produced over the subsequent 1-year, 5-year, and 10-year periods;
(B) the quantity of each critical mineral projected to be domestically consumed over the subsequent 1-year, 5-year, and 10-year periods;
(C) an assessment of—

(i) critical mineral requirements to meet projected national security, energy, economic, industrial, technological, and other needs of the United States;
(ii) the projected reliance of the United States on foreign sources to meet those needs; and
(iii) the projected implications of potential supply shortages, restrictions, or disruptions during the preceding year; and
(E) the market penetration of alternatives to each critical mineral projected to take place over the subsequent 1-year, 5-year, and 10-year periods;
(F) a discussion of reasonably foreseeable international trends associated with the discovery, production, consumption, use, costs of production, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(G) such other projections relating to each critical mineral as the Secretary determines to be necessary to achieve the purposes of this section.

(b) REPORT-DUTY INFORMATION.—In preparing a report described in subsection (a), the Secretary shall ensure, consistent with section 5(f) of the National Materials and Minerals Policy and Development Act of 1980 (30 U.S.C. 1606), that—

(1) no person uses the information and data collected for the report for a purpose other than the development of an aggregate data in a manner such that the identity of the person or firm who supplied the information is not discernible and is not material to the intended uses of the information;
(2) no person discloses any information or data collected for the report unless the information or data has been transformed into a statistical or aggregate form that does not allow the identification of the person or firm who supplied particular information; and

(3) procedures are established to require the withholding of any information or data collected for the report if the Secretary determines that withholding is necessary to achieve the purposes of this Act.

(4) the Secretary shall submit to the Congress an assessment of the domestic supply of each critical mineral for each of fiscal years 2020 through 2029, to reflect changing market conditions, international trends, and other factors.

(c) PROGRAM.—

(1) ESTABLISHMENT.—The Secretary and the Secretary of Labor shall jointly conduct a competitive grant program under which higher education with substantial expertise in mining, institutions of higher education with substantial expertise in mining, including fundamental research into alternatives, and employers in the critical minerals sector shall submit to the Secretary an application for a grant under this subsection.

(2) RENEWAL.—A grant under this subsection may be renewed for up to 3 additional 5-year terms based on performance criteria outlined under subsection (b).

(d) COMPLIANCE.—Nothing in this part or an amendment made by this part modifies any requirement or authority provided by—

(1) in general.—Nothing in this part or an amendment made by this part modifies any requirement or authority provided by—

(a) ENSURE.—In general.—The Secretary of State and the Secretary of Commerce shall cooperate with the Department of State to ensure that all available diplomatic efforts are taken to prevent the theft of critical minerals, including—

(i) the Secretary shall develop guidelines for proposals from institutions of higher education with substantial capabilities in the required disciplines for activities to improve the critical mineral supply chain and increase domestic, critical mineral exploration, development, production, manufacturing, and recycling; and

(ii) the Secretary shall—

(1) outline criteria for evaluating performance and recommendations for the amount of funding that will be necessary to establish and carry out the program described in subsection (c);

(iii) the implications of any supply shortages, restrictions, or disruptions during the preceding year; and

(iv) the sufficiency of personnel within relevant areas of the Federal Government for achieving the policies described in section 3 of the National Materials and Minerals Policy and Development Act of 1980 (30 U.S.C. 1606).

(2) RENEWAL.—A grant under this subsection shall be renewable for up to 3 additional 5-year terms based on performance criteria outlined under subsection (b).

(e) EFFECT ON DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Nothing in this part or an amendment made by this part modifies any requirement or authority provided by—

(2) EFFECT ON DEPARTMENT OF DEFENSE.—Nothing in this part or an amendment made
by this part affects the authority of the Secretary of Defense, for the military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 11, insert the following:

1. THE DEPARTMENT OF VETERANS AFFAIRS OFFERS A DEPARTMENT BACKED HOME LOAN FOR WHICH VETERANS ARE GENERALLY REQUIRED TO PAY FEES TO DEFRAY THE COST OF ADMINISTERING THE HOME LOAN.

2. VETERANS ARE EXEMPT FROM PAYING THE FEES IF THEY ARE ENTITLED TO RECEIVE DISABILITY COMPENSATION FROM THE DEPARTMENT OF VETERANS AFFAIRS.

3. BETWEEN JANUARY 1, 2012, AND DECEMBER 31, 2017, VETERANS PAID FEES OF MORE THAN $286,000,000 IN ASSOCIATION WITH DEPARTMENT BACKED HOME LOANS DESPITE BEING EXEMPT FROM SUCH FEES. FEES PAID INCLUDED $65,800,000 IN FEES THAT COULD HAVE BEEN AVOIDED.

4. OF THOSE ERRONEOUSLY PAID FEES, $189,900,000 IN FEES ARE REFUNDED TO VETERANS.

5. MORE THAN 70,000 VETERANS MAY HAVE BEEN AFFECTED BY THESE ERRONEOUSLY PAID FEES.

6. PLAN TO IDENTIFY INDIVIDUALS WHO WERE ERRONEOUSLY CHARGED FEES.


(2) Between January 1, 2012, and December 31, 2017, veterans paid fees of more than $286,000,000 in association with Department backed home loans despite being exempt from such fees. Fees paid included $65,800,000 in fees that could have been avoided. Of those erroneously paid fees, $189,900,000 in fees are refunded to veterans. More than 70,000 veterans may have been affected by these erroneously paid fees. Plan to identify individuals who were erroneously charged fees. ERRONEOUS CHARGES JANUARY 1, 2012, TO DECEMBER 31, 2017.
Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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:

SEC. 416. MODIFICATION OF AUTHORIZED STRENGTH OF AIR FORCE RESERVE SECURING AND MENTAL HEALTH RESERVE COMPONENT DUTY FOR ADMINISTRATION OF THE RESERVES OR THE NATIONAL GUARD.

(a) In General.—The table in section 12011(a)(1) of title 10, United States Code, is amended by striking the matter relating to the Air Force Reserve and inserting the following new matter:

<table>
<thead>
<tr>
<th>Air Force Reserve</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000</td>
</tr>
<tr>
<td>1,500</td>
</tr>
<tr>
<td>2,000</td>
</tr>
<tr>
<td>2,500</td>
</tr>
<tr>
<td>3,000</td>
</tr>
<tr>
<td>3,500</td>
</tr>
<tr>
<td>4,000</td>
</tr>
<tr>
<td>4,500</td>
</tr>
<tr>
<td>5,000</td>
</tr>
<tr>
<td>5,500</td>
</tr>
<tr>
<td>6,000</td>
</tr>
<tr>
<td>6,500</td>
</tr>
<tr>
<td>7,000</td>
</tr>
</tbody>
</table>

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2019, and shall apply with respect to fiscal years beginning on or after that date.
(ii) in the first sentence, by striking ‘‘In carrying out’’ and inserting the following: ‘‘(i) IN GENERAL.—In carrying out’’; and (D) by adding at the end the following: ‘‘(ii) CARBON DIOXIDE UTILIZATION.—(A) IN GENERAL.—In carrying out paragraph (3)(A) with respect to carbon dioxide, the Administrator shall carry out the activities described in each of subparagraphs (B), (C), (D), and (E). (B) DIRECT AIR CAPTURE RESEARCH.—(i) DEFINITIONS.—In this subparagraph: (I) Board means the Direct Air Capture Technology Advisory Board established by clause (iii)(I). (II) DILUTE.—The term ‘‘dilute’’ means a concentration of less than 1 percent by volume. (III) DIRECT AIR CAPTURE.—(aa) IN GENERAL.—The term ‘‘direct air capture’’, with respect to a facility, technology, or system means that the facility, technology, or system uses carbon capture equipment to capture carbon dioxide directly from the air. (bb) EXCLUSION.—The term ‘‘direct air capture’’ does not include any facility, technology, or system that captures carbon dioxide. (AAA) that is deliberately released from a naturally occurring subsurface spring; or (BBB) that is deliberately released from a sedimentary rock layer. (IV) INTELLECTUAL PROPERTY.—The term ‘‘intellectual property’’ means— (aa) an invention that is patentable under title 35, United States Code; (bb) any patent on an invention described in item (aa). (II) TECHNOLOGY PRIZES.—(I) IN GENERAL.—Not later than 1 year after the date of enactment of the USE IT Act, the Administrator, in consultation with the Secretary of Energy, shall establish a program to provide, and shall provide, financial awards on a competitive basis for direct air capture from media in which the concentration of carbon dioxide is dilute. (II) DUTIES.—In carrying out this clause, the Administrator shall— (aa) subject to subclause (III), develop specific requirements for— (AAA) the competition process; and (BB) the bidders; (bb) offer financial awards for a project designed— (AA) to the maximum extent practicable, to capture more than 10,000 tons of carbon dioxide per year; and (BB) to operate in a manner that would be commercially viable in the foreseeable future (as determined by the Board); and (ccc) to the maximum extent practicable, make financial awards to geographically diverse projects, including at least— (AA) 1 project in a coastal State; and (BB) 1 project in a rural State. (III) PUBLIC PARTICIPATION.—In carrying out subclause (II)(aa), the Administrator shall— (aa) provide notice of, and for a period of not less than 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in subclause (II)(aa); and (bb) take into account public comments received in developing the final version of those requirements. (IV) DIRECT AIR CAPTURE TECHNOLOGY ADVISORY BOARD.—(I) ESTABLISHMENT.—There is established an advisory board known as the ‘‘Direct Air Capture Technology Advisory Board’’. (II) COMPOSITION.—The Board shall be composed of not less than 9 members appointed by the Administrator, which shall provide expertise in— (aa) climate science; (bb) physics; (cc) chemistry; (dd) biology; (ee) economics; (ff) government management; and (gg) business management. (III) BOARD.—A member of the Board shall serve for a term of 6 years. (IV) VACANCIES.—A vacancy on the Board— (aa) shall not affect the powers of the Board; and (bb) shall be filled in the same manner as the original appointment was made. (IV) INITIAL.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board. (V) MEETINGS.—The Board shall meet at the call of the Chairperson or on the request of the Administrator. (VI) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings. (VII) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board. (VIII) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Board. (IX) DUTIES.—The Board shall advise the Administrator on carrying out the duties of the Administrator under this subparagraph. (X) FACILITIES.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board. (XI) INTELLECTUAL PROPERTY.—(I) IN GENERAL.—As a condition of receiving a financial award under this subparagraph, an applicant shall agree to vest the intellectual property of the applicant derived from the intellectual property of entities that are incorporated in the United States. (II) RESERVATION OF LICENSE.—The United States— (aa) may reserve a nonexclusive, nontransferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States— (AA) may reserve a nonexclusive, nontransferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States; and (BB) may reserve a nonexclusive, nontransferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States— (AA) to the maximum extent practicable, to make financial awards to geographically diverse projects, including at least— (AA) 1 project in a coastal State; and (BB) 1 project in a rural State. (III) TRANSFER OF TITLE.—Title to any intellectual property described in subclause (I) shall pass to the Secretary of Energy as soon as practical after the Secretary of Energy acquires title thereto. (IV) AUTHORIZATION OF APPROPRIATIONS.—(I) IN GENERAL.—There is authorized to be appropriated to carry out this subparagraph $50,000,000, to remain available until expended. (II) REQUIREMENT.—Research carried out using amounts made available under subclause (I) may not duplicate research funded by any other Federal agency. (III) DEEP SALINE FORMATION REPORT.—(I) DEFINITION OF DEEP SALINE FORMATION.—(A) IN GENERAL.—In this subparagraph, the term ‘‘deep saline formation’’ means any formation of subsurface geographically extensive sedimentary rock layers saturated with water and having the properties that high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid. (B) USE.—In this subparagraph, the term ‘‘deep saline formation’’ means any formation of subsurface geographically extensive sedimentary rock layers saturated with water and having the properties that high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid.
"(ii) REPORT.—In consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency and relevant stakeholders, not later than 1 year after the date of enactment of this Act, the Administrator shall prepare, submit to Congress, and make publicly available a report that includes—

(1) a methodology for evaluating and ranking technologies based on the ability of each technology to capture, utilize, and sequester carbon dioxide emissions or reduce carbon dioxide levels in the air, in conjunction with other Federal agencies; and

(2) a plan for supporting additional non-regulatory strategies and technologies that could significantly prevent carbon dioxide emissions or reduce carbon dioxide levels in the air, and

(iii) INCLUSIONS.—The plan submitted under clause (i) shall include—

(A) IN GENERAL.—Not less frequently than once every 2 years, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes—

(I) the recipients of assistance under subparagraph (B) and (C); and

(ii) a methodology for evaluating and ranking technologies based on the ability of the technologies to cost effectively reduce carbon dioxide emissions or carbon dioxide levels in the air; and

(iii) a description of any non-air-related environmental or energy considerations regarding the technologies.

(B) REPORT.—The Comptroller General of the United States shall submit to Congress a report describing how funds appropriated to the Administrator during the 5 most recent fiscal years have been used to carry out section 103(g) of the Clean Air Act (42 U.S.C. 7493(g)) (commonly known as the “Bald and Golden Eagle Protection Act”); and

(iv) I N GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to Congress a report describing how funds appropriated to the Administrator to differentiate funding used to carry out that section, as compared to funding used to carry out other provisions of law, including a description of—

(A) the amount of funds used to carry out specific provisions of that section; and

(B) the practices used by the Administrator to differentiate funding used to carry out that section, as compared to funding used to carry out other provisions of law.

(iii) TASK FORCE.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a report describing how funds appropriated to the Administrator to differentiate funding used to carry out that section, as compared to funding used to carry out other provisions of law, including a description of—

(V) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.); and

(VI) division A of subtitle III of title 54, United States Code (formerly known as the “National Historic Preservation Act”); and

(VII) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(VIII) the Act of June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the “Bald and Golden Eagle Protection Act”); and

(IX) any other Federal law that the Chair determines to be appropriate.

(iv) ENVIRONMENTAL REVIEWS.—The guidance under subparagraph (A) shall include—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Chair of the Council on Environmental Quality (referred to in this section as the “Chair”), in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, the Executive Director of the Federal Permitting Improvement Council, and the head of any other relevant Federal agency (as determined by the President), shall prepare a report that—

(1) compiles all existing relevant Federal permit and environmental review and resources for project applicants, agencies, and other stakeholders interested in the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—

(I) the appropriate points of interaction with Federal agencies;

(II) the determination of the permitting responsibilities and authorities among Federal agencies; and

(III) best practices and templates for permitting;

(2) inventories current or emerging activities that transform captured carbon dioxide into a product of commercial value, or an input to products of commercial value; and

(3) inventories existing initiatives and recent publications that analyze or identify priority carbon dioxide pipelines needed to enable a responsible, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale; and

(iv) GUIDANCE.—The guidance under sub-paragraph (A) shall—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Chair shall establish, and, as necessary, revise the guidance under sub-paragraph (A); and

(B) REQUIREMENTS.—The Chair shall—

(I) submit the report under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(ii) as soon as practicable, make the guidance publicly available.

(v) TASK FORCE.—Not later than 18 months after the date of enactment of this Act, the Chair shall establish not less than 2 task forces, which shall each cover a different geographical area with differing demographic, land use, or geological issues—
(i) to identify permitting and other challenges and successes that permitting authorities and project developers and operators face; and
(ii) to improve the performance of the permitting process and regional coordination for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) MEMBERS AND SELECTION.—
(i) IN GENERAL.—The Chair shall—
(I) develop criteria for the selection of members for each task force; and
(II) select members for each task force in accordance with subclause (I) and clause (ii).
(ii) MEMBERS.—Each task force—
(I) shall include not less than 1 representative of each of—
(aa) the Environmental Protection Agency;
(bb) the Department of Energy;
(cc) any State that requests participation; or
(dd) any other Federal agency the Chair determines to be appropriate;
(ee) any State that requests participation in the geographical area covered by the task force;
(ff) developers or operators of carbon capture, utilization, and sequestration projects or carbon dioxide pipelines; and
(gg) nongovernmental membership organizations, the primary mission of which concerns protection of the environment; and
(ii) at the request of a Tribal or local government or any other Federal agency the Chair determines to be appropriate;
(aa) not less than 1 local government in the geographical area covered by the task force; and
(bb) not less than 1 Tribal government in the geographical area covered by the task force.

(C) MEETINGS.—
(I) IN GENERAL.—Each task force shall meet not less than twice each year.
(ii) JOINT MEETING.—To the maximum extent practicable, the task forces shall meet collectively not less than once each year.

(D) DUTIES.—Each task force shall—
(i) inventory existing or potential Federal and State approaches to facilitate reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including best practices that—
(I) reduce permitting time; and
(II) engage stakeholders early in the permitting process; and
(ii) make the permitting process efficient, orderly, and responsible;
(iii) develop common models for State-level carbon dioxide pipeline regulation and oversight guidelines that can be shared with States in the geographical area covered by the task force; and
(iv) provide technical assistance to States in the geographical area covered by the task force in implementing regulatory requirements and any models developed under clause (ii);

SEC. 333. STUDY ON FEASIBILITY OF CONDUCTING TRAINING FOR EA-18 GROWLERS USING A DECOMMISSIONED AIRCRAFT CARRIER.

(A) IN GENERAL.—The Secretary of the Navy shall conduct a study on the feasibility of conducting training for EA-18 Growlers using a decommissioned aircraft carrier as an alternative to training for such aircraft conducted as of the date of the enactment of this Act.

(B) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study conducted under subsection (a).

SEC. 322. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, defense-wide activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 12. STATEMENT OF POLICY AND SENSE OF SENATE ON MUTUAL DEFENSE TREATY WITH THE REPUBLIC OF THE PHILIPPINES.

(A) STATEMENT OF POLICY.—It is the policy of the United States that—
(1) while the United States has long adopted an approach that takes no position on the ultimate disposition of the disputed sovereignty claims of the Spratly Islands, the use of force is unacceptable;
(2) respect for and adherence to arbitral decisions issued pursuant to the United Nations Convention on the Law of the Sea by all parties is crucial; and
(3) an attack on the armed forces, public vessels, or aircraft of the Republic of the Philippines within the metropolitan territory of the Philippines or on island territories in the Pacific under the jurisdiction of the Republic of the Philippines, including the South China Sea, would come within the United States purview to Article IV of the Mutual Defense Treaty between the Republic of the Philippines and the United States of America, done at Washington August 30, 1951, as long as any danger in accordance with the constitutional processes of the Republic of the Philippines.

(B) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of State and the Secretary of Defense should—
(1) affirm the commitment of the United States to the Mutual Defense Treaty between the United States and the Republic of the Philippines;
(2) preserve and strengthen the alliance of the United States with the Republic of the Philippines; and
(3) prioritize efforts to develop a shared understanding of alliance commitments and defense planning; and

SEC. 306. MONITORING OF NOISE FROM FLIGHTS AND TRAINING OF EA-18G GROWLERS ASSOCIATED WITH NAVAL AIR STATION WHIDBEY ISLAND.

(A) IN GENERAL.—The Secretary of Defense shall provide for real-time monitoring of noise from all flights and training of EA-18G Growlers associated with Naval Air Station Whidbey Island, including monitoring of noise relating to—

SEC. 324. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction,
and for defense activities of the Department of Energy, to 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. 333. ESTABLISHMENT OF ADVISORY AIR TRAINING PROGRAM FOR THE AIR FORCE.

(a) IN GENERAL.—The Secretary of the Air Force shall implement an advisory air training program through the award of contracts to qualified entities, as determined by the Secretary, through the use of competitive procurement under the provisions of the Federal Acquisition Regulation to enhance competitive savings, and provide a variety of adversary aircraft.

(b) ELEMENTS OF PROGRAM.—The program under subsection (a) shall—

(1) leverage commercial adversary air support as a most efficient use of experienced instructors, re-purposed supersonic fighter aircraft, and specialized equipment to re-store peer adversary capability in tactical services through threat-representative adversary support;

(2) promote stability to acquire and retain experienced fighter tactics instructor pilots and aircraft maintainers, along with fighter aircraft and systems, so as to have a safe, effective, and trainable commercial adversary air program;

(3) preserve Air Force program flexibility through subsequent task orders for individual location support;

(4) immediately reduce airplane and engine hours accumulated on front line aircraft currently being used as adversary aircraft training aircraft;

(5) preserve operational flight hours and aircraft available for mission readiness training; and

(6) being immediate front line aircraft operations and maintenance savings by aggressively transitioning to commercial adversary air training programs.

(c) TYPES OF CONTRACTS.—The Secretary of the Air Force shall carry out the program under subsection (a) through the award of commercial adversary air contracts.

(d) USE OF FUNDS.—In carrying out this program, the Secretary of the Air Force shall carry out the program under subsection (a) through the award of contracts to qualified entities, as determined by—

(1) leverage commercial adversary air support as a most efficient use of experienced instructors, re-purposed supersonic fighter aircraft, and specialized equipment to re-store peer adversary capability in tactical services through threat-representative adversary support;

(2) promote stability to acquire and retain experienced fighter tactics instructor pilots and aircraft maintainers, along with fighter aircraft and systems, so as to have a safe, effective, and trainable commercial adversary air program;

(3) preserve Air Force program flexibility through subsequent task orders for individual location support;

(4) immediately reduce airplane and engine hours accumulated on front line aircraft currently being used as adversary aircraft training aircraft;

(5) preserve operational flight hours and aircraft available for mission readiness training; and

(6) being immediate front line aircraft operations and maintenance savings by aggressively transitioning to commercial adversary air training programs.

(e) IN GENERAL.—The Secretary of the Air Force shall implement an advisory air training program through the award of contracts to qualified entities, as determined by the Secretary, through the use of competitive procurement under the provisions of the Federal Acquisition Regulation to enhance competitive savings, and provide a variety of adversary aircraft.

(f) ELEMENTS OF PROGRAM.—The program under subsection (a) shall—

(1) leverage commercial adversary air support as a most efficient use of experienced instructors, re-purposed supersonic fighter aircraft, and specialized equipment to re-store peer adversary capability in tactical services through threat-representative adversary support;

(2) promote stability to acquire and retain experienced fighter tactics instructor pilots and aircraft maintainers, along with fighter aircraft and systems, so as to have a safe, effective, and trainable commercial adversary air program;

(3) preserve Air Force program flexibility through subsequent task orders for individual location support;

(4) immediately reduce airplane and engine hours accumulated on front line aircraft currently being used as adversary aircraft training aircraft;

(5) preserve operational flight hours and aircraft available for mission readiness training; and

(6) being immediate front line aircraft operations and maintenance savings by aggressively transitioning to commercial adversary air training programs.

SEC. 326. Mr. CARPER (for himself, Mr. TESTER, Mr. JOHNSON, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 X, add the following:

SEC. 1061. REPORT ON NATIONAL GUARD AND STATES Northern Command, and an identification of emerging gaps and shortfalls in light of current homeland security threats to our country.

(2) A list of the resources that each State and Territory National Guard has at its disposal that are available to respond to a homeland defense or security incident, with particular focus on a multi-State electromagnetic pulse event.

(3) The readiness and resourcing status of forces listed pursuant to paragraph (2).

(4) The current strengths and areas of improvement in working with State and Federal interagency partners.

(5) The current and anticipated commitments that address National Guard readiness and resourcing of regular United States Northern Command forces postured to respond to homeland defense and security incidents.

(6) A roadmap to 2040 that addresses readiness across the spectrum of long-range emerging threats facing the United States.

SA 325. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 1061. REPORT ON NATIONAL GUARD AND STATES Northern Command, and an identification of emerging gaps and shortfalls in light of current homeland security threats to our country.

(2) A list of the resources that each State and Territory National Guard has at its disposal that are available to respond to a homeland defense or security incident, with particular focus on a multi-State electromagnetic pulse event.

(3) The readiness and resourcing status of forces listed pursuant to paragraph (2).

(4) The current strengths and areas of improvement in working with State and Federal interagency partners.

(5) The current and anticipated commitments that address National Guard readiness and resourcing of regular United States Northern Command forces postured to respond to homeland defense and security incidents.

(6) A roadmap to 2040 that addresses readiness across the spectrum of long-range emerging threats facing the United States.

SA 326. Mr. CARPER (for himself, Mr. TESTER, Mr. JOHNSON, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 1061. REPORT ON NATIONAL GUARD AND STATES Northern Command, and an identification of emerging gaps and shortfalls in light of current homeland security threats to our country.

(2) A list of the resources that each State and Territory National Guard has at its disposal that are available to respond to a homeland defense or security incident, with particular focus on a multi-State electromagnetic pulse event.

(3) The readiness and resourcing status of forces listed pursuant to paragraph (2).

(4) The current strengths and areas of improvement in working with State and Federal interagency partners.

(5) The current and anticipated commitments that address National Guard readiness and resourcing of regular United States Northern Command forces postured to respond to homeland defense and security incidents.

(6) A roadmap to 2040 that addresses readiness across the spectrum of long-range emerging threats facing the United States.
which was ordered to lie on the table; as follows:

At the end of subtitle A of title IX, add the following:

SEC. 906. INSTITUTIONALIZATION WITHIN DEPARTMENT OF DEFENSE OF RESPONSIBILITIES AND AUTHORITIES OF THE CHIEF MANAGEMENT OFFICER.—The Secretary of Defense shall determine the manner in which the Chief Management Officer directs the business-related activities of the military departments.

(a) MANNER OF DIRECTION OF BUSINESS-RELATED ACTIVITIES OF MILITARY DEPARTMENTS.—The Secretary of Defense shall determine the manner in which the Chief Management Officer directs the business-related activities of the military departments.

(b) RESPONSIBILITY FOR DEFENSE AGENCIES AND DEPARTMENT OF DEFENSE.—The Secretary shall assign responsibilities and authorities, if any, of the Chief Management Officer for the Defense Agencies and the Department of Defense Field Activities, including a determination as to the following:

(1) Whether one or more additional Defense Agencies, Department of Defense Field Activities, or both should provide shared business services.

(2) Which Defense Agencies, Department of Defense Field Activities, or both should be required to submit their proposed budgets for enterprise business operations to the Chief Management Officer for review.

(3) ASSIGNMENT OF RESPONSIBILITIES AND AUTHORITIES.—The Secretary shall determine the manner of discharge of such responsibilities and authorities, applicable Department-wide, as appropriate.

(d) PLAN OF ACTION REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a plan, including in such plan a timeline for carrying out the requirements of this section.

SA 328. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 866. CIVILIAN LEADERSHIP OF CROSS FUNCTIONAL TEAMS.

The Secretary of Defense shall ensure that—

(1) all Cross Functional Teams (CFTs) have civilian leadership;

(2) all civilian and senior military personnel assigned to leadership positions within defense acquisition organizations and Cross Functional Teams (CFTs) possess the appropriate acquisition certifications as directed by the Defense Acquisition Workforce Improvement Act (title XII of Public Law 110–114); and

(3) the Army Futures Command reports directly to the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, who will be the final authority over all acquisition and modernization decisions for the Army.

SA 329. Mr. VAN HOLLEN (for himself, Mr. MERKLEY, Mr. WARNER, Mr. BROWN, and Mr. KAIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 subtitle H of title X, add the following:

SEC. 252. REAFFIRMING THE AUTHORITY OF THE UNDER SECRETARY.

(a) IN GENERAL.—Notwithstanding the authority specified in Reorganization Plan Numbered 2 of 1933 (7 Stat. 633; 5 U.S.C. App.; 7 U.S.C. 2201 note) or any other provision of Federal law relating to the authority of the Secretary, including section 296—

(1) the National Institute of Food and Agriculture, the Economic Research Service, the National Agricultural Statistics Service, and the National Institute of Food and Agriculture (and any other agency within the Department of Agriculture) shall be within the research, education, and economics mission area of the Department;

(2) the authority to administer each of those agencies is vested in the Under Secretary for Research, Education, and Economics; and

(3) the authority to administer those agencies may not be vested in the head of another agency within the Department.

(b) LOCATION OF AGENCIES.—The Under Secretary shall locate the headquarters of the Economic Research Service and the National Institute of Food and Agriculture, and the majority of the staff of each of those agencies, within the National Capital Region to ensure maximum coordination and interoperability.

(c) ASSIGNMENT OF RESPONSIBILITIES AND AUTHORITIES.—The Secretary shall assign responsibilities and authorities, if any, of the Chief Management Officer for the Defense Agencies and the Department of Energy, to 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. 333. SENSE OF SENATE ON PRIORITIZING SURVIVABLE LOGISTICS FOR THE DEPARTMENT OF DEFENSE.

It is the sense of the Senate that—

(1) resilient and agile logistics are necessary to implement the 2018 National Defense Strategy because it enables the United States to project power and sustain the fight against its strategic competitors in peace-time and during war;

(2) the joint logistics enterprise of the Armed Forces of the United States faces high-end threats from strategic competitors China, Russia, and Iran, all of whom have invested in anti-access area denial capabilities and gray zone tactics;

(3) there are significant logistics shortfalls, as outlined in the final report of the Defense Science Board (DSB) Task Force on Survivable Logistcs, which, if left unaddressed, would hamper the readiness and capability of the United States to conduct operations globally;

(4) the military departments have not shown a strong commitment to funding logistics, for example—

(A) the Army and the Air Force, excluding the reserve components, requested $76,000,000 more in procurement of commercial cargo vehicles for fiscal year 2020; and

(B) since fiscal year 2018, there has been neither a line item request for the National Defense Sealift Fund nor a request to increase more prepositioning or surge ships; and

(C) the Marine Corps only asked for $5,000,000 more in procurement of commercial cargo vehicles for fiscal year 2020; and

(5) the Secretary of Defense should enact the full list of recommendations listed in the November 2018 final report of the Defense Science Board (DSB) Task Force on Survivable Logistics and, particularly, the Secretary should address the chronic underfunding of the logistics mission area of the Department of Defense.

SA 331. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 XI, insert the following:

SEC. 877. Department of Defense family and medical leave banks.

(a) IN GENERAL.—Subchapter V of chapter 63 of title 5, United States Code, is amended—

(1) by redesignating section 6387 as section 6388; and

(2) by inserting after section 6386 the following:

SEC. 6387. Department of Defense family and medical leave banks.

(1) the term ‘leave recipient’ means a covered DOD employee whose application under subsection (e)(1) to receive leave from a family and medical leave bank is approved; and

(2) the term ‘Secretary’ means the Secretary of Defense.

(3) the term ‘designated unit’ means any agency, component, or other administrative unit of the Department designated by the Secretary under subsection (b)(1);

(4) the term ‘family and medical leave bank’ means a family and medical leave bank established under subsection (b)(2);

(5) the term ‘leave recipient’ means a covered DOD employee whose application under subsection (e)(1) to receive leave from a family and medical leave bank is approved; and

(6) the term ‘Secretary’ means the Secretary of Defense.

(7) the term ‘family and medical leave bank’ means a family and medical leave bank established under subsection (b)(2).

(8) the term ‘leave recipient’ means a covered DOD employee whose application under subsection (e)(1) to receive leave from a family and medical leave bank is approved; and

(9) the term ‘Secretary’ means the Secretary of Defense.

(10) the term ‘family and medical leave bank’ means a family and medical leave bank established under subsection (b)(2).

(11) the term ‘leave recipient’ means a covered DOD employee whose application under subsection (e)(1) to receive leave from a family and medical leave bank is approved; and

(12) the term ‘Secretary’ means the Secretary of Defense.
“(1) designate the agencies, components, or other administrative units of the Department for which it is appropriate to have a separate family and medical leave bank; and

“(2) establish a family and medical leave bank for each designated unit.

“(c) Establishment of Family and Medical Leave Boards.

“(1) In general.—For each family and medical leave bank established by the Secretary, the Secretary shall establish a Family and Medical Leave Board consisting of 3 members, at least one of whom shall represent a labor organization or employee group, to administer the family and medical leave bank. The board shall carry out its duties in consultation with the Office of Personnel Management.

“(2) Duties.—Each Family and Medical Leave Bank Board, in conjunction with the human resource office for the agency, component, or administrative unit for which the applicable family and medical leave bank was established, shall—

“(A) review and determine whether to approve applications to the family and medical leave bank under subsection (a)(1);

“(B) monitor each case of a leave recipient;

“(C) determine the amount of leave in the family and medical leave bank and the number of applications for use of leave from the family and medical leave bank; and

“(D) maintain an adequate amount of leave in the family and medical leave bank to the greatest extent practicable.

“(3) Certifying Family and Medical Events.—To the greatest extent practicable, each Family and Medical Leave Bank Board shall use the certification forms and standards established for purposes of section 6382 in determining whether, for purposes of this section, a circumstance described in section 6382(a)(1) exists.

“(d) Crediting of Leave.—

“(1) Forfeited Leave.—Any annual leave lost by a covered DOD employee by operation of section 6389 shall be credited to the family and medical leave bank of the designated unit in which the covered DOD employee is employed.

“(2) Additional Annual Leave Contributions.—This section shall not supersede or modify the ability of a covered DOD employee to donate earned annual leave to a qualified recipient under regulations of the Department.

“(3) Contributions of Use or Loss Leave.—

“(A) In general.—A covered DOD employee who is projected to have annual leave that would otherwise be subject to forfeiture at the end of the leave year under section 6384 may submit an application in writing requesting that a specified number of hours (not to exceed the number of hours projected to be subject to forfeiture) be transferred from the annual leave account of the covered DOD employee to the family and medical leave bank for the designated unit in which the covered DOD employee is employed.

“(B) Application for Leave.—A Family and Medical Leave Bank Board approves an application by a covered DOD employee under paragraph (A), the Secretary shall transfer to the family and medical leave bank of the designated unit in which the covered DOD employee is employed the amount of leave requested to be transferred.

“(C) Application for Leave.—

“(1) In general.—A covered DOD employee who is or anticipates being absent from regularly scheduled duty because of a circumstance described in section 6382(a)(1) who submits an application to receive a leave from the family and medical leave bank of the designated unit in which the covered DOD employee is employed, which shall contain such information as the Secretary, in consultation with the Director of the Office of Personnel Management, shall by regulation prescribe.

“(2) Determining amount of leave a Family and Medical Leave Bank Board may—

“(A) approve an application submitted under paragraph (1); and

“(B) specify the amount of leave that shall be transferred to a covered DOD employee whose application is approved.

“(3) Maximum Amount of Leave.—

“(A) In general.—A Family and Medical Leave Bank Board may not specify an amount of leave to be transferred to a covered DOD employee that is more than the amount of leave described in subparagraph (B).

“(B) Amount.—The amount described in this subparagraph is—

“(i) with respect to a full-time covered DOD employee, 12 weeks; and

“(ii) with respect to a part-time covered DOD employee, the amount equal to the product obtained by multiplying—

“(I) 12 weeks; by

“(II) the quotient obtained by dividing—

“(aa) the number of hours in the regularly scheduled workweek of the part-time covered DOD employee; by

“(bb) the number of hours in the regularly scheduled workweek of a covered DOD employee serving in a comparable position on a full-time basis.

“(4) Transfer.—The Secretary shall transfer to a covered DOD employee whose application is approved under paragraph (2)(A) the number of hours of leave specified under paragraph (2)(B) from the family and medical leave bank for the unit in which the covered DOD employee is employed.

“(e) Use of Leave.—

“(1) Coordination with Existing FML.—A leave recipient to leave under section 6382(a)(1) shall use any leave transferred to the leave recipient from a family and medical leave bank in accordance with section 6383.

“(2) Failure to Use Leave.—

“(A) In general.—Any leave transferred to a leave recipient from a family and medical leave bank that is not used before the end of the 12-month period beginning on the date described in subparagraph (B)—

“(i) shall be forfeited by the leave recipient; and

“(ii) shall be credited to the family and medical leave bank from which the leave was transferred.

“(B) Start of Period for Use.—The date described in this subparagraph is the later of—

“(i) the date on which the circumstance described in section 6382(a)(1) arises; or

“(ii) the date on which leave is transferred to the covered DOD employee under subsection (e)(4).

“(3) Use of Family and Medical Leave.—Section 6382(d) of title 5, United States Code, is amended—

“(1) by inserting “(1) before “An employee may elect’’ the first place it appears; and

“(2) by adding at the end the following—

“(dd) A covered DOD employee may be transferred to a covered DOD employee to whom leave was transferred from a family and medical leave bank under section 6387—

“(i) shall substitute for any leave without pay provided for in section 6382(a)(1) this amount of leave transferred to the employee from the family and medical leave bank; and

“(ii) may substitute for any leave without pay provided for in section 6382(a)(1) this amount of sick leave accrued or compensated by such employee under subsection 1.

“(C) A covered DOD employee to whom leave is transferred from a family and medical leave bank shall first use all of the transferred leave before using leave described in subparagraph (B).

“(D) The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out this paragraph.

“(e) OPM Authority.—If the Director of the Office of Personnel Management determines that it is appropriate to have a family and medical leave bank program Governmentwide would be appropriate, the Director may prescribe regulations granting Executive agencies (as defined in section 105 of title 5, United States Code) the authority to establish family and medical leave banks, in the same manner as provided under the amendments made by subsections (a) and (b), to the maximum extent practicable.

“(f) Technical and Conforming Amendments.—The table of sections for chapter 63 of title 5, United States Code, is amended by striking the item relating to section 6387 and inserting the following:


“6388. Regulations.”.

“SA 332. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for foreign operations, and for defense activities of the Department of Energy, to 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. 63. PROHIBITION ON INTRODUCTION OF UNITED STATES ARMED FORCES INTO HOSTILITIES WITH RESPECT TO VENEZUELA.

“(a) Short Title.—This section may be cited as the “Prohibiting Unauthorized Military Action in Venezuela Resolution of 2019”.

“(b) Prohibition.—Except as consistent with the requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.), none of the amounts authorized to be appropriated or otherwise made available for the Department of Defense, or any department or agency of the United States Government, may be used to introduce the Armed Forces of the United States into hostilities with respect to Venezuela, except pursuant to a specific statutory authorization by Congress enacted after the date of the enactment of this Act.

“SA 333. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 64. REQUIREMENTS FOR CIVILIAN NUCLEAR COOPERATION AGREEMENT WITH SAUDI ARABIA.

“The United States may not enter into a civilian nuclear cooperation agreement under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), commonly known as a “123 Agreement,” unless the agreement—
(1) prohibits the Kingdom of Saudi Arabia from enriching uranium or separating plutonium on Saudi Arabian territory in keeping with the strongest possible nonproliferation "gold standard strategy.

(2) requests the Kingdom of Saudi Arabia to bring into force the Additional Protocol with the International Atomic Energy Agency.

SA 334. Mr. MERCLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 subtitile H of title X, add the following:

SEC. 1262. UNITED STATES STRATEGY WITH RESPECT TO THE NUCLEAR FORCES OF THE PEOPLE’S REPUBLIC OF CHINA.

None of the funds authorized to be appropriated under this Act may be used to approve an interagency agreement or a memorandum of understanding between the Secretary of State and the Secretary of Health and Human Services for the reimbursement of expenses relating to housing or providing shelter for unaccompanied alien children (as described in section 129(f)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))).

SA 335. Mr. MERCLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 subtitile E of title XII, add the following:

SEC. 1262. UNITED STATES STRATEGY WITH RESPECT TO THE NUCLEAR FORCES OF THE PEOPLE’S REPUBLIC OF CHINA.

(a) Statement of Policy.—Congress declares that making long-term strategic competition with the People’s Republic of China a principal priority for the United States elevates the importance of strategic stability dialogue aimed at reducing the risk of inadvertent nuclear war.

(b) Strategy Required.—

(1) in General.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a strategy with respect to the nuclear forces of the People’s Republic of China.

(2) Elements of Strategy.—The strategy required by paragraph (1) shall include the following:

(A) a detailed description of the current composition of the nuclear forces of the People’s Republic of China, including the quantity of nuclear warheads and nuclear-capable delivery systems, as well as anticipated changes in its nuclear force structure through fiscal year 2029;

(B) a description of the steps required to negotiate a bilateral or multilateral arms control agreement with the People’s Republic of China.

(c) Definitions.—In this section:

"appropriate congressional committees" means the following:

(1) the congressional defense committees;

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 336. Mr. MERCLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 1262. UNITED STATES POLICY WITH RESPECT TO THE NEW START TREATY.

(a) Statement of Policy.—It is the policy of the United States to extend the New START Treaty an additional five years until February 5, 2026, unless—

(1) the President determines that the Russian Federation is in material breach of its obligations under the Treaty;

(2) the United States and the Russian Federation enter into a new bilateral agreement that places equal or greater verifiable constraints on the Russian Federation’s nuclear forces.

(b) Report.—

(1) in General.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, with the concurrence of the Director of National Intelligence and the Secretary of State, shall submit to the appropriate committees of Congress a report on the implementation of the policy stated in subsection (a).

(2) Elements.—The report required under paragraph (1) shall include the following elements:

(A) A description of anticipated changes to the Russian Federation’s nuclear force structure in the event the New START Treaty expires in 2026 and how and at what cost the United States would plan to make corresponding changes to its own nuclear force posture.

(B) A description of how and at what cost the United States plans to replace the New START Treaty’s on-site inspections and other verification measures, which provide insight into the size, movement, and disposition of Russian strategic nuclear forces.

(C) An assessment of whether the United States and the Russian Federation may be accountable under the Treaty and anticipated to enter deployment prior to 2026 and in what number.

(D) An analysis of how the Treaty’s expiration in 2021 is likely to impact the willingness of the People’s Republic of China to engage in strategic arms control talks as well as what changes it may make to the current posture and size of Chinese nuclear forces.

(E) An analysis of how a decision to delay the decision to extend the Treaty until 2021 will impact planning by the Defense Threat Reduction Agency (DTRA) for United States on-site inspections of the Russian Federation in calendar year 2021.

(F) A description of the views of United States allies in Europe and the Indo-Pacific toward extension of the Treaty, in particular its value in preserving NATO support for the Alliance’s nuclear extended deterrence mission.

(G) An analysis of how the New START Treaty’s on-site inspections and other verification measures, which provide insight into the size, movement, and disposition of Russian strategic nuclear forces.

(H) An analysis of how a decision to delay the decision to extend the Treaty until 2021 will impact planning by the Defense Threat Reduction Agency (DTRA) for United States on-site inspections of the Russian Federation in calendar year 2021.

(I) A description of how and at what cost the United States plans to replace the New START Treaty’s on-site inspections and other verification measures, which provide insight into the size, movement, and disposition of Russian strategic nuclear forces.

(J) A description of how and at what cost the United States plans to replace the New START Treaty’s on-site inspections and other verification measures, which provide insight into the size, movement, and disposition of Russian strategic nuclear forces.

(K) An analysis of how the Treaty’s expiration in 2021 is likely to impact the willingness of the People’s Republic of China to engage in strategic arms control talks as well as what changes it may make to the current posture and size of Chinese nuclear forces.

(L) An analysis of how a decision to delay the decision to extend the Treaty until 2021 will impact planning by the Defense Threat Reduction Agency (DTRA) for United States on-site inspections of the Russian Federation in calendar year 2021.

(M) A description of the views of United States allies in Europe and the Indo-Pacific toward extension of the Treaty, in particular its value in preserving NATO support for the Alliance’s nuclear extended deterrence mission.

(N) An analysis of how the New START Treaty’s on-site inspections and other verification measures, which provide insight into the size, movement, and disposition of Russian strategic nuclear forces.

(O) An analysis of how a decision to delay the decision to extend the Treaty until 2021 will impact planning by the Defense Threat Reduction Agency (DTRA) for United States on-site inspections of the Russian Federation in calendar year 2021.

(P) A description of the views of United States allies in Europe and the Indo-Pacific toward extension of the Treaty, in particular its value in preserving NATO support for the Alliance’s nuclear extended deterrence mission.

(Q) An analysis of how the Treaty’s expiration in 2021 is likely to impact the willingness of the People’s Republic of China to engage in strategic arms control talks as well as what changes it may make to the current posture and size of Chinese nuclear forces.

(R) An analysis of how a decision to delay the decision to extend the Treaty until 2021 will impact planning by the Defense Threat Reduction Agency (DTRA) for United States on-site inspections of the Russian Federation in calendar year 2021.

(S) A description of the views of United States allies in Europe and the Indo-Pacific toward extension of the Treaty, in particular its value in preserving NATO support for the Alliance’s nuclear extended deterrence mission.
SEC. 155. PROHIBITION ON USE OF FUNDS FOR PROCUREMENT, FLIGHT TESTING, OR DEPLOYMENT OF SHORTER- OR INTERMEDIATE-RANGE GROUND LAUNCHED BALLISTIC OR CRUISE MISSILE SYSTEM.

(a) In General.—None of the amounts appropriated by this Act for the Department of Defense for fiscal year 2020 may be made available for the procurement, flight testing, or deployment of any United States short- or intermediate-range ground launched ballistic or cruise missile system with a range between 500 and 5,500 kilometers until the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, submits a report and offers a briefing to the appropriate committees of Congress that—

(1) includes a Memorandum of Understanding (MOU) from a NATO or Indo-Pacific ally that commits it to host deployment of any such missile on its own territory, and in the case of deployment on the European continent, has the concurrence of the North Atlantic Council;

(2) provides a detailed diplomatic proposal for negotiating an agreement to obtain the strategic stability benefits of the INF Treaty;

(3) assesses the implications, in terms of the military threat to the United States and its allies in Europe and the Indo-Pacific, of a Russian Federation deployment of intermediate-range cruise and ballistic missiles with a range between 500 and 5,500 kilometers;

(4) identifies what types of technologies and programs the United States would need to pursue to offset the additional Russian capabilities, and at what cost;

(5) identifies what mission requirements with respect to the Russian Federation and the People’s Republic of China will be met by INF-type systems;

(6) identifies the degree to which INF-compliant capabilities, such as sea and air-launched cruise missiles, can meet those same mission requirements; and

(7) identifies the ramifications of a collapse of the INF Treaty on the ability to generate consensus among States Parties to the NPT Treaty ahead of the 2020 NPT Review Conference, and assesses the degree to which the Russian Federation will use the United States unilateral withdrawal to sow discord within the NATO alliance.

(b) Form of Report.—The report required under subsection (a) shall be unclassified with a classified annex.

(c) Rule of Construction.—Nothing in this section shall be construed to authorize the use of the amounts authorized to be appropriated under this Act for the procurement, testing, or deployment of INF-type systems in the United States or its territories.

(d) Definitions.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘Appropriate committees of Congress’ means the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives.


(3) NPT TREATY.—The term ‘NPT Treaty’ means the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Washington July 1, 1968.

SA 338. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 8. STUDY ON COLLABORATION BETWEEN DEPARTMENT OF DEFENSE AND DEPARTMENT OF ENERGY ON ENERGY RESEARCH, DEVELOPMENT, AND TECHNOLOGY TRANSFER.

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

(1) The Department of Defense will invest $1,600,000,000 this year in research, development, testing, and evaluation (RDT&E) that is directly related to energy.

(2) Such investment in energy reflects the Armed Forces’ characteristic pursuit of advanced technology and multipliers.

(3) The Department played a major role in the development of at least three of the most important energy innovations of the last 75 years, notably the gas-turbine jet engine, and the solar photovoltaic (PV) cell.

(4) The Department has been the driver for many major non-energy innovations as well, including radar, satellites, the Global Positioning System (GPS), lasers, computers and semiconductors, robotics, artificial intelligence, and the Internet.

(5) The energy needs of the Department are changing and growing. Most significant, the dramatic increase in its systems on board military platforms is driving electrification of the battlefield. That and the need to reduce the logistics footprint are creating requirements for distributed and portable power generation, smart energy networks, improved energy storage, and wireless power transmission.

(6) The approach of the Department to innovation is well suited to energy innovation, including vendors’ need to both demonstrate their complex technologies and scale, under accelerated timelines, and across many domains and platforms, combined with the Armed Forces’ test-and-evaluation culture which are a unique resource, and compete on price with low-cost incumbents (the Department values performance over price, and the military market is large enough to yield economies of scale and learning by doing).

(b) Study and Report Required.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall—

(A) complete a study on identifying impediments to, and opportunities for, greater collaboration between the Department of Defense and the Department of Energy on energy research, development, and potential technology transfer, particularly in the areas of solar photovoltaic, microgrids, energy storage, and wide bandgap semiconductors; and

(B) submit to Congress the findings of the Secretary with respect to the study completed under paragraph (A).

(2) Identification of authority gaps.—In carrying out the study required by paragraph (1)(A), the Secretary shall identify any appropriate areas where the executive branch does not have adequate authority to foster the collaboration described in such paragraph.

SA 339. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 8. ANNUAL REPORT ON CIVILIAN CASUALTIES IN CONNECTION WITH OPERATIONS BY THE INTELLIGENCE COMMUNITY.

(a) Annual Report Required.—Not later than May 1 each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on civilian casualties caused as a result of United States intelligence operations during the preceding year.

(b) Elements.—Each report under subsection (a) shall set forth the following:

(1) A list of all the United States intelligence operations, including each specific mission, strike, engagement, raid, or incident, during the year covered by such report that has been confirmed or suspected to have resulted in civilian casualties.

(2) For each civilian operation listed pursuant to paragraph (1), each of the following:

(A) The date.

(B) The location.

(C) An identification of whether the operation occurred inside or outside of a declared theater of active armed conflict.

(D) The type of operation.

(E) An assessment of the number of civilian and enemy combatant casualties, including a differentiation between those killed and those injured.

(3) A description of the process by which the intelligence community investigates allegations of civilian casualties resulting from United States intelligence operations, and, when appropriate, makes ex gratia payments to the victims or their families.

(4) A description of steps taken by the intelligence community to mitigate harm to civilians in conducting such operations.

(5) Any update or modification to any report under this section during a previous year.

(6) Any other matters the Director determines are relevant.

(c) Use of Sources.—In preparing a report under subsection (a), the Director shall take into account relevant and credible all-source reporting, including information from public reports and nongovernmental sources.
SEC. 3416. DEVELOPMENT OF PARTNERSHIPS TO IMPROVE COMBAT CASUALTY CARE FOR PERSONNEL OF THE ARMED FORCES.

(a) PARTNERSHIPS.—

(1) IN GENERAL.—The Secretary of Defense shall establish a Federal Medical Assistance Program to enter into partnerships with civilian academic medical centers and large metropolitan teaching hospitals to improve combat casualty care for personnel of the Armed Forces.

(2) PARTNERSHIPS WITH LEVEL I TRAUMA CENTERS.—In carrying out partnerships under paragraph (1), trauma surgeons and staff of the Defense Health Agency shall partner with level I civilian trauma centers to provide adequate training and readiness for the next generation of medical providers to treat critically injured burn patients.

(b) SUPPORT OF PARTNERSHIPS.—The Secretary of Defense shall make every effort to support partnerships under the Joint Trauma Education and Training Directorate with academic institutions that have level I civilian trauma centers.

SEC. 3417. MILITARY EDUCATION AND TRAINING.

(a) DEFENSE TRAINING ACTIVITIES.—(1) IN GENERAL.—The Secretary of Defense shall ensure that all military training activities planned to occur during fiscal year 2020 are in accordance with the fiscal year 2020 defense budget and budgetary guidance and that such activities are consistent with the national security strategy and vision for the Armed Forces.

(b) MILITARY PERSONNEL TRAINING.—(1) IN GENERAL.—The Secretary of Defense shall ensure that military personnel training activities planned to occur during fiscal year 2020 are in accordance with the fiscal year 2020 defense budget and budgetary guidance and that such activities are consistent with the national security strategy and vision for the Armed Forces.

(c) EFFECTIVE DATE.—This section shall take effect on October 1, 2020.
SA 345. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 16. CONCURRENT USE OF DEPARTMENT OF DEFENSE TUITION ASSISTANCE AND MONTGOMERY GI BILL-SELECTIVE BENEFITS.

(a) IN GENERAL.—Section 16131 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(k) Notwithstanding the provisions of section 16131, the Secretary shall, at the election of the individual, pay the individual an educational assistance allowance to allow, or permit, the individual to participate in a program under which the student or a fellow student is paid for courses of instruction while employed under the conditions specified in section 16131.(kk) The number of months of entitlement charged under this chapter in the case of educational assistance under chapter 30 of such title, and section 16131(k), in the case of educational assistance under chapter 106 of this title before the period at the end of Mayp.".

SA 346. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1008. TREATMENT OF ACTIVITIES RELATING TO TRAINING AND READINESS OF THE ARMED FORCES DURING A LAUNCH APPROPRIATIONS AS VOLUNTARY SERVICES ACCEPTABLE BY THE UNITED STATES.

Section 1342 of title III, United States Code, is amended by adding at the end the following new sentence: ‘‘However, the term does include any portion of a fiscal year during which the Secretary shall, at the election of the individual, pay the individual an educational assistance allowance payable to an individual who has been paid an educational assistance allowance to which the individual would otherwise be paid under subparagraph (A), (B), (C), or (D) of section 2007(a).’’.
him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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, insert the following:

SEC. 16. ANNUAL REPORT ON DEVELOPMENT OF GROUND-BASED STRATEGIC DEFERRED WEAPON.

(a) REPORT REQUIRED.—Not later than February 3, 2020, the Secretary shall report to Congress on the date on which the ground-based strategic deterrent weapon system achieved initial operating capability.

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

(1) An estimate of the date on which the ground-based strategic deterrent weapon system will achieve initial operating capability.

(2) A description of any development milestones for the ground-based strategic deterrent weapon system.

(3) A description of the schedule delays expected during the development of the ground-based strategic deterrent weapon system, which shall include the cause of any delay and an explanation of why the delay occurs.

(4) A description of any schedule delays that occurred during the December 2018 test of the ground-based strategic deterrent weapon system.

(5) Plans to mitigate the effects of any delays described in paragraph (4).

(6) A description of any delays that occurred during the December 2018 test of the ground-based strategic deterrent weapon system, including the reason for the delay and the steps taken to mitigate the effects of the delay.

(c) FORM.—The report required by subsection (a) shall include a classified annex.

SA 347. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 XV, add the following:

Subtitle C—Other Matters

SEC. 1531. REVIEW OF JOINT IMPROVED-THREAT DEFEAT ORGANIZATION TO IDENTITY INFORMATION THAT MAY BE RELEASED TO UNITED STATES HUMANITARIAN DEMINING ORGANIZATIONS FOR THE PURPOSE OF IMPROVING THE EFFICIENCY AND EFFECTIVENESS OF HUMANITARIAN DEMINING EFFORTS.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a review of the research of the Joint Improved-Threat Defeat Organization to identify information that may be released to United States humanitarian demining organizations for the purpose of improving the efficiency and effectiveness of humanitarian demining efforts.

(b) RELEASE OF INFORMATION TO HUMANITARIAN DEMINING ORGANIZATIONS.—The Secretary shall release information to humanitarian demining organizations identified under subsection (a).

SA 348. Ms. BALDWIN (for herself and Mr. CORYN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 X, add the following:

SEC. 1066. EXEMPTION FROM CALCULATION OF MONTHLY INCOME FOR PURPOSES OF CERTAIN PAYMENTS FROM THE DEPARTMENT OF DEFENSE.

Section 1064(a)(10) of title 11, United States Code, is amended, in the second sentence, by inserting the following:

"(a)(10), does not include—

"(I) benefits received under the Social Security Act (42 U.S.C. 401 et seq.);

"(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 or domestic terrorism, as those terms are defined in section 2331 of title 18, on account of their status as victims of such terrorism;

"(IV) payments to victims of war crimes or crimes against humanity on account of their status as victims of such crimes.

SA 349. Ms. BALDWIN (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 6. AUTHORIZING USE OF ALL-VOLUNTEER FORCE EDUCATIONAL ASSISTANCE FOR PRIVATE PILOT'S LICENSSES.

Section 331(d) of title 38, United States Code, is amended in paragraph (2), by striking "the individual" and all that follows through "training", and inserting "the individual begins a course of flight training, the individual possessess".

SEC. 7. AUTHORIZATION FOR LUMP SUM PAYMENTS OF EDUCATIONAL ASSISTANCE FOR PURSUIT OF PROGRAMS OF EDUCATION CONSISTING OF FLIGHT TRAINING.

Clause (ii) of section 331(g)(4)(C) of title 38, United States Code, is amended to read as follows:

"(C) Lump sum payment under paragraph (3)(C) for pursuit of a program of education may be—

"(i) for the entire quarter, semester, or term, as applicable, of the program of education;

"(ii) in one lump sum at the start of the program of education."

SA 350. Mr. SCOTT of Florida (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 866. REPORT ON CONTRACTS WITH PERSONS AND ENTITIES AFFILIATED WITH PEOPLE'S REPUBLIC OF CHINA.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the joint development of a weapon, including the missile developed by the United States, the weapon developed by the National Nuclear Security Administration, and the weapon developed by the National Nuclear Security Administration.

SEC. 851. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 X, add the following:

SEC. 6. FUNDING LIMITATION FOR THE ERIE CANAL NATIONAL HERITAGE CORRIDOR.

Section 810(a)(1) of the Erie Canalway National Heritage Corridor Act (Public Law 106–554; 114 Stat. 2763A–303; 131 Stat. 461) is amended, in the second sentence, by striking "$12,000,000" and inserting "$14,000,000".

SA 352. Mr. HEINRICH (for himself, Mr. PORTMAN, and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year.
2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 XVII—ARTIFICIAL INTELLIGENCE**

**SEC. 1701. SHORT TITLE.**

This title may be cited as the “Artificial Intelligence Initiative Act” or “AI–IA”.

**SEC. 1702. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) there is a need for a National Artificial Intelligence Research and Development Initiative, including a comprehensive strategy for and coordination across agencies on research and development on artificial intelligence;

(2) there are currently several interagency committees working on related tasks with respect to artificial intelligence; and

(3) the reporting structure of such committees could be simplified to address efficiently the goals of an initiative described in paragraph (1).

**SEC. 1703. DEFINITIONS.**

In this title:

(1) **ARTIFICIAL INTELLIGENCE.**—The term “artificial intelligence” includes the following:

(A) Any artificial system that performs tasks under varying and unpredictable circumstances without significant human oversight, or that can learn from experience and improve performance when exposed to data sets.

(B) An artificial system developed in computer software, or other context that solves tasks requiring human-like perception, cognition, planning, learning, communication, or physical action.

(C) An artificial system designed to think or act like a human, including cognitive architectures and neural networks.

(D) A set of techniques, including machine learning, that is designed to approximate a cognitive task.

(E) An artificial system designed to act rationally, including an intelligent software agent with software, or other context that achieves goals using perception, planning, reasoning, learning, communicating, decision making, and acting.

(2) **ADVISORY COMMITTEE.**—The term “Advisory Committee” means the advisory committee established or designated under section 1714.

(3) **EMERGING RESEARCH INSTITUTE.**—The term “emerging research institute” means an institution of higher education that—

(A) receives less than $20,000,000 in Federal research funding annually; and

(B) may grant a doctoral degree.

(4) **INDUSTRY.**—The term “industry” means entities in industries relevant to artificial intelligence.

(5) **INITIATIVE.**—The term “Initiative” means the National Artificial Intelligence Research and Development Initiative established under section 1711.

(6) **INSTITUTIONS OF HIGHER EDUCATION.**—The term “institutions of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(7) **INTERAGENCY COMMITTEE.**—The term “Interagency Committee” means the interagency body established or designated under section 1713.

(8) **K–12 EDUCATION.**—The term “K–12 education” means elementary school and secondary education, as such terms are defined in section 6101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(9) **MACHINE LEARNING.**—The term “machine learning” means a subfield of artificial intelligence that is characterized by giving computers the autonomous ability to process raw sensory data or raw numerical data in order to perform a specific task based on data without being explicitly programmed.

(10) **MINORITY-SERVING INSTITUTION.**—The term “minority-serving institution” means any of the following:

(A) A Hispanic-serving institution (as defined in section 502(a) of the Higher Education Opportunity Act of 1992 (20 U.S.C. 1098a(a))).

(B) A Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1065b(b))).

(C) A Historically Black Institution (as defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1068d(b))).

(D) A Native Hawaiian-serving institution (as defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1068d(b))).

(E) A Predominantly Asian American-serving nontribal institution (as defined in section 318(b) of the Higher Education Act of 1965 (20 U.S.C. 1069b)).

(F) A Native American-serving nontribal institution (as defined in section 318(b) of the Higher Education Act of 1965 (20 U.S.C. 1069b)).

(G) An Asian American and Native American Pacific Islander-serving institution (as defined in section 320(b) of the Higher Education Act of 1965 (20 U.S.C. 1069c(b))).

(H) A Predominantly Black Institution (as defined in section 320(b) of the Higher Education Act of 1965 (20 U.S.C. 1069c(b))).

(11) **PUBLIC OUTREACH.**—The term “public outreach” means the dissemination of findings and recommendations of the Advisory Committee (as appropriate); and

(12) **SCIENCE AND TECHNOLOGY.**—The term “science and technology” means the knowledge and resources, to advance objectives of the Initiative, including academic and nonacademic research and development in the United States, including members of disadvantaged and underrepresented groups.

**SEC. 1702. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) establishing objectives, priorities, and metrics for strategic plans under section 1713(d) to accelerate development of science and technology applications for artificial intelligence in the United States;

(2) involving, demonstrating, application to analysis and modeling, and other activities with respect to science and technology in artificial intelligence;

(3) support the development of a workforce pipeline for science and technology with respect to artificial intelligence by making strategic investments to—

(A) expand the number of researchers, educators, and students with training in science and technology in artificial intelligence;

(B) increase the number of skilled and trained workers from underrepresented communities who can contribute to the development of artificial intelligence and artificial intelligence workforce, and expand the artificial intelligence workforce pipeline;

(C) promote the development and inclusion of multidisciplinary curricula and research opportunities for science and engineering with respect to artificial intelligence, including advanced technological education, diverse training and retraining programs, Federal government, and to United States industry, including startup companies.

(4) promote access to and development of early applications of the technologies, innovations, and expertise that benefit the public derived from Initiative activities to agency missions and systems across the Federal Government, and to United States industry, including startup companies.

(5) **COORDINATION OFFICE.**

(a) IN GENERAL.—The Director of the Office of Science and Technology Policy shall, in consultation with the Director of the National Institute of Standards and Technology, the Federal Energy, and the Secretary of Commerce, shall establish or designate, and appoint a director of, an office to be known as the “National Artificial Intelligence Coordination Office” (in this section referred to as the “Office”).

(b) DUTIES.—The Office shall—

(1) provide technical and administrative support to the Advisory Committee; and

(2) serve as the point of contact on Federal artificial intelligence activities for government organizations, academia, industry, professional societies, State artificial intelligence programs, interested citizen groups, and others to exchange technical and programmatic information.

(3) conduct public outreach, including dissemination of findings and recommendations of the Advisory Committee (as appropriate); and

(4) promote access to and development of early applications of the technologies, innovations, and expertise that benefit the public derived from Initiative activities to agency missions and systems across the Federal Government, and to United States industry, including startup companies.

(4) **FUNDING.**—The Office shall be funded through interagency funding.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science,
Space, and Technology of the House of Representatives a report on funding for the National Artificial Intelligence Coordination Office. The report shall include—
(1) the amount of funding required to adequately fund the Office;
(2) the adequacy of existing mechanisms to fund the Office; and
(3) the action taken by the director of the Office to ensure stable funding for the Office.

SEC. 1713. INTERAGENCY COMMITTEE ON ARTIFICIAL INTELLIGENCE.

(a) In General.—The Director of the Office of Science and Technology Policy shall establish or designate an interagency committee to be referred to as the “Interagency Committee on Artificial Intelligence”.

(b) Composition; Chairs.—
(1) Composition.—The Interagency Committee shall be comprised of representatives from the following, as detailed to the Interagency Committee by the head of the agency concerned:
(A) The National Institute of Standards and Technology.
(B) The National Science Foundation.
(C) The Department of Energy.
(D) The National Aeronautics and Space Administration.
(E) The Department of Defense.
(F) The Office of the Director of National Intelligence.
(G) The Office of Management and Budget.
(H) The Office of Science and Technology Policy.
(I) The National Institutes of Health.
(J) Any other Federal agency the Director of the Office of Science and Technology Policy considers appropriate.
(2) Co-Chairs.—The Interagency Committee shall be co-chaired by the following:
(A) The Secretary of Energy.
(B) The Director of the Office of Science and Technology Policy.
(C) The Director of the National Institute of Standards and Technology.
(D) The Director of the National Science Foundation.

(c) Duties.—The Interagency Committee shall—
(1) coordinate, and make recommendations for, activities and programs of Federal agencies on artificial intelligence with respect to artificial intelligence and artificial intelligence technology;
(2) establish objectives and priorities for the Initiative with the objectives and purposes specified in section 1710, based on identified knowledge and workforce gaps and other national needs;
(3) recommend and amend Federal infrastructure needs to support the Initiative; and
(4) evaluate opportunities for international cooperation with strategic allies on research and development with respect to artificial intelligence and artificial intelligence technology.

(d) Strategic Plan.—Not later than 1 year after the date of the enactment of this Act, the Interagency Committee shall develop a 5-year strategic plan, and 6 years after enactment of this Act develop an additional 5-year strategic plan, with periodic updates (as appropriate), to guide the activities of the Initiative, meet Initiative goals and priorities, and anticipate outcomes at participating agencies. In carrying out this subsection, the Interagency Committee should take into consideration reports from the Advisory Committee.

SEC. 1714. NATIONAL ARTIFICIAL INTELLIGENCE ADVISORY COMMITTEE.

(a) In General.—The Director of the National Artificial Intelligence Coordination Office (in this section referred to as the “Director”) shall establish or designate an advisory committee to be known as the “National Artificial Intelligence Advisory Committee”.

(b) Qualification of Members.—
(1) In General.—The Director of the National Artificial Intelligence Coordination Office shall appoint as members of the Advisory Committee individual who are qualified to provide advice and information in dem- onstrations, education, infrastructure, technol- ogy transfer, commercial applications, and concerns of a national security, social, or economic nature with respect to artificial intelligence and artificial intelligence technology. The Director shall seek public input, and individuals so appointed shall collectively have expertise in de- fense and non-defense artificial intelligence matters.
(2) Limitation.—Not more than half of the members of the Advisory Committee may be representatives of the artificial intelligence industry.

(c) Duties.—The Advisory Committee shall advise the Director of the Office of Science and Technology Policy and the Interagency Committee on Artificial Intelligence under section 1713 on matters relating to the Initiative, including—
(1) trends and developments in artificial intelligence, including the current and near future state of artificial intelligence systems and forecasts;
(2) progress made in implementing the Initiative;
(3) the need to revise the Initiative; and
(4) the management, coordination, imple- mentation, and activities of the Initiative; and
(5) whether societal, ethical, legal, envi- ronmental, and workforce concerns with re- spect to artificial intelligence and artificial intelligence technology are adequately addressed by the Initiative.

(d) Reports.—Not later than 4 years after the date of the most recent assessment under subsection (c), and quadrennially thereafter, the Advisory Committee shall submit to the Director of the National Artificial Intelligence Coordination Office, the Secretary of Labor, the Commissioner of Labor Statistics, the Office of Science and Technology Policy and the Interagency Committee on Artificial Intelligence the report described in that subsection and its rec- ommendations for ways to improve the Initiative.

(e) Travel Expenses of Non-Federal Members.—The Director of the Advisory Committee, while attending meetings of the Advisory Committee or while other- wise serving at the request of the Director, may be reimbursed for travel expenses, including per diem in lieu of subsistence, as provided in section 5703 of title 5, United States Code, for individuals in the government serving without pay. Nothing in this subsection shall be construed to prohibit members of the Advisory Committee who are employees of the United States from being allowed travel expenses, including per diem in lieu of subsistence, in accordance with existing law.

(f) Exemption From Sunset.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

SEC. 1715. STUDY ON THE ARTIFICIAL INTELLIGENCE WORKFORCE.

(a) In General.—Not later than 60 days after the date of the enactment of this Act, the National Artificial Intelligence Coordination Office shall enter into a contract with a federally funded research and development center for a study on the mechanisms that produce or contribute to the shortage of skilled labor in the artificial intelligence (including researchers and specialists in artificial intelligence and users of artificial intelligence) in order to identify and develop ac- tions to ensure an appropriate increase in the size, quality, and diversity of the work- force.

(b) Collaboration in Study.—The contract under subsection (a) shall require the federally funded research and development center entering into the contract to do the following:
(1) Collaborate with the Secretary of Commerce, the Commissioner of Labor Statistics, and the Director of the Census in developing a comprehensive and detailed understand- ing of the workforce needs of and em- ployment opportunities in the artificial in- telligence field, by State and by region.
(2) Collaborate in carrying out the study with Federal, State, and local workforce development boards, non-profit organizations, labor organizations, apprenticeship programs, industry, and other entities that are engaged in the field.
(3) Collaborate with minority-serving institutions in order to facilitate the sharing of best practices and approaches for increasing and retaining underrepresented popula- tions in the artificial intelligence field.
(4) Deploy the sharing of best practices and approaches for the development and sustainment of the artificial in- telligence that are identified or developed through the study among—
(A) entities in the artificial intelligence field, State and local workforce development boards, nonprofit organizations, labor orga- nizations, and apprenticeship programs that provide training programs for employment in the artificial intelligence field; and
(B) educational institutions that seek to establish such training programs.

(c) Department of Labor Annual Report on Job Creation.—Each year while the contract referred to in subsection (b) is in force, the Secretary of Labor shall, using informa- tion derived from the study described in that subsection and other appropriate informa- tion, issue a report to the public on job cre- ation in the artificial intelligence field dur- ing the preceding year.

Subtitle B—National Institute of Standards and Technology Artificial Intelligence Activities

SEC. 1721. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ARTIFICIAL INTELLIGENCE ACTIVITIES ON ARTIFICIAL INTELLIGENCE.

(a) In General.—As part of the Initiative, the Director of the National Institute of Standards and Technology (in this section referred to as the “Director”) shall—
(1) support the development of measure- ments and standards necessary to advance commercial development of artificial intel- ligence applications in artificial intelligence technology;
(A) developing measurements and stand- ards for the commercial development of artificial intelligence applications in artificial intelligence technology;
(B) modernizing the infrastructure used for benchmarking artificial intelligence technolo- gies;
(C) modernizing the infrastructure used for benchmarking artificial intelligence technolo- gies; and
(2) establishing and supporting collabo- rative ventures or consortia with public or
private sector entities, including institutions of higher education, National Laboratories, and industry for the purpose of advancing fundamental and applied research and development on artificial intelligence; and

(3) use existing authorities to award contracts as necessary to carry out the Initiative, including with respect to artificial intelligence and related research, including—

(i) cybersecurity;

(ii) algorithm accountability;

(iii) algorithm explainability;

(iv) algorithm trustworthiness;

(v) standardization of a common lexicon for artificial intelligence; and

(vi) resources and methods for benchmarking artificial intelligence technologies.

(C) PURPOSES.—The purposes of meetings under this paragraph shall be—

(i) to assess contemporary research on the topics determined by the Director under subparagraph (B);

(ii) to evaluate research gaps relating to such topics;

(iii) to provide an opportunity for stakeholders to provide recommendations on the research to be addressed by the National Institute of Standards and Technology and the Initiative; and

(iv) to coordinate engagement with international standards bodies in order to ensure United States leadership in the development of global standards, including with respect to artificial intelligence and cybersecurity.

(D) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act, the Director shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report summarizing the results of outreach and meetings conducted under this subsection.

E. AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated for each of fiscal years 2020 through 2024, $40,000,000 to carry out this section.

Subtitle C—National Science Foundation and Multidisciplinary Centers for Artificial Intelligence Research and Education

SEC. 1731. RESEARCH AND EDUCATION PROGRAM ON ARTIFICIAL INTELLIGENCE AND ARTIFICIAL INTELLIGENCE ENGINEERING.

(a) IN GENERAL.—As part of the Initiative, the National Science Foundation (in this section referred to as the ‘‘Director’’) shall establish and implement a research and education program on artificial intelligence and artificial intelligence engineering.

(b) PROGRAM COMPONENTS.—In carrying out the program described under subsection (a), the Director shall—

(1) continue to support interdisciplinary research on, and human resources development with respect to artificial intelligence, including—

(A) algorithm accountability;

(B) minimization of inappropriate bias in training data sets or a detrimental feature selection;

(C) qualitative and quantitative forecasting of future capabilities and applications; and

(D) societal and ethical implications of artificial intelligence;

(2) use existing authorities and programs and collaborate with other Federal agencies—

(A) to improve teaching and learning in science and engineering with respect to artificial intelligence during the primary, secondary, undergraduate, graduate, postgraduate, adult learning, and career retraining stages of education; and

(B) to increase participation in artificial intelligence fields, including by individuals identified in sections 33 and 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a, 1885b);

(C) to formulate goals for education activities in engineering and research with respect to artificial intelligence to be supported by the National Science Foundation related to topics important to the Initiative, including—

(i) algorithm accountability;

(ii) algorithm explainability;

(iii) consumer data privacy;

(iv) assessment and minimization of inappropriate bias in training data and output;

(v) societal and ethical implications of the use of artificial intelligence;

(vi) algorithm trustworthiness; and

(vii) algorithmic forecasting;

(D) to engage with institutions of higher education, research communities, potential users of information produced under this section, entities in the private sector, and non-Federal entities—

(i) to leverage the collective body of knowledge from existing research and education activities on artificial intelligence and artificial intelligence engineering; and

(ii) to support partnerships among institutions of higher education and industry that facilitate collaborative research, personnel exchanges, and workforce development with respect to artificial intelligence and artificial intelligence engineering;

(E) to coordinate research efforts with respect to artificial intelligence and artificial intelligence engineering funded through existing programs across the directorates of the National Science Foundation;

(F) to ensure adequate access to research and education infrastructure with respect to artificial intelligence and artificial intelligence engineering, including through development of hardware and facilitation of the use of computing resources, including cloud-based computing services; and

(G) to increase participation rates in research and education on artificial intelligence among underrepresented communities by engaging with minority-serving institutions.

(c) GRADUATE TRAINERSHIPS.—In carrying out the program required under subsection (b), the Director shall establish and support graduate students at institutions of higher education who—

(1) are United States nationals or aliens lawfully admitted for permanent residence in the United States; and

(2) who choose to pursue masters or doctoral degrees in artificial intelligence or artificial intelligence engineering.

SEC. 1732. MULTIDISCIPLINARY CENTERS FOR ARTIFICIAL INTELLIGENCE RESEARCH AND EDUCATION.

(a) IN GENERAL.—The Director of the National Science Foundation (in this section referred to as the ‘‘Director’’) shall establish and implement a research and education program on artificial intelligence and artificial intelligence engineering, including—

(A) the development of a plan to address future research and education in the field of artificial intelligence;

(B) meetings under subparagraph (A) to receive input from stakeholders on future research and education in the field of artificial intelligence;

(C) to formulate goals for education activities in engineering and research with respect to artificial intelligence to be supported by the National Science Foundation related to topics important to the Initiative, including—

(i) algorithm accountability;

(ii) algorithm explainability;

(iii) consumer data privacy;

(iv) assessment and minimization of inappropriate bias in training data and output;

(v) societal and ethical implications of the use of artificial intelligence;

(vi) algorithm trustworthiness; and

(vii) algorithmic forecasting;

(D) to engage with institutions of higher education, research communities, potential users of information produced under this section, entities in the private sector, and non-Federal entities—

(i) to leverage the collective body of knowledge from existing research and education activities on artificial intelligence and artificial intelligence engineering; and

(ii) to support partnerships among institutions of higher education and industry that facilitate collaborative research, personnel exchanges, and workforce development with respect to artificial intelligence and artificial intelligence engineering;

(E) to coordinate research efforts with respect to artificial intelligence and artificial intelligence engineering funded through existing programs across the directorates of the National Science Foundation;

(F) to ensure adequate access to research and education infrastructure with respect to artificial intelligence and artificial intelligence engineering, including through development of hardware and facilitation of the use of computing resources, including cloud-based computing services; and

(G) to increase participation rates in research and education on artificial intelligence among underrepresented communities by engaging with minority-serving institutions.

(b) ELIGIBLE ENTITIES.—For purposes of this section, an eligible entity is any entity as follows:

(1) An institution of higher education.

(2) A relevant nonprofit organization.

(3) A State or local government.

(4) A consortium of entities that consists of—

(A) two or more entities specified in paragraphs (1) through (3); or

(B) at least one entity specified in such paragraphs and a relevant private sector or educational organization that is not a nonprofit organization.

(c) MINIMUM NUMBER OF GRANTS FOR CERTAIN PURPOSES.—

(1) K–12 EDUCATION.—Not less than 1 grant under this section must be for a Center with the primary purpose of integrating artificial intelligence into K–12 education.

(2) MINORITY-SERVING INSTITUTION.—Not less than 1 grant under this section must be for a Center located at a minority-serving institution.

(d) APPLICATION.—An eligible entity seeking funding under this section shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require. The application shall include—

(1) a plan for the proposed Center—

(A) to work with other research institutions, emerging research institutions, and industry to leverage expertise in artificial intelligence, education and curricula development, and technology transfer;

(B) to promote active collaboration among researchers in multidisciplinary centers and across multiple institutions involved in artificial intelligence research including physics, engineering, mathematical sciences, computer and information science, biological and cognitive sciences, material science, education, and social and behavioral sciences (such as industrial-organizational psychology);

(C) to integrate into the activities of such Center consideration of the ethics of development, technology usage, and data collection, storage, and sharing (including training data sets) in connection with artificial intelligence;

(D) to support long-term and short-term workforce development in artificial intelligence, including broadening participation of underrepresented communities; and

(2) a description of the anticipated long-term impact of such Centers and the termination of support under this section.

(e) SELECTION AND DURATION.—

(1) IN GENERAL.—A Center established under a grant under this section may receive funding under this section for a period of 5 years.

SEC. 1733. IN-HOUSE RESEARCH AND DEVELOPMENT PROGRAM ON ARTIFICIAL INTELLIGENCE AND ARTIFICIAL INTELLIGENCE ENGINEERING.

(a) IN GENERAL.—The Director shall establish and implement a research and development program on artificial intelligence and artificial intelligence engineering, including—

(i) development of hardware and facilitation of the use of computing resources, including cloud-based computing services; and

(ii) research on, and human resources development with respect to artificial intelligence and artificial intelligence engineering; and

(2) to receive input from stakeholders on future research and education in the field of artificial intelligence.

(b) MEETINGS.—Meetings under subparagraph (A) shall include—

(i) algorithm accountability;

(ii) algorithm explainability;

(iii) consumer data privacy;

(iv) assessment and minimization of inappropriate bias in training data and output;

(v) societal and ethical implications of the use of artificial intelligence;

(vi) algorithm trustworthiness; and

(vii) algorithmic forecasting;
purposes described in paragraph (3).

(f) FUNDING.—During each of fiscal years 2020 to 2024, the amount provided for any fiscal year for a Center established pursuant to this section through a grant under this section shall be $20,000,000.

Subtitle E—Department of Energy Artificial Intelligence Research and Development Program

SEC. 1741. RESEARCH AND DEVELOPMENT PROGRAM ON ARTIFICIAL INTELLIGENCE.

(a) PROGRAM REQUIRED.—As a part of the Initiative, the Secretary of Energy (in this section referred to as the “Secretary”) shall carry out a research and development program on artificial intelligence.

(b) COMPONENTS.—In carrying out the program required under subsection (a), the Secretary shall—

(1) formulate objectives for research on artificial intelligence to be supported by the Department of Energy that are consistent with the Initiative;

(2) leverage the collective body of knowledge from existing research on artificial intelligence;

(3) coordinate research efforts on artificial intelligence that are funded through existing programs across the Department;

(4) engage with other Federal agencies, research communities, and potential users of information produced under this section;

(5) build, maintain, and, to the extent practicable, make available for use by academic, government, and private sector researchers the computing hardware and software necessary to carry out the program; and

(6) establish and maintain on an Internet website of the Department available to the public a resource center that—

(A) provides current information and resources on training programs for employment in artificial intelligence; and

(B) otherwise serves as a resource for educational institutions, State and local workforce agencies, private sector organizations, and apprenticeship programs seeking to develop and implement training programs for employment in artificial intelligence.

(c) RESEARCH CENTERS.—

(1) GRANTS.—In carrying out this section, the Secretary may award grants to eligible entities to establish and operate up to 5 artificial intelligence research centers (in this subsection referred to as “Centers”) for the purposes described in paragraph (3).

(2) IN GENERAL.—Except as provided in subparagraph (C), grants under this subsection shall be awarded through a competitive, merit-reviewed process.

(3) ELIGIBLE ENTITIES.—For purposes of this subsection, an eligible entity is any entity as follows:

(A) An institution of higher education.

(B) A relevant nonprofit organization.

(C) A State or local government.

(D) A National Laboratory or a federally funded research and development center.

(E) A consortium of entities that consists of—

(i) two or more entities specified in clauses (i) through (iv) of this subparagraph; and

(ii) at least one entity specified in such clauses and a relevant private sector organization that is not a nonprofit organization.

(F) A NATIONAL LABORATORY.—At least 1 of the grants under this subsection shall be awarded to a national security laboratory of the National Nuclear Security Administration.

(3) PURPOSES.—The purposes of the Centers established under this subsection are—

(A) to serve the needs of the Department and such academic, educational, and private sector entities as the Secretary considers appropriate;

(B) to advance research and education in artificial intelligence and facilitate improvement in the competitiveness of the United States; and

(C) to provide access to computing resources to promote scientific progress and enable users from institutions of higher education, educational institutions, the National Laboratories, and private sector entities to—

(i) to make scientific discoveries relevant to research in artificial intelligence;

(ii) to conduct research to accelerate scientific breakthroughs in science and technology with respect to artificial intelligence;

(iii) to support research conducted under this section; and

(iv) to increase the distribution of research infrastructure and broaden the spectrum of students exposed to research in artificial intelligence at institutions of higher education (including emerging research institutions).

(4) COORDINATION.—The Secretary shall ensure the coordination of, and avoid unnecessary duplication of, the activities of each Center with the activities of other Centers; and

(B) industry.

(5) DURATION.—

(A) IN GENERAL.—Any Center selected and established under this section is authorized to carry out activities for a period of 5 years.

(B) EXTENSION.—Such a Center may apply for, and the Secretary may grant, an extension of a grant under this section for an additional 5-year period.

(C) TERMINATION.—Consistent with existing authorities of the Department, the Secretary may terminate for cause a Center that underperforms during the performance period.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2020 through 2024 for the Department of Energy, $300,000,000 to be available for the Department to carry out this section.

SA 353. Ms. HARRIS (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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:

Subtitle Protecting Unaccompanied Alien Children

SEC. 1. SHORT TITLE. "This subtitle may be cited as the “Families, Not Facilities Act of 2019”.

SEC. 2. FINDINGS. Congress makes the following findings:


(2) SERVICES OFFERED AT FACILITIES FUNDED BY THE OFFICE OF REFUGEE RESETTLEMENT ARE REQUIRED TO INCLUDE CLASSESS TO CAMERAS, EDUCATION, MEDICAL AND MENTAL HEALTH SERVICES, CASE MANAGEMENT, SOCIAL SERVICES, AND REUNIFICATION SERVICES.

(3) FACILITIES OPERATED UNDER A CONTRACT WITH THE OFFICE OF REFUGEE RESETTLEMENT HAVE FACED UNACCOUNTABLE ALLEGATIONS OF ABUSE AND NEGLECT OF UNACCOMPANIED ALIEN CHILDREN THAT MERIT ADDITIONAL INVESTIGATION AND OVERSIGHT.

(4) THE OFFICE OF REFUGEE RESETTLEMENT IS LEGALLY REQUIRED TO PLACE CHILDREN IN THE LEAST RESTRICTIVE SETTING THAT IS IN THE BEST INTEREST OF THE CHILD.

(5) SERVICES OFFERED AT FACILITIES FUNDED BY THE OFFICE OF REFUGEE RESETTLEMENT ARE REQUIRED TO INCLUDE CLASSESS TO CAMERAS, EDUCATION, MEDICAL AND MENTAL HEALTH SERVICES, CASE MANAGEMENT, SOCIAL SERVICES, AND REUNIFICATION SERVICES.

(6) FACILITIES OPERATED UNDER A CONTRACT WITH THE OFFICE OF REFUGEE RESETTLEMENT HAVE FACED UNACCOUNTABLE ALLEGATIONS OF ABUSE AND NEGLECT OF UNACCOMPANIED ALIEN CHILDREN THAT MERIT ADDITIONAL INVESTIGATION AND OVERSIGHT.

(7) THE OFFICE OF REFUGEE RESETTLEMENT MEETS ITS STATUTORY OBLIGATION TO PLACE CHILDREN IN THE LEAST RESTRICTIVE SETTING THAT IS IN THE BEST INTEREST OF THE CHILD.

SEC. 3. USE OF SPONSORSHIP INFORMATION.

(A) IN GENERAL.—Section 235(c)(3) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(3)) is amended...
(1) in subparagraph (A), by inserting “in making such a determination, the Secretary may not consider the immigration status of the proposed custodian” after “well-being”; and
(2) by adding at the end the following:
“(D) PROHIBITING USE OF CERTAIN INFORMATION.—The Secretary of Homeland Security may not use information provided by an unaccompanied alien child or information initially obtained by the Secretary of Health and Human Services to make a suitability determination under subparagraph (A), a home study determination under subparagraph (B), or a secure facility determination under paragraph (2)(A) for the purpose of apprehending the child, removing, or detaining from the United States—
(i) the unaccompanied alien child;
(ii) the proposed custodian or current custodian;
(iii) a resident of the home in which the proposed custodian or current custodian resides;
(iv) the proposed sponsor or current sponsor; or
(v) a resident of the home in which the proposed sponsor or current sponsor resides.
(b) RULES OF CONSTRUCTION.—
(1) FLORES SETTLEMENT AGREEMENT.—The amendments made by subsection (a) may not be construed to supersede the terms of the stipulated settlement agreement filed on January 17, 1997, in the United States District Court for the Central District of California in Flores v. Reno, CV 85–4544–RJK (commonly known as the “Flores settlement agreement”).
(2) CHILD WELFARE.—The amendments made by subsection (a) may not be construed to prevent the Secretary of Homeland Security from using information obtained by the Secretary of Health and Human Services to investigate or report to the appropriate law enforcement agency or child welfare agency instances of trafficking, abuse, or neglect.

SEC. 4. LIMITATION ON USE OF FUNDS FOR ENFORCEMENT, DETENTION, AND REMOVAL OPERATIONS.

No Federal funds may be used by U.S. Immigration and Customs Enforcement for any enforcement, detention, or removal activity that violates section 235(c)(3) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, as amended by section 931(a).

SEC. 5. TRANSFER OF U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT FUNDING.

Of the amount appropriated for fiscal year 2019 for Immigration and Customs Enforcement for enforcement for enforcement and removal operations—
(1) $30,000,000 shall be transferred to the Department of Justice to expand the efforts of the Federal Bureau of Investigation’s Violent Crimes Against Children program to investigate criminal networks involved in child sex trafficking;
(2) $180,000,000 shall be transferred to the Office of Refugee Resettlement to provide the post-release legal, case management, and child advocate services described in section 6; and
(3) $10,000,000 shall be transferred to the Administration for Children and Families to bolster the efforts of the Task Force to Prevent and End Human Trafficking.

SEC. 6. ENSURING THE SAFETY OF UNACCOMPANIED ALIEN CHILDREN.

(a) DEFINED TERM.—In this section, the term “post-release case management services” means services that—
(1) are provided by a social worker, employed by a public entity, who works with the child individually and with the family to develop an individualized service plan; and
(2) allow children to successfully transition into their communities by—
(A) assisting with school enrollment and acculturation;
(B) locating medical and therapeutic services;
(C) making referrals to area legal services; and
(D) navigating new family settings and other individual needs.
(b) REQUIRED SERVICES.—The Office of Refugee Resettlement—
(1) provide post-release case management to all children upon release or as the need arises for the duration of their immigration proceedings; and
(2) facilitate efforts to connect every unaccompanied child, including each child with a sponsor, with legal representation for his or her immigration proceedings.
(c) THE OFFICE OF REFUGEE RESETTLEMENT ADVISORY COMMITTEE ON SHELTERS FOR UNACCOMPANIED ALIEN CHILDREN.—
(1) ESTABLISHMENT.—The Secretary of Health and Human Services, in compliance with the Federal Advisory Committee Act (5 U.S.C. App.), shall immediately establish the Advisory Committee on Shelters for Unaccompanied Alien Children (referred to in this subsection as the “Advisory Committee”) to advise the Office of Refugee Resettlement on matters regarding shelters and placements for unaccompanied alien children relating to education, immigration law, physical and mental health, trauma-informed social work services, youth shelter management, and immigration detention reform.
(2) COMPOSITION AND TERM.—
(A) APPOINTMENT.—The Secretary shall appoint 14 individuals to serve on the Advisory Committee for 2-year terms.
(B) PAYMENT AND PER diem.
(i) IN GENERAL.—Each member of the Advisory Committee shall be employed by a non-profit entity in the field of—
(I) education;
(II) immigration law;
(III) physical and mental health of children and youth;
(IV) trauma-informed child welfare social work services;
(V) youth shelter management;
(VI) cultural competency; or
(VII) immigration detention reform.
(ii) REPRESENTATION.—At least 2 members of the Advisory Committee shall represent each of the fields set forth in clause (i).
(C) INSPECTIONS.—Members of the Advisory Committee may conduct unannounced inspections of all shelters contracted with the Office of Refugee Resettlement to hold unaccompanied alien children.
(D) INFORMATION SHARING.—The Office of Refugee Resettlement shall provide the Advisory Committee with access to such materials as may be necessary to effectively advocate for the best interest of children in the custody of the Office of Refugee Resettlement, subject to applicable statutes and regulations.
(E) CONSULTATIONS.—The Advisory Committee shall consult with, and receive recommendations from—
(A) the American Medical Association;
(B) the American Academy of Pediatrics;
(C) the National Association of Social Workers;
(D) the American Bar Association;
(E) the American Immigration Lawyers Association; and
(F) other medical, child welfare, and legal experts.
(f) REPORTS.—
(A) INITIAL REPORT.—Not later than 6 months after the establishment of the Advisory Committee under paragraph (1), the Advisory Committee shall release to the public an interim report outlining the Advisory Committee’s investigations and recommendations regarding Office of Refugee Resettlement shelters for unaccompanied alien children and submit such report to—
(i) the Secretary of Health and Human Services;
(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;
(iii) the Committee on Health, Education, Labor, and Pensions of the Senate;
(iv) the Committee on the Judiciary of the Senate;
(v) the Committee on Energy and Commerce of the House of Representatives;
(vi) the Committee on Oversight and Reform of the House of Representatives; and
(vii) the Committee on the Judiciary of the House of Representatives.
(B) FINAL REPORT.—Not later than 1 year after the establishment of the Advisory Committee under paragraph (1), the Advisory Committee shall release to the public, and submit to the recipients of the interim report under paragraph (A), a final report that outlines the Advisory Committee’s investigations and recommendations regarding Office of Refugee Resettlement shelters for unaccompanied alien children.

SA 354. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize the appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 3057. USE OF ENERGY EFFICIENCY MEASURES IN CONSTRUCTION OR RENOVATION OF A PRIVATIZED MILITARY HOUSING UNIT.

(a) IN GENERAL.—The Secretary of Defense shall ensure that any construction or renovation of a privatized military housing unit after the date of the enactment of this Act uses energy efficiency measures described in subsection (b).
(b) ENERGY EFFICIENCY MEASURES DESCRIBED.—The energy efficiency measures described in this subsection are those developed by the Secretary, in consultation with the Comptroller General of the United States and the Secretary of Energy, for purposes of this section and shall include the following:
(1) Solar and geothermal power.
(2) Double-pane windows.
(3) Adequate insulation.
(4) Electric fixtures and appliances that reduce energy usage.
(c) CERTIFICATION.—Before using any energy efficiency measures described in this subsection, the Secretary of Defense shall certify to the Committees on Armed Services of the Senate and the House of Representatives that the measures will have the same lifecycle cost or a lower lifecycle cost as compared to traditional measures.

SA 355. Mr. MORAN (for himself and Ms. SMITH) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations
for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, which was ordered to lie on the table; as follows:

At the end of subsection C of title VII, add the following:

SEC. 718. PILOT PROGRAM ON INJURY PREDICTION TO PREVENTION TO ENHANCE COMBAT READINESS.

(a) PURPOSE.—The purpose of this section is—
(1) to increase deployment readiness and lethality of members of the Armed Forces;
(2) to create a more deployable, resilient, and sustainable combat force;
(3) to provide individualized, accurate assessments with actionable metrics regarding the physical condition of each member of the Armed Forces; and
(4) to determine the feasibility and advisability of developing a customized fitness program for each such member to minimize musculoskeletal injuries in garrison and on deployment.

(b) PILOT PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program to predict and prevent musculoskeletal injuries in members of the Armed Forces.

(c) PARTICIPATION.—The Secretary shall carry out the pilot program under this section at not fewer than five military installations that serve as readiness training platforms in order to evaluate different musculoskeletal injury risk profiles and training interventions based on the particular requirements and tactical personnel needs of the military departments.

(d) COMPONENTS.—In carrying out the pilot program under this section, the Secretary shall do the following:
(1) Identify musculoskeletal injury risk for members of the Armed Forces using integrated objective assessments in basic and advanced training for such members.
(2) Generate automated reports and personalized programs to educate members of the Armed Forces on proper initiatives to minimize and sustain readiness.
(3) Notify human performance and medical staff of the Department when the musculoskeletal injury risk of a member of the Armed Forces is identified.
(4) Provide monitoring of members of the Armed Forces who are undergoing or have undergone assessments under paragraph (1) to track the progress and readiness of such members.

(e) REPORT.—
(1) IN GENERAL.—Not later than 180 days before the completion of the pilot program under this section, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the House of Representatives a report that describes the conduct of the pilot program.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:
(A) A description of the pilot program, including outcome measures to determine its effectiveness.
(B) A description of the ability of the pilot program—
(i) to identify combat readiness and risk for musculoskeletal injury of members of the Armed Forces;
(ii) to address risk reduction via personalization of fitness programs.
(C) A description of the reduction in injuries to members of the Armed Forces and any associated cost savings as a result of the pilot program.

(D) A description of the reduction in non-deployability or early return from deployment of members of the Armed Forces due to musculoskeletal injury as a result of the pilot program.

(f) DURATION.—The Secretary shall carry out the pilot program under this section for a period of not more than three years.

SA 356. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. ___._ PILOT PROGRAM ON IMPLEMENTING TRANSPORT ACCESS CONTROL CAPABILITIES.

(a) ADDITIONAL FUNDING.—The amount authorized to be appropriated for fiscal year 2020 by section 201 for research, development, test, and evaluation of the Cyber Operations Technology Development Program: Digital Transport Access Control capability that uses identity and noninteractive authentication at the first packet transmission control protocol or Internet Protocol request to validate machine-to-machine communications hosted by cloud providers.

SA 357. Mr. MANCHIN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 I, add the following:

SEC. 1086. SILVER STAR SERVICE BANNER DAY.

(a) FINDINGS.—Congress finds the following:
(1) Congress is committed to honoring the sacrifices of wounded and ill members of the Armed Forces.
(2) The Silver Star Service Banner recognizes the members of the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.
(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.
(4) May 1 is an appropriate date to designate as “Silver Star Service Banner Day”.

(b) DESIGNATION.—
(1) BY GENERAL.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:

"§ 146. Silver Star Service Banner Day.
(a) DESIGNATION.—May 1 is Silver Star Service Banner Day.
(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to section 145 the following:

"146. Silver Star Service Banner Day."

SA 359. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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:
TITLE  —EMERGENCY ASSISTANCE FOR VENEZUELA

SEC. 01. SHORT TITLES.

This title may be cited as the “Venezuela Emergency Relief, Democracy Assistance, and Development Act of 2019” or the “VERDAD Act of 2019”.

Subtitle A—Support for the Interim President of Venezuela and Recognition of the Venezuelan National Assembly

SEC. 11. FINDINGS; SENSE OF CONGRESS IN SUPPORT OF THE INTERIM PRESIDENT OF VENEZUELA.

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

(1) Venezuela’s electoral event on May 20, 2018 was characterized by widespread fraud and was marked by international standards for a free, fair, and transparent electoral process.

(2) Given the fraudulent nature of Venezuela’s May 20, 2018 electoral event, Nicolás Maduro’s tenure as President of Venezuela ended on January 19, 2019.

(3) The National Assembly of Venezuela approved a resolution on January 15, 2019 that terminated Nicolás Maduro’s authority as the President of Venezuela.

(4) On January 23, 2019, the President of the National Assembly of Venezuela was sworn in as the Interim President of Venezuela.

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

(i) support the decisions by the United States Government, more than 50 governments around the world, the Organization of American States, the Inter-American Development Bank, and the European Parliament to recognize National Assembly President Juan Guaidó as the Interim President of Venezuela;

(ii) encourage the Interim President of Venezuela to advance efforts to hold democratic presidential elections in the shortest possible period; and

(iii) that the Organization of American States, with support from the United States Government and partner governments, should provide diplomatic, technical, and financial support for a new presidential election in Venezuela that complies with international standards for a free, fair, and transparent electoral process.

SEC. 12. ACKNOWLEDGMENT OF VENEZUELA’S DEMOCRATICALLY ELECTED NATIONAL ASSEMBLY.

(a) FINDINGS.—Congress finds that Venezuela’s unicameral National Assembly convened on January 6, 2016, following democratic elections that were held on December 6, 2015.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Venezuela’s democratically elected National Assembly is the only national level democratic institution remaining in the country.

(c) POLICY.—It is the policy of the United States to recognize the democratically elected National Assembly of Venezuela as the only legitimate national legislative body in Venezuela.

(d) ASSISTANCE TO VENEZUELA’S NATIONAL ASSEMBLY.—In coordination with the Administrator of the United States Agency for International Development, shall prioritize efforts to provide technical and financial assistance to support the democratically elected National Assembly of Venezuela in accordance with section 14.4.

SEC. 13. ADVANCING A NEGOTIATED SOLUTION TO THE VENEZUELAN CRISIS.

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

(i) direct, credible negotiations led by the Interim President of Venezuela and members of Venezuela’s democratically elected National Assembly—

(1) are supported by stakeholders in the international community that have recognized the Interim President of Venezuela;

(2) include the input and interests of Venezuelan civil society;

(3) represent the best opportunity to reach a solution to the Venezuelan crisis that includes—

(A) holding a new presidential election that complies with international standards for a free, fair, and transparent electoral process;

(B) ending Nicolás Maduro’s usurpation of presidential authorities;

(C) (iii) restoring democracy and the rule of law;

(iv) freeing political prisoners; and

(v) facilitating the delivery of humanitarian aid;

(2) dialogue between the Maduro regime and representatives of the political opposition that commenced in October 2017, and were supported by the Governments of Mexico, Chile, of Bolivia, and of Nicaragua, did not result in an agreement because the Maduro regime failed to credibly participate in the process; and

(3) negotiations between the Maduro regime and representatives of the political opposition that occurred in October 2019, and were supported by the Vatican, did not result in an agreement because the Maduro regime failed to credibly participate in the process.

(b) POLICY.—It is the policy of the United States to support diplomatic engagement in order to advance a negotiated and peaceful solution to Venezuela’s political, economic, and humanitarian crisis that is described in subsection (a)(1).

Subtitle B—Humanitarian Relief for Venezuela

SEC. 21. HUMANITARIAN RELIEF FOR THE VENEZUELAN PEOPLE.

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

(1) the United States Government should expand efforts to peacefully address Venezuela’s humanitarian crisis; and

(2) humanitarian assistance—

(A) should be targeted toward those most in need and delivered through partners that uphold internationally recognized humanitarian principles;

(B) should not be passed through the control or distribution mechanisms of the Maduro regime.

(b) HUMANITARIAN RELIEF.—

(1) IN GENERAL.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall—

(A) humanitarin assistance to individuals and communities in Venezuela, including—

(i) public health commodities and services, including medical and basic medical supplies and equipment;

(ii) basic food commodities and nutritional supplements needed to address growing malnutrition and food insecurity for the people of Venezuela, with a specific emphasis on the most vulnerable populations; and

(iii) technical assistance to ensure that health and food commodities are appropriately selected, procured, targeted, and distributed; and

(B) Venezuelans and hosting communities, as appropriate, in neighboring countries with humanitarian aid, such as—

(i) urgently needed health and nutritional assistance, including logistical and technical assistance to hospitals and health centers in affected communities;

(ii) food assistance for vulnerable individuals, including assistance to improve food security for all communities; and

(iii) hygiene supplies and sanitation services.

(2) AID TO VENEZUELANs IN NEIGHBORING COUNTRIES.—The aid described in paragraph (1)(B):

(A) may be provided—

(1) directly to Venezuelans in neighboring countries, including countries of the Caribbean; or

(2) should focus on the most vulnerable Venezuelans in neighboring countries.

(c) HUMANITARIAN ASSISTANCE STRATEGY UPDATE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit, to the appropriate congressional committees, an update to the Venezuela humanitarian assistance strategy described in the report accompanying the Consolidated Appropriations Act (Public Law 116-6), to cover a 2-year period and include—

(I) a description of the United States humanitarian assistance provided under this section;

(2) a description of United States diplomatic efforts to ensure support from international donors, including regional partners in Latin America and the Caribbean, for the provision of humanitarian assistance to the people of Venezuela;

(3) the identification of governments that are willing to provide financial and technical assistance for the provision of such humanitarian assistance to the people of Venezuela and a description of such assistance; and

(4) the identification of the financial and technical assistance to be provided by multilateral institutions, including the United Nations humanitarian agencies, the Pan American Health Organization, the Inter-American Development Bank, and the World Bank, and a description of such assistance.

(d) DIPLOMATIC ENGAGEMENT.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall work with relevant foreign governments and multilateral organizations to coordinate a donors summit and carry out diplomatic engagement to advance the strategy required under subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated $400,000,000 for fiscal year 2020 to carry out the activities set forth in subsection (a).

(f) DEFINED TERM.—In this section, the term “appropriate congressional committees” means—

(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.

SEC. 22. SUPPORT FOR EFFORTS AT THE UNITED NATIONS ON THE HUMANITARIAN SITUATION IN VENEZUELA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United Nations humanitarian agencies should conduct and publish independent assessments of the humanitarian situation in Venezuela, including—

(1) the extent and impact of the shortages of food, medicine, and medical supplies in Venezuela;

(2) basic health indicators in Venezuela, such as maternal and child mortality rates and the prevalence and treatment of communicable diseases; and

(3) the efforts needed to resolve the shortages identified in paragraph (1) and to improve the health indicators referred to in paragraph (2).

(b) UNITED NATIONS RESIDENT COORDINATOR.—The President should instruct the
Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to support the efforts of the Resident Coordinator to a manner that—

(1) contributes to Venezuela's long-term recovery; and

(2) advances humanitarian efforts in Venezuela for Venezuelans residing in neighboring countries.

SEC. 23. SANCTIONS EXCEPTIONS FOR HUMANITARIAN ASSISTANCE.

(a) DEFINITIONS.—In this section:

(1) AGRICULTURAL COMMODITY.—The term "agricultural commodity" has the meaning given such term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) MEDICAL DEVICE.—The term "medical device" has the meaning given such term by subsection (b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(3) MEDICINE.—The term "medicine" has the meaning given the term "drug" in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(b) In General.—Any transaction, not otherwise prohibited by this Act, of an agricultural commodity, medicine, or medical device to Venezuela, or for the provision of humanitarian assistance to the people of Venezuela and any transaction that is ordinarily incidental or necessary to any such transaction, regardless of whether the transaction constitutes humanitarian assistance originate in, or have a connection to, the United States, shall be exempt from United States sanctions, including sanctions described in—

(1) sections 63, 65, 66, 68, and 71;

(2) the Venezuela Defense of Human Rights and Cohesion Act of 2019 (Public Law 116-1); or

(3) Executive Orders 13808 and 13850.

SEC. 24. COORDINATION AND DISTRIBUTION OF HUMANITARIAN ASSISTANCE TO THE PEOPLE OF VENEZUELA.

(a) Short Title.—This section may be cited as the "Venezuela Humanitarian Assistance Act of 2019".

(b) Defined Term.—In this section, the term "appropriate congressional committee" means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the House of Representatives; and

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

(c) Report on the Coordination and Distribution of Humanitarian Assistance to the People of Venezuela Including Strategy on Future Efforts.—

(1) In General.—Not later than 1 year after the date of enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit a report to the appropriate congressional committees that evaluates the delivery and coordination of humanitarian assistance to the people of Venezuela, whether residing in Venezuela or elsewhere in the Western Hemisphere.

(2) Matters to Be Included.—The report required under paragraph (1) shall—

(A) the United States Agency for International Development and Department of State best practices are being utilized in providing humanitarian assistance to Venezuela and the region;

(B) describe the current and anticipated challenges to distributing humanitarian assistance in Venezuela and countries hosting Venezuelan migrants; and

(C) describe how the distribution of humanitarian assistance is being monitored and evaluated, including—

(i) the number of beneficiaries receiving such assistance;

(ii) an assessment of how humanitarian assistance is benefiting Venezuelan migrants inside and outside of the country; and

(iii) what additional staff may be necessary to manage such assistance.

Subtitle C—Addressing Regional Cohesion

SEC. 31. CLASSIFIED REPORT ON DECLINING COHESION INSIDE THE VENEZUELAN MILITARY AND THE MADURO REGIME.

(a) Reporting Requirement.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research, and in coordination with the Director of National Intelligence, shall submit a classified report to the appropriate congressional committees that assesses the declining cohesion inside the Venezuelan military and security forces and the Maduro regime.

(b) Access to the Report.—The report submitted under subsection (a) shall—

(1) identify senior members of the Venezuelan military and the Maduro regime, including generals, admirals, cabinet ministers, deputy cabinet ministers, and development assistance is benefiting Venezuelan migrants inside and outside of the country; and

(2) describe the factors that would accelerate the decision making of individuals identified in paragraph (1)—

(A) to break with the Maduro regime; and

(B) to recognize the President of Venezuela and his government; and

(3) assess and detail the massive number of desertions and defections that have occurred at the officer and enlisted levels inside the Venezuelan military and security forces.

(c) Briefing Requirement.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research, and in coordination with the Director of National Intelligence, shall provide a classified briefing to appropriate congressional committees that assesses the declining cohesion inside the Venezuelan military and security forces.

(d) Appropriation of Congressional Committees.—In this subsection, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Select Committee on Intelligence of the Senate;

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

(4) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 32. ADDITIONAL RESTRICTIONS ON VISA AND OTHER DOCUMENTATION.

(a) In General.—The Secretary of State shall impose the visa restrictions described in subsection (c) on any foreign person who the Secretary determines—

(1) is a current or former senior official of the Maduro regime, or any foreign person acting on behalf of such regime, who is knowingly responsible for, complicit in, knowingly directed, controlling, or otherwise inducing or participating in (directly or indirectly) any activity in or in relation to Venezuela, on or after January 23, 2019, that significantly undermines or threatens the integrity of—

(A) the democratically-elected National Assembly of Venezuela; or

(B) the freely-elected National Assembly, while serving as Interim President of Venezuela, or the senior government official under the supervision of such President;

(2) is the spouse or child of a foreign person described in paragraph (1); or

(3) is the spouse or child of a Venezuelan person sanctioned under—

(A) section 5(a) of the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113-79), as amended by section 93 of this Act;

(B) section 804(b) of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1903(b)); or

(C) Executive Orders 13692 (50 U.S.C. 1701 note) and 13800.

(b) Removal from Visa Revocation List.—Pursuant to such procedures as the Secretary of State may establish to implement this section—

(1) if any person described in subsection (a)(1) recognizes and pledges support for the Interim President of Venezuela or a subsequent democratically elected government of Venezuela, that person and any family members of that person who were subject to visa restrictions pursuant to subsection (a)(2) shall no longer be subject to such visa restrictions; and

(2) if any person described in subparagraph (A) through (C) of subsection (a)(3) recognizes and pledges support for the Interim President of Venezuela or a subsequent democratically elected government of Venezuela, any family members of that person who were subject to visa restrictions pursuant to subsection (a)(3) shall no longer be subject to such visa restrictions.

(c) Visa Restrictions Described.—

(1) EXCLUSION FROM THE UNITED STATES.—Any alien described in subsection (a) and the Secretary of State may establish to implement this section.

(2) SANCTIONS DESCRIBED.—The sanctions described in this section include—

(A) the democratically-elected National Assembly of Venezuela; and

(B) the freely-elected National Assembly, while serving as Interim President of Venezuela, or the senior government official under the supervision of such President; and

(C) any foreign person described in paragraph (1).

(3) EXCLUSION FROM THE UNITED STATES.—If a person described in subsection (a) or (b) of section 804(b) of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1903(b));

(4) VISAS.—The visa restrictions described in subsection (a)(1) shall impose the visa restrictions described in subsection (c) on any foreign person who are subject to visa restrictions pursuant to subsection (a)(2) shall no longer be subject to such visa restrictions.

(5) VISAS.—The visa restrictions described in subsection (a)(1) shall impose the visa restrictions described in subsection (c) on any foreign person who were subject to visa restrictions pursuant to subsection (a)(2) shall no longer be subject to such visa restrictions.

(6) WAIVER FOR SANCTIONED OFFICIALS THAT RECOGNIZE THE INTERIM PRESIDENT OF VENEZUELA.—

(a) Removal of Sanctions.—If a person described in subsection (b) has his or her visa or other documentation revoked, regardless of when the visa or other documentation was issued.

(b) Sanctions Described.—The sanctions described in this subsection are set forth in the following provisions of law—

(1) (A) Paragraphs (3) and (4) of section 5(a) of the Venezuela Defense of Human Rights
and Civil Society Act of 2014 (Public Law 113-278), as amended by section 63 of this Act.

(B) Paragraphs (b)(5)(C) and (b)(5)(D) of such Act, to the extent such paragraph relates to the sanctions described in paragraph (3) or (4) of such subsection.

(2) A clause (i) and (ii) of such Executive Order, to the extent such subparagraph relates to the provisions of law cited in subparagraph (A).

(3) A section 1(a)(ii)(A) of Executive Order 13850.

(B) Subparagraph (iii) of section 1(a) of such Executive Order, to the extent such subparagraph relates to the provision of law cited in subparagraph (A).

(c) RULING.—The President shall issue such regulations, licenses, and orders as may be necessary to carry out this section.

Subtitle D—Restoring Democracy and Addressing the Political Crisis in Venezuela

SEC. 41. SUPPORT FOR THE ORGANIZATION OF AMERICAN STATES AND THE LIMA GROUP.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should—

(1) take additional steps to support ongoing efforts by the Organization of American States to promote diplomatic initiatives to foster the restoration of democracy and the rule of law in Venezuela;

(2) conduct diplomatic engagement in support of efforts by the Lima Group to restore democracy and the rule of law in Venezuela and facilitate the delivery of humanitarian assistance for the Venezuelan people; and

(3) engage with the International Contact Group on Venezuela to advance a peaceful and democratic solution to the current crisis.

(b) DEFINED TERMS.—In this section:

(1) INTERNATIONAL CONTACT GROUP ON VENEZUELA.—The “International Contact Group on Venezuela” refers to a diplomatic bloc—

(A) whose members include the European Union, France, Germany, Italy, Spain, Portugal, Sweden, the Netherlands, the United Kingdom, Ecuador, Costa Rica, and Uruguay; and

(B) which was established to advance a peaceful and democratic solution to the current crisis in Venezuela.

(2) LIMA GROUP.—The “Lima Group” refers to a diplomatic bloc—

(A) whose members include Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, Guyana, Honduras, Panama, Paraguay, Peru, and Saint Lucia; and

(B) which was established to address the political, economic, and humanitarian crises in Venezuela.

SEC. 42. ACCOUNTABILITY FOR CRIMES AGAINST HUMANITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should conduct robust diplomatic engagement in support of efforts in Venezuela, and on the part of the international community, to ensure accountability for possible crimes against humanity and serious violations of human rights.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to Congress—

(1) evaluates the degree to which the Maduro regime and its officials, including members of the Venezuelan security forces, have committed, or failed to prevent or redress acts that constitute possible crimes against humanity and serious violations of human rights; and

(2) provides options for holding accountable the perpetrators identified under paragraph (1).

SEC. 43. SUPPORT FOR INTERNATIONAL ELECTION OBSERVATION AND DEMOCRATIC CIVIL SOCIETY.

(a) IN GENERAL.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development—

(1) shall work with the Organization of American States to coordinate international observation of future elections in Venezuela that contribute to free, fair, and transparent democratic electoral processes; and

(2) shall work with nongovernmental organizations—

(A) to strengthen democratic governance and institutional capacity in a democratic and transparently elected National Assembly of Venezuela;

(B) to defend internationally recognized human rights for the people of Venezuela, including support for efforts to document crimes against humanity and violations of human rights;

(C) to support the efforts of independent media outlets to broadcast, distribute, and share information beyond the limited channels made available by the Maduro regime; and

(D) to combat corruption and improve the transparency and accountability of institutions that are part of the Maduro regime.

(b) ENGAGEMENT AT THE ORGANIZATION OF AMERICAN STATES.—The Secretary of State, acting through the United States Permanent Representative to the Organization of American States, should advocate and build diplomatic support for sending an election observation mission to Venezuela to ensure that democratic electoral processes are organized and carried out in a free, fair, and transparent manner.

(c) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall provide a briefing on the strategy to carry out the activities described in subsection (a) 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;

(4) the Committee on Appropriations of the House of Representatives;

(5) the Organization of American States; and

(6) all other committees of Congress that request such briefing.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of State for fiscal year 2020, $17,500,000 to carry out the activities set forth in subsection (a).

(2) NOTIFICATION REQUIREMENTS.—Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)) and from the Development Assistance Fund under section 605(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 213(a)), to the extent that such funds are expended.

Subtitle E—Supporting the Reconstruction of Venezuela

SEC. 51. ENGAGEMENT OF INTERNATIONAL FINANCIAL INSTITUTIONS TO ADVANCE THE RECONSTRUCTION OF VENEZUELA'S ECONOMY AND ENERGY INFRASTRUCTURE.

(a) IN GENERAL.—The President shall engage the International Monetary Fund and the Multilateral Development Banks to support a framework for the economic reconstruction of Venezuela, contingent upon the restoration of democracy and the rule of law in the country.

(b) ADDITIONAL ELEMENTS.—The framework created under subsection (a) should include proposals to—

(1) provide Venezuelans with humanitarian assistance, poverty alleviation, and a social safety net;

(2) to advance debt restructuring and debt sustainability measures;

(3) to restore the production and efficient management of Venezuela’s oil industry, including rebuilding enabling infrastructure;

(4) to eliminate price controls and market distorting subsidies in the Venezuelan economy; and

(5) to address hyperinflation in Venezuela.

(c) CONSULTATION.—In supporting the framework under subsection (a), the President shall consult with relevant stakeholders in the humanitarian (including international and nongovernmental organizations), financial, and energy sectors.

(d) SENSE OF CONGRESS.—It is the sense of Congress that any effort to conduct debt restructuring should—

(1) include discussions with China, which is Venezuela’s largest creditor; and

(2) appropriately account for China’s and Russia’s high-risk lending to Venezuela.

(e) CERTIFICATION.—The President may not support lending or financing for Venezuela from the International Monetary Fund and the Multilateral Development Banks until the Secretary of State submits a report to the Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives certifying that any such lending or financing—

(1) would be managed by the Interim President of Venezuela or a new, democratically-elected President;

(2) would not be used to repay external creditors who are not members of the Group of Seven unless such payments are essential to the restoration of economic stability and democracy in Venezuela; and

(3) would not benefit the Maduro regime.

(f) WAIVER.—The President may waive the certification requirement under subsection (e) if the President—

(1) determines that such waiver is in the national interest of the United States; and

(2) not later than 30 days after making a determination under paragraph (1), submits to the congressional committees referred to in subsection (e)—

(A) an explanation for why such a waiver is in the national interest; and

(B) why the Secretary of State is unable to submit the certification described in subsection (e).

SEC. 52. RECOVERING ASSETS STOLEN FROM THE VENEZUELAN PEOPLE.

(a) RECOVERING ASSETS.—The Secretary of the Treasury, and the Attorney General shall advance a coordinated international effort—

(1) to carry out special financial investigations to identify and track assets taken from the people and institutions of Venezuela through theft, corruption, money laundering, or other illicit means; and

(2) to work with foreign governments—

(A) to share financial investigations intelligence, as appropriate;

(B) to block the assets identified pursuant to paragraph (1); and

(C) to provide technical assistance to help governments establish the necessary legal framework to carry out asset forfeitures.

(b) ADDITIONAL ELEMENTS.—The coordinated international effort described in subsection (a) should include—

(1) the Office of Foreign Assets Control of the Department of the Treasury; and
(3) the Money Laundering and Asset Recovery Section of the Department of Justice.

(c) STRATEGY REQUIREMENT.—

(1) IN GENERAL.—Not later than 90 days after the enactment of this Act, the Secretary of State, the Secretary of the Treasury, and the Attorney General shall submit to the Committee on Appropriations of the Senate; the Committee on Banking, Housing, and Urban Affairs of the Senate; and the Committee on the Judiciary of the Senate; the activities described in subsection (a) to—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Bankng, Housing, and Urban Affairs of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Financial Services of the House of Representatives; and

(F) the Committee on the Judiciary of the House of Representatives.

(2) ADDITIONAL ELEMENTS.—The strategy required by paragraph (1) shall include the following:

(A) an assessment whether the United States or another member of the international community should establish a managed cold war with the Maduro regime in Venezuela.

(B) Such recommendations as the Secretaries and the Attorney General consider appropriate for legislative or administrative action, or such other action as the United States and the international community should undertake to prevent the use of the United States or any jurisdiction within the United States or any foreign branch of an entity organized under the laws of the United States (including a foreign branch of an entity organized under the laws of the United States) to which United States sanctions would apply, including as an option the death penalty, targeting individuals, groups, businesses, or entities identified in accordance with subsection (a).

(c) A PPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(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 Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 65. FINANCIAL SANCTIONS ON MADURO REGIME DEBT.

(a) FINDING.—Executive Order 13898 (82 Fed. Reg. 51555), which was signed on August 24, 2017, provided for sanctions intended to limit the availability of the Maduro regime to issue public debt.

(b) DEPLOYMENTS.—In this section and in sections 66 and 68:

(1) ENTITY.—The term "entity" means a partnership, association, trust, joint venture, cooperation, group, subgroup, or organization.

(2) PERSON.—The term "person" means an individual or entity.

(3) UNITED STATES PERSON.—The term "United States person" means any—

(A) United States citizen;

(B) alien lawfully admitted for permanent residence to the United States (including a foreign branch of an such entity); and

(D) any person physically located in the United States.

(c) IN GENERAL.—The President may prohibit, in the United States or by a United States person—

(1) any transaction related to, provision of financing for, or other dealings in—

(A) debt instruments with a maturity of greater than 90 days issued by Petróleos de Venezuela, S.A., on or after the date of the enactment of this Act;

(B) debt instruments with a maturity of greater than 30 days or equity issued by the Maduro regime on or after the date of the enactment of this Act, excluding debt instruments issued by Petróleos de Venezuela, S.A., that are not covered under subparagraph (A);

(C) bonds issued by the Maduro regime before the date of the enactment of this Act; and

(D) dividend payments or other distributions of profits to the Maduro regime from public corruption by senior officials within the Government of Venezuela; or—

(2) in paragraph (4), as redesignated, by striking paragraph (1) or (2) and inserting paragraphs (1) and (2).

SEC. 64. PUBLIC INFORMATION ABOUT SANC-TIONED OFFICIALS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of State, shall provide a classified briefing to the appropriate congressional committees on the total assessed value of blacked assets of Venezuelans designated under sanctions authorized under—

(1) the Foreign Narcotics Kingpin Designation Act (title VIII of Public Law 106-120; 21 U.S.C. 1901 et seq.);

(2) the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113-278), as amended by section 65 of this Act; or

(3) Executive Orders 13692 (50 U.S.C. 1701 note) and 13850.

(b) ADDITIONAL ELEMENTS.—The briefing provided under subsection (a) should provide descriptions of specific cases that are most representative of the endemic corruption and illicit financial activities occurring in Venezuela.
any entity owned or controlled, directly or indirectly, by the Maduro regime;
(2) the direct or indirect purchase of securities from the Maduro regime, except for—
(A) a purchase of any instrument of indebtedness issued by Petróleos de Venezuela, S.A., on or after the date of the enactment of this Act that are not described in paragraph (1)(B);
(B) securities qualifying as debt instruments issued by the Maduro regime on or after the date of the enactment of this Act that are not described in paragraph (1)(B);
(C) any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate a prohibition under paragraph (1) or (2); and
(3) any conspiracy to violate a prohibition under paragraph (1), (2), or (3).
(b) Scope of Sanctions.—It is the sense of Congress that the President should waive the prohibitions described in subsection (a) and in Executive Order 13808 if the related debt is in connected to, or is owned or controlled, directly or indirectly, by the Maduro regime, including accounts receivable; or
(2) entering into any transaction related to any debt instrument of the Maduro regime that is pledged as collateral after May 21, 2018, including accounts receivable; or
(3) entering into any transaction involving the sale of precious metals that are used to assist in money-laundering transactions, particularly with respect to high-risk jurisdictions, including Venezuela.
(c) Sense of Congress.—It is the sense of Congress that the President should waive the prohibitions described in subsection (a) and in Executive Order 13808 if the related debt is in connection to, owned or controlled, directly or indirectly, by the Maduro regime, including accounts receivable; or
(2) entering into any transaction related to any debt instrument of the Maduro regime that is pledged as collateral after May 21, 2018, including accounts receivable; or
(3) entering into any transaction involving the sale of precious metals that are used to assist in money-laundering transactions, particularly with respect to high-risk jurisdictions, including Venezuela.
(d) Scope of Sanctions.—It is the sense of Congress that the President should waive the prohibitions described in subsection (a) and in Executive Order 13808 if the related debt is in connection to, or is owned or controlled, directly or indirectly, by the Maduro regime, including accounts receivable; or
(2) entering into any transaction related to any debt instrument of the Maduro regime that is pledged as collateral after May 21, 2018, including accounts receivable; or
(3) entering into any transaction involving the sale of precious metals that are used to assist in money-laundering transactions, particularly with respect to high-risk jurisdictions, including Venezuela.
SEC. 68. SANCTIONS ON THE MADURO REGIME’S TRADE IN GOLD.
(a) Finding.—Executive Order 13850, which was signed on March 2, 2018, ordered sanctions against the gold sector of the Venezuelan economy.
(b) Sanctions Authorized.—The President, in consultation with the Secretary of the Treasury and the Secretary of State, may block and prohibit the transfer, payment, export, importation, withdrawal, or other disposition of all property and interests in property of any person that operates in the gold sector of the Venezuelan economy if such property is in the United States, or is or comes within the possession or control of any United States person.
(c) Report.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit a report to the appropriate congressional committees (as defined in section 612(b)) that—
(1) details whether section 5318A of title 31, United States Code, provides the Secretary of the Treasury with sufficient authority to fully address the extent to which transactions related to finished and unfinished precious metals are used to assist in money-laundering transactions, particularly with respect to high-risk jurisdictions, including Venezuela;
(2) includes recommendations to the Secretary of the Treasury concerning necessary and appropriate for United States legislative or administrative action that would be needed to address any findings referred to in paragraph (1); and
(3) includes, in a classified annex, an explanation for how the Department of the Treasury is currently using its authorities under section 5318A of title 31, United States Code, to address transactions related to precious metals that are used to assist in money-laundering transactions.
SEC. 69. CONCERNS OVER PDVSA TRANSACTIONS WITH ROSNEFT.
(a) Finding.—Congress makes the following findings:
(1) In late 2016, Venezuelan state-owned oil company Petróleos de Venezuela, S.A. (referred to in this section as “PDVSA”), through a non-competitive transaction, secured a loan from Russian-government-controlled oil company Rosneft, using 49.9 percent of a Citgo Petroleum Corporation, CITGO Petroleum Corporation, including its assets in the United States, as collateral. As a result of this transaction, 100 percent of CITGO is held as collateral by Rosneft.
(2) CITGO, a wholly owned subsidiary of PDVSA, is engaged in interstate commerce and owns and controls critical energy infrastructure in 19 States of the United States, including an extensive network of pipelines, 48 terminals, and 3 refineries, with a combined oil refining capacity of 749,000 barrels daily.
(3) CITGO’s refinery in Lake Charles, Louisiana, is the sixth largest refinery in the United States.
(4) The Department of Homeland Security has designated Rosneft as a critical threat actor to United States infrastructure.
(5) The growing economic crisis in Venezuela raises the probability that the Maduro regime and PDVSA will default on their international debt obligations, resulting in a scenario in which Rosneft could come into control of CITGO’s United States energy infrastructure holdings.
(b) Sense of Congress.—It is the sense of Congress that—
(1) control of critical United States energy infrastructure by Rosneft, a Russian government-controlled entity currently under United States sanctions that is led by Igor Sechin, who is also under United States sanctions and is a close associate of Vladimir Putin, would pose a significant risk to United States national security and energy security; and
(2) a default by PDVSA on its loan from Rosneft, resulting in Rosneft coming into possession of PDVSA’s United States CITGO assets, would warrant careful consideration by the Committee on Foreign Investment in the United States.
(c) Preventing Rosneft From Controlling United States Energy Infrastructure.—The President shall take all necessary steps to prevent Rosneft from gaining control of critical United States energy infrastructure.
(d) Security Risk Briefing.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of the Treasury, in consultation with the Secretary of State and the Secretary of Energy, shall provide a briefing on the security risks posed by Russian control of CITGO’s United States energy infrastructure holdings to—
(1) the Committee on Foreign Relations of the Senate;
(2) the Committee on Homeland Security and Governmental Affairs of the Senate;
(3) the Committee on Foreign Affairs of the House of Representatives; and
(4) the Committee on Homeland Security of the House of Representatives.
SEC. 69a. CLASSIFIED BRIEFING ON ACTIVITIES OF RUSSIAN MILITARY PERSONNEL AND ACTORS IN VENEZUELA.
(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research of the Department of State, and in coordination with the Director of National Intelligence, shall provide a classified briefing to the appropriate congressional committees on—
(1) the full extent of cooperation by the Government of the Russian Federation, the Government of the People’s Republic of China, the Government of Cuba, and the Government of Iran with the Maduro regime; and
(2) the activities inside Venezuelan territory of foreign armed groups, including Colombian criminal organizations and defectors from the Colombian guerrilla group known as the Revolutionary Armed Forces of Colombia, and foreign terrorist organizations, including the Colombian guerrilla group known as the National Liberation Army (ELN).
(b) Appropriate Congressional Committees.—In this section, the term “appropriate congressional committees” means—
(1) the Committee on Foreign Relations of the Senate;
(2) the Select Committee on Intelligence of the Senate;
(3) the Committee on Foreign Affairs of the House of Representatives; and
(4) the Permanent Select Committee on Intelligence of the House of Representatives.
SEC. 69b. COUNTERING RUSSIAN INFLUENCE IN VENEZUELA.
(a) Short Title.—This section may be cited as the “Russian-Venezuelan Threat Mitigation Act”
(b) Threat Assessment and Strategy to Counter Russian Influence in Venezuela.—
(1) Defined Terms.—In this subsection, the term “appropriate congressional committees” means—
(A) the Committee on Foreign Relations of the Senate; and
(B) the Committee on Foreign Affairs of the House of Representatives.

(2) THREAT ASSESSMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees regarding—

(A) an assessment of Russian-Venezuelan security cooperation poses to the United States and countries in the Western Hemisphere.

(B) the potential threat such cooperation poses to the United States and countries in the Western Hemisphere.

(C) the importance of the Russian-Venezuelan relationship as it relates to the United States.

(D) the impact of the Russian-Venezuelan relationship on the United States.

(3) RESTRICTION ON EXPORT OF COVERED ARTICLES AND SERVICES TO CERTAIN SECURITY FORCES OF VENEZUELA.—

(a) SHORT TITLE.—This section may be cited as the “Venezuela Arms Restraint Act”.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives;

(D) the Committee on Financial Services of the House of Representatives.

(2) COVERED ARTICLE OR SERVICE.—The term “covered article or service” means—

(A) for purposes of subsection (c), means—

(i) a defense article or defense service (as such terms are defined in section 47 of the Arma Export Control Act (22 U.S.C. 2794)); and

(ii) any article included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, and controlled for crime control purposes, if the end user is likely to use the article to violate the human rights of the citizens of Venezuela;

(B) for purposes of subsection (d), means—

(i) any defense article or defense service of the type described in section 47 of the Arms Export Control Act (22 U.S.C. 2794); and

(ii) any article included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations and controlled for crime control purposes.

(3) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

(4) PERSON.—The term “person” means an individual or entity.

(5) SECURITY FORCES OF VENEZUELA.—The term “security forces of Venezuela” includes—

(A) the Bolivarian National Armed Forces, including the Bolivarian National Guard;

(B) the Bolivarian National Intelligence Service;

(C) the Bolivarian National Police; and

(D) the Bureau for Scientific, Criminal and Forensic Investigations of the Ministry of Interior, Justice, and Peace.

(6) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or of a State or of the District of Columbia and includes—

(i) a United States person;

(ii) a person with which a United States person is affiliated; and

(iii) any known use of covered articles or services by such elements of the security forces of Venezuela or associated forces, in violation of a United States person or within the United States.

(c) RESTRICTION ON EXPORT OF COVERED ARTICLES AND SERVICES TO CERTAIN SECURITY FORCES OF VENEZUELA.—

(1) IN GENERAL.—Notwithstanding any other provision of law, covered articles or services may not be exported from the United States to any element of the security forces of the Maduro regime.

(2) DETERMINATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Commerce and the heads of other departments and agencies, as appropriate, shall—

(A) determine, using such information that is available to the Secretary of State, whether any covered article or service has been transferred since July 2017 to the security forces of Venezuela without a license or other authorization as required by law; and

(B) submit such determination in writing to the appropriate congressional committees.

(d) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Commerce, as appropriate, shall brief the appropriate congressional committees regarding the transfer by foreign persons of covered articles or services to elements of the security forces of Venezuela that are under the authority of the Maduro regime.

(2) MATTERS TO BE INCLUDED.—The briefing required under paragraph (1) shall include—

(A) a list of all significant transfers by foreign persons of covered articles or services to such elements of the security forces of Venezuela since July 2017;

(B) a list of all foreign persons who maintain an existing defense relationship with such elements of the security forces of Venezuela or associated forces, including paramilitary groups, that have coordinated with such security forces to assault, intimidate, or murder political activists, protesters, dissidents, and other civil society leaders, including Juan Guaidó.

(e) SUNSET.—This section shall terminate on the earlier of—

(1) the date that is 3 years after the date of the enactment of this Act; or

(2) the date on which the President certifies to the appropriate congressional committees that the Government of Venezuela has ceased to receive a direct government with respect for the essential elements of representative democracy as set forth in Article 3 of the Inter-American Democratic Charter, adopted by the Organization of American States in Lima on September 11, 2001.

Subtitle G—Cryptocurrency Sanctions and Ensuring the Effectiveness of United States Sanctions

SEC. 71. SANCTIONS ON VENEZUELA’S CRYPTOCURRENCY AND THE PROVISION OF RELATED TECHNOLOGIES.

(a) FINDING.—Executive Order 13827 (83 Fed. Reg. 12469), which was signed on March 19, 2018, provided for sanctions intended to limit the effectiveness of the issuance by the Maduro regime of a digital currency in an effort to circumvent United States sanctions.

(b) DEFINITIONS.—In this section:

(1) ENTITY.—The term means a partnership, association, trust, joint venture, corporation, group, subgroup, or organization.

(2) PERSON.—The term “person” means an individual or entity.

(3) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen;

(B) an alien lawfully admitted for permanent residence to the United States;

(C) any known use of covered articles or services by such elements of the security forces of Venezuela or associated forces, in violation of a United States person or within the United States.

(D) any person physically located in the United States.

(c) PROHIBITION OF CERTAIN TRANSACTIONS.—

(1) IN GENERAL.—All transactions by a United States person or within the United States that relate to, provide financing for, or otherwise deal in any digital currency, digital coin, or digital token, that was issued by, for, or on behalf of the Maduro regime, are prohibited beginning on the date of the enactment of this Act.

(2) APPLICABILITY.—The prohibitions under paragraph (1) shall apply with respect to, or otherwise deal in any digital currency, digital coin, or digital token, that was issued by, for, or on behalf of the Maduro regime or any known use of covered articles or services by such elements of the security forces of Venezuela or associated forces, in violation of a United States person or within the United States.
(3) Prohibitions.—Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this subsection is prohibited. Any conspiracy formed to violate any of the prohibitions set forth in this subsection is prohibited.

(4) Rulemaking.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to take such actions, including promulgating rules and regulations, to implement this section.

(2) DELEGATION.—The Secretary of the Treasury may delegate any of the functions described in paragraph (1) to other officials and executive departments and agencies of the United States Government. All agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this section.

(e) Waiver.—The President may waive the prohibition under subsection (c)(1) if the President—

(1) determines that such waiver is in the national security interest of the United States; or

(2) not later than 30 days after making a determination under paragraph (1), submits a written explanation for why such a waiver is in the national security interest of the United States.

(f) (A) of section 201, the Secretary of State and the Director of National Intelligence shall provide such briefing to such committee.

(f) (B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(f) (C) the Committee on Foreign Relations of the Senate;

(f) (D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(f) (E) the Committee on Financial Services of the House of Representatives;

(f) (F) the Committee on the Judiciary of the Senate;

(f) (G) the House of Representatives.

(2) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Appropriations of the House of Representatives.

(c) REGIME COHESION.—

(1) IN GENERAL.—Not later than 15 days after a congressional committee listed in paragraph (2) requests a briefing regarding the implementation of section 301, the Secretary of State and the Director of National Intelligence shall provide such briefing to such committee.

(2) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate; and

(b) the Committee on Foreign Affairs of the House of Representatives.

(d) INTERNATIONAL ELECTION OBSERVATION; DEMOCRATIC CIVIL SOCIETY.—Not later than 15 days after a congressional committee listed in subsection (h)(2) requests a briefing regarding the implementation of section 405, the Secretary of State and the Administrator of the United States Agency for International Development shall provide such briefing to such committee.

(e) (A) of section 201, the Secretary of State and the Director of National Intelligence shall provide such briefing to such committee.

(e) (B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(e) (C) the Committee on Foreign Affairs of the House of Representatives; and

(e) (D) the Committee on Financial Services of the House of Representatives.

(f) (A) the Committee on Foreign Relations of the Senate; and

(f) (B) the Committee on Appropriations of the House of Representatives.

(2) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(C) the Committee on the Judiciary of the Senate; and

(D) the Committee on Foreign Affairs of the House of Representatives; and

(E) the Committee on Financial Services of the House of Representatives.

(2) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(C) the Committee on the Judiciary of the Senate; and

(D) the Committee on Foreign Affairs of the House of Representatives; and

(E) the Committee on Financial Services of the House of Representatives.

(2) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(C) the Committee on the Judiciary of the Senate; and

(D) the Committee on Foreign Affairs of the House of Representatives; and

(E) the Committee on Financial Services of the House of Representatives.

(f) (G) the Committee on Foreign Affairs of the Senate; and

(f) (H) the Committee on Appropriations of the House of Representatives.

1. CONGRESSIONAL BRIEFINGS.

(a) Definition.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Banking, Housing, and Urban Affairs of the Senate;

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

(4) the Committee on Financial Services of the House of Representatives.

(b) General.—Not later than 180 days after the date of enactment of this Act, the Secretary of State and the Secretary of the Treasury shall—

(A) consult with the appropriate congressional committees; and

(B) brief all congressional committees and the Committees assigned the authority and responsibility for oversight and investigation of the implementation of section 301 that may request such briefing.

(c) B R I E F I N G .—Not later than 180 days after the date of enactment of this Act, the Secretary of State and the Secretary of the Treasury shall—

(A) brief—

(i) all congressional committees;

(ii) appropriate congressional committees; and

(iii) congressional committees requested by the President; and

(B) cause to submit—

(i) all congressional committees;

(ii) appropriate congressional committees; and

(iii) congressional committees requested by the President.

Subtitle H—Miscellaneous Provisions

SEC. 81. CONGRESSIONAL BRIEFINGS.

(a) Humanitarian Assistance; Sanctions Coordination.

(1) IN GENERAL.—Not later than 15 days after any of the congressional committees listed in paragraph (2) requests a briefing regarding the implementation—

(A) of section 201, the Secretary of State and the Administrator of the United States Agency for International Development shall provide such briefing to such committee; and

(B) of section 201, the Secretary of State and the Attorney General shall provide such briefing to such committee.

(2) Congressional Committees.—The committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(b) United Nations; Negotiated Solution; Crimes Against Humanity.

(1) IN GENERAL.—Not later than 15 days after any congressional committee listed in paragraph (2) requests a briefing regarding the implementation of section 103, 202, or 406, the Secretary of State shall provide such briefing to such committee.

(2) Congressional Committees.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Appropriations of the House of Representatives.

(c) Regime Cohesion.

(1) IN GENERAL.—Not later than 15 days after a congressional committee listed in paragraph (2) requests a briefing regarding the implementation of section 301, the Secretary of State and the Director of National Intelligence shall provide such briefing to such committee.

(2) Congressional Committees.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Select Committee on Intelligence of the Senate.

(d) Cryptocurrency Sanctions.

(1) In General.—Not later than 15 days after a congressional committee listed in subsection (h)(2) requests a briefing regarding the implementation of section 609, the Secretary of the Treasury, the Attorney General, the Director of the Central Intelligence Agency, the Administrator of the United States Agency for International Development, and the Chairman of the Securities and Exchange Commission shall provide such briefing to such committee.

(2) Congressional Committees.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Financial Services of the House of Representatives.

(2) PENALTIES.—Any person that violates, attempts to violate, conspires to violate, or causes a violation of any of the sanctions described in sections 63, 65, 66, and 68, and 71 of this Act, the Secretary of the Treasury, in consultation with the Secretary of State, may promulgate such regulations as may be necessary to implement the prohibitions set forth in sections 63, 65, 66, 67, 68, and 71 of this Act.

(b) Penalties.—Any person that violates, attempts to violate, conspires to violate, or causes a violation of any of the sanctions described in sections 63, 65, 66, and 71 of this Act, the Secretary of the Treasury may promulgate such regulations as may be necessary to implement the prohibitions set forth in sections 63, 65, 66, 67, 68, and 71 of this Act.

(2) PENALTIES.—Any person that violates, attempts to violate, conspires to violate, or causes a violation of any of the sanctions described in sections 63, 65, 66, and 71 of this Act, the Secretary of the Treasury, in consultation with the Secretary of State, may promulgate such regulations as may be necessary to implement the prohibitions set forth in sections 63, 65, 66, 67, 68, and 71 of this Act.

(2) PENALTIES.—Any person that violates, attempts to violate, conspires to violate, or causes a violation of any of the sanctions described in sections 63, 65, 66, and 71 of this Act, the Secretary of the Treasury, in consultation with the Secretary of State, may promulgate such regulations as may be necessary to implement the prohibitions set forth in sections 63, 65, 66, 67, 68, and 71 of this Act.
67, 68 and 71, or of any regulation, license, or order issued to carry out those sections, shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 83. PROHIBITION ON CONSTRUCTION OF PROVISIONS OF THIS ACT AS AN AUTHORIZATION FOR THE USE OF MILITARY FORCE.

Nothing in this title may be construed as an authorization for the use of military force.

SEC. 84. EXTENSION AND TERMINATION OF SANCTIONS AGAINST VENEZUELA.

(a) AMENDMENT.—Section 5(e) of the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113–278; 50 U.S.C. 1701 note) is amended by striking “December 31, 2019” and inserting “December 31, 2025”.

(b) TERMINATION.—The requirement to impose sanctions under this title shall terminate on December 31, 2025.

SA 360. Mr. COTTON (for himself, Mr. WHITEHOUSE, Mr. ISAKSON, Mr. JONES, Mr. CORNYN, and Ms. ROSEN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 subtitle F of title X, insert the following:

SEC. 1226. REPORTING REGARDING CANCELLED APPROPRIATIONS.

(a) ASSESSMENTS REQUIRED.—

(1) FISCAL YEARS 2009 THROUGH 2018.—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the committees of Congress described in paragraph (3) a report that assesses the amount of appropriations cancelled under section 1552 of title 31, United States Code, during each of fiscal years 2009 through 2018.

(2) FISCAL YEAR 2019.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the committees of Congress described in paragraph (3) a report that assesses the amount of appropriations cancelled under section 1552 of title 31, United States Code, during fiscal year 2019.

(b) ELEMENTS OF ASSESSMENT.—Each assessment conducted under subsection (a) shall address—

(A) the name of each appropriation account from which amounts were cancelled;

(B) for each cancelled appropriation, the fiscal year for which the appropriation was made, the fiscal year during which the appropriation was cancelled, and the fiscal year during which the appropriation was restored;

(C) for each fiscal year for which appropriations made by an agency were cancelled, the percentage of the appropriations made available to the agency for the fiscal year that were cancelled; and

(D) whether there was an adjustment made with respect to the cancelled appropriation under section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), and such adjustment was otherwise excluded from being taken into account for purposes of the discretionary spending limits (as defined in section 250 of such Act).

(c) REQUIREMENTS FOR CERTAIN PRESCRIPTION DRUG LABELS UNDER THE TRICARE PROGRAM.

(a) REQUIREMENT.—Section 104(g) of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following new subsection (h):—

“(h) LABELING.—The Secretary of Defense shall ensure that drugs made available through the facilities of the uniformed services include labels that—

“(1) are printed and physically located on or within the package from which the drug is to be dispensed; and

“(2) provide adequate directions for the purposes for which the drug is intended.”.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking “under subsection (h)” and inserting “under subsection (j)”.

SEC. 1226. EXPANSION OF AVAILABILITY OF FINANCIAL ASSETS OF IRAN TO VICTIMS OF TERRORISM.

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

(1) On October 23, 1983, terrorists sponsored by the Government of Iran bombed the United States Marine barracks in Beirut, Lebanon, killing 241 service members, service members killed 241 service men and injured scores more.

(2) Those servicemen were killed or injured while on a peacekeeping mission.

(3) The terrorism sponsored by the Government of Iran threatens the national security of the United States.

(4) The United States has a vital interest in empowering the families of the members of the Armed Forces killed or injured by such terrorism, and the family members of such members, are able to seek justice.

(b) AMENDMENTS.—Section 502 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8772) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “in the United States” and inserting “by or”;

(B) in subparagraph (B), by inserting “or an asset that would be blocked if the asset were located in the United States,” after “unblocked”;

(C) in the flush text at the end—

(i) by inserting after “in aid of execution” the following: “in aid of execution, or to an order directing that the asset be brought to the State in which the court is located and subsequently to execution or attachment in aid of execution,”

(ii) by inserting “, without regard to concerns relating to international comity” after “resources for such an asset”;

(iii) in subparagraph (A), by striking “that are identified” and inserting the following: “that are—

“(1) identified;

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

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

“(2) persons that commit an unlawful act described in subsection (a) of this section.”;

(2) in subsection (b)—

(A) in subparagraph (A), by inserting “in aid of execution” the following: “in aid of execution; or to an order directing that the asset be brought to the State in which the court is located and subsequently to execution or attachment in aid of execution,”

(B) in subparagraph (B), by inserting “or an asset that would be blocked if the asset were located in the United States,” after “unblocked”;

(C) in the flush text at the end—

(i) by inserting after “in aid of execution” the following: “in aid of execution, or to an order directing that the asset be brought to the State in which the court is located and subsequently to execution or attachment in aid of execution,”

(ii) by inserting “, without regard to concerns relating to international comity” after “resources for such an asset”;

(iii) in subparagraph (A), by striking “that are identified” and inserting the following: “that are—

“(1) identified;

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

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

“(2) persons that commit an unlawful act described in subsection (a) of this section.”.

(3) in subsection (c), by redesignating subsections (b) and (i) as subsections (i) and (j), respectively; and

(4) by inserting after subsection (g) the following new subsection (h):—

“(h) LABELING.—The Secretary of Defense shall ensure that drugs made available through the facilities of the uniformed services include labels that—

“(1) are printed and physically located on or within the package from which the drug is to be dispensed; and

“(2) provide adequate directions for the purposes for which the drug is intended.”.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking “under subsection (h)” and inserting “under subsection (j)”.

SEC. 1227. EXPANSION OF AVAILABILITY OF FINANCIAL ASSETS OF IRAQ TO VICTIMS OF TERRORISM.

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

(1) In September 2003, terrorists sponsored by the Government of Iraq killed 170 Americans and injured scores more.

(2) Those service members were killed or injured while on a peacekeeping mission.

(3) The terrorism sponsored by the Government of Iraq threatens the national security of the United States.

(b) AMENDMENTS.—Section 502 of the Iraq Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8772) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “in the United States” and inserting “by or”;

(B) in subparagraph (B), by inserting “or an asset that would be blocked if the asset were located in the United States,” after “unblocked”;

(C) in the flush text at the end—

(i) by inserting after “in aid of execution” the following: “in aid of execution, or to an order directing that the asset be brought to the State in which the court is located and subsequently to execution or attachment in aid of execution,”

(ii) by inserting “, without regard to concerns relating to international comity” after “resources for such an asset”;

(iii) in subparagraph (A), by striking “that are identified” and inserting the following: “that are—

“(1) identified;

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

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

“(2) persons that commit an unlawful act described in subsection (a) of this section.”; and

(2) in subsection (b)—

(A) by striking “that are identified” and inserting the following: “that are—

“(1) identified;

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

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

“(2) persons that commit an unlawful act described in subsection (a) of this section.”

(b) TERMINATION.—The requirement to impose sanctions under this title shall terminate on December 31, 2025.

SA 363. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 VII, add the following:

SEC. 1230. MODIFICATION OF AUTHORITY FOR THE JOINT HYPERSONICS TRANSLATION OFFICE.


(1) in subsection (a), by striking “subsection (b), and shall” and inserting “subsection (c), and shall”;

(2) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively;

(3) by inserting after subsection (a) the following new subsection (b):—

“(b) HEAD OF THE JOINT HYPERSONICS TRANSLATION OFFICE.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, the Secretary shall designate a senior official in the Department who shall be the head of the Office.

“(2) REPORTING.—The head of the Office shall report to the Assistant Director for
Hypersonics within the Office of the Under Secretary of Defense for Research and Engineering;

(ii) by striking ‘‘under subsection (d)’’ and inserting ‘‘under subsection (i)’’; and

(C) in paragraph (3), by striking ‘‘fiscal year 2016’’ and inserting ‘‘fiscal year 2024’’; and

(i) by striking ‘‘under subsection (d)’’ and inserting ‘‘under subsection (e)’’;

(ii) by redesignating subsection (e) through (f), as redesignated by paragraph (2), as subsections (f) through (g), respectively;

(iii) by inserting after subsection (d), as redesignated by paragraph (2), the following new subsection (e):

‘‘(e) CONSORTIUM OF UNIVERSITIES.—

‘‘(1) IN GENERAL.—In carrying out subsection (d)(3)(B), the head of the Office shall designate a consortium of universities to lead foundational hypersonic research in research areas the head considers appropriate for the Department.

‘‘(2) COLLABORATION.—The head of the Office shall encourage the consortium designated under paragraph (1) to collaborate across the Federal Government, the private sector, and universities.

‘‘(B) R EVISIONS.—Each year, concurrent with the enactment of this Act, the Secretary shall submit to the congressional defense committees the roadmap developed under paragraph (1).

‘‘(C) in paragraph (3), by striking ‘‘under subsection (e)’’ and inserting ‘‘under subsection (f)’’; and

(i) by striking ‘‘under subsection (d)’’ and inserting ‘‘under subsection (e)’’;

(ii) by inserting ‘‘under subsection (d)’’ and inserting ‘‘under subsection (f)’’; and

(iii) by inserting ‘‘under subsection (e)’’ before ‘‘Office’’;

(iv) in subsection (c), as redesignated by paragraph (b)(3), by inserting ‘‘head of the’’ before ‘‘Office’’;

(v) in subsection (d), as redesignated by paragraph (2)—

(A) by striking paragraph (1), by inserting ‘‘head of the’’ before ‘‘Office’’;

(B) in paragraph (3)(A), by inserting ‘‘, academic,’’ after ‘‘private sector’’; and

(C) in paragraph (3)(B)—

(i) by striking ‘‘under subsection (e)’’ and inserting ‘‘under subsection (f)’’; and

(ii) by redesigning subsection (e) through (f), as redesignated by paragraph (2), as subsections (f) through (g), respectively;

(iii) by inserting after subsection (d), as redesignated by paragraph (2), the following new subsection (e):

‘‘(1) INITIAL SUBMITTAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the most recent revision to the roadmap developed under paragraph (1).

‘‘(II) in clause (ii), by striking the period at the end and inserting ‘‘; and’’;

(iii) by adding at the end the following new clause:

‘‘(iii) the activities and resources of the consortium designated under subsection (e) that will be leveraged by the Department to meet such goals.’’; and

(A) in paragraph (D), by inserting ‘‘and infrastructure’’ after ‘‘facilities’’ each place it appears; and

(i) by striking ‘‘under subsection (e)’’ before ‘‘Office’’;

(ii) by striking ‘‘under subsection (d)’’ and inserting ‘‘under subsection (f)’’; and

(iii) by striking ‘‘under subsection (e)’’ and inserting ‘‘under subsection (f)’’; and

(iv) by inserting ‘‘under subsection (d)’’ and inserting ‘‘under subsection (f)’’; and

(v) in paragraph (3), by striking ‘‘under subsection (e)’’ and inserting ‘‘under subsection (f)’’; and

(C) in paragraph (3), by striking ‘‘fiscal year 2016’’ and inserting ‘‘fiscal year 2024’’; and

(ii) by adding at the end the following new

SEC. 2818. MODIFICATION OF AUTHORIZED USES OF CERTAIN PROPERTY CONVEYED BY THE UNITED STATES IN LOS ANGELES, CALIFORNIA.

(a) IN GENERAL.—Section 2 of Public Law 85–236 (71 Stat. 517) is amended in the first sentence by inserting after ‘‘for other military purposes’’ the following: ‘‘and for purposes of meeting the needs of the homeless (as that term is defined in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 13602))’’;

(b) MODIFICATION OF INSTRUMENT OF CONveyANCE.—The State of California may submit to the Administrator of General Services an application for use of the property described in the application pursuant to paragraph (1), the Administrator and the Secretary of Health and Human Services shall jointly determine whether the use of the property described in the application is for purposes of meeting the needs of the homeless in accordance with the amendment made by subsection (a).

(c) REVIEW OF APPLICATION.—Not later than 60 days after the date of receipt of an application pursuant to paragraph (1), the Administrator and the Secretary shall jointly determine whether the use of the property described in the application is for purposes of meeting the needs of the homeless; and

(d) MODIFICATION OF INSTRUMENT OF CONveyANCE.—

(A) IN GENERAL.—If the Administrator and the Secretary joint determine that the use of the property described in the application is for purposes of meeting the needs of the homeless, the Administrator shall execute and record in the appropriate office an instrument of modification of the deed of conveyance executed pursuant to Public Law 85–236 in order to authorize such use of the property. The instrument shall include such modification of terms and conditions as the Administrator considers appropriate to protect the interests of the United States.
(B) COMPATIBILITY WITH MILITARY PURPOSES.—Before executing under subparagraph (A) any instrument of modification of the deed of conveyance executed pursuant to Public Law 85–236, the Administrator and the Secretary shall request review by the Chief of the National Guard Bureau in consultation with the Secretary of the Army to ensure that any modification of the use of the property described in the application is compatible with the training of the members of the National Guard.

SA 367. Mr. SCHATZ (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriate modifications under 2020 to military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 V, add the following:

**PART V—OTHER DISCHARGE CHARACTERIZATION MATTERS**

SEC. 565. SHORT TITLE. This part may be cited as the "Restore Honor to Service Members Act".

SEC. 565A. 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 in keeping with the respect for the service record of the covered member, and discharge, there were no aggravating circumstances, such as misconduct, that would have independently led to a discharge 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;

(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 other—

(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.

(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), the appropriate discharge board shall make every effort to locate the documents specified in subparagraph (A) of such paragraph with 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 or by which a covered member 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 has been made under subsection (c), 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 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) CHANCE CHARACTERIZATION.—The appropriate discharge board shall change the discharge characterization of a covered member to honorable if such change is determined to be necessary 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 by the Secretary of Defense, that was a discharge by reason of the sexual orientation of the member, the Secretary of Defense shall reissue to the member to honorable if such change is determined to be necessary 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.

(g) STATUS.—

(1) CHANGES TO RECORDS. For each covered member whose discharge characterization is changed under subsection (e), or for each covered member who was honorably discharged by the Secretary of Defense, that was a discharge by reason of 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:

(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.

(2) ADDITIONAL MATERIALS. If additional materials are necessary for the review, the appropriate discharge board may request additional information from the covered member or the member's representative, in writing, and specifically detailing what is being requested; and

(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.

(h) DEFINITIONS.—In this section:

(1) The term ‘‘appropriate discharge board’’ means the discharge boards for military personnel discharged under section 1552 of title 10, United States Code, or the discharge review boards under section 1533 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, or as a result 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 reclassified, including but not limited to ‘‘general’’, ‘‘other than honorable’’, and ‘‘honorable’’.

(4) The term ‘‘Don’t Ask Don’t Tell’’ means a provision 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.

SEC. 565B. TIGER TEAM FOR OUTREACH TO FORMER MEMBERS. (a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the enactment of the Department of Defense is to provide the military forces needed to deter war and to protect the security of the United States;

(2) expanded outreach to veterans impacted by DADT or a similar policy prior to the enactment of DADT is important to closing a period of history harmful to the creed of integrity, respect, and honor of the military;

(3) the Department is responsible for providing for the review of a veteran’s military record before the appropriate discharge review board or, when more than 15 years has passed, board of correction for military or naval records; and

(4) the Secretary of Defense should, whenever possible, coordinate and conduct outreach to impacted veterans through the veterans community and networks, including through the Department of Veterans Affairs and veterans service organizations, to ensure that veterans understand the review processes that are available to them for upgrading their discharge.

(b) TIGER TEAM.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall establish a team (commonly known as a ‘‘tiger team’’) and referred to in this section as the ‘‘Tiger
In accordance with the schedule submitted under subparagraph (C) of that paragraph.

(2) **UPDATES.**—Not less frequently than once every 90 days after the submittal of the report required by paragraph (5) of that section, the Secretary of Defense shall submit to Congress an update on the carrying out of the plan submitted under subparagraph (A) of that paragraph.

(B) **FURTHER ACTION.**—Not later than 3 years after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a final report on the carryout of the plan pursuant to this subsection. The report shall set forth the following:

(A) The number of individuals discharged under DADT.

(B) The number of individuals described in subparagraph (A) who availed themselves of a review of discharge characterization (whether through discharge review or correction of military records) through a process established prior to the enactment of this Act.

(C) The number of individuals contacted through outreach conducted pursuant to this section.

(D) The number of individuals described in subparagraph (A) who availed themselves of a review of discharge characterization through the process established pursuant to section 565A.

(E) The number of individuals described in subparagraph (D) whose review of discharge characterization resulted in a change of characterization to honorable discharge.

(F) The total number of individuals described in subparagraph (A), including individuals also covered by subparagraph (B), whose review of discharge characterization resulted in a change of characterization to honorable discharge since September 20, 2011 (the date of repeal of DADT), resulted in a change of characterization to honorable discharge.

(G) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—**In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(Sec. 565C. REPORTS.)

(1) **REVIEW.**—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted under section 565A.

(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 subsection (a). Such reports shall include any comments or recommendations for continued actions.

(Sec. 565D. HISTORICAL REVIEW.)

The Secretary of the Army 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 20, 2011 because of the sexual orientation of the individual;

(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.

(Sec. 368. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, 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. 369. PROGRAM TO USE MINOR MILITARY CONSTRUCTION AUTHORITY FOR CONSTRUCTION OF CHILD DEVELOPMENT CENTERS.

(A) Thresholds on Construction Authorized.

(1) **In General.—**The Secretary of Defense shall establish a program to carry out minor military construction projects under section 2805 of title 10, United States Code, to construct or modify child development centers.

(2) **Expansion of Access to Child Care Services.—**Projects considered under the program under this section shall emphasize expanding access to and increasing the availability of child care from the Department of Defense.

(Sec. 370. Increased Maximum Amounts Applicable to Minor Construction Projects. For the purpose of any military construction project carried out under the program under this section, the amounts specified in section 2805(b) of title 10, United States Code, are modified as follows:

(1) the amount specified in subsection (a)(2) of such section is deemed to be $15,000,000.

(2) the amount specified in subsection (c) of such section is deemed to be $5,750,000.

(Sec. 371. Notification and Approval Requirements.

(1) **In General.—**Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the program under this section.

(2) **Elements.—**The report required by paragraph (1) shall include a list and description of the construction projects carried out under the program under this section, including the location and cost of each project.

(3) **Construction of Authority.—**Nothing in this section may be construed to limit any other authority provided by law for a military construction project at a child development center.
SA 370, Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 X, add the following:

(b) IMPROVEMENT OF DETERMINATIONS.—

(1) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subsection (b) and not excluded under subsection (c), the Secretary of Defense shall require the Secretaries of the military departments to provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the preferential of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the disposal of charges.

(C) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(D) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the disposition of charges.

(E) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(2) HOMELAND SECURITY.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subsection (b) and not excluded under subsection (c), the Secretary of Homeland Security shall provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30(a) of the Uniform Code of Military Justice) on the preferential of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the disposal of charges.

(C) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(D) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(E) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(3) DETERMINATIONS ON DISPOSITION OF CHARGES.—For the determinations under subsection (c), the Secretary of Defense shall require the Secretaries of the military departments to provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 880 of such chapter (article 80 of the Uniform Code of Military Justice) on the referral of charges.

(B) Determinations under section 880 of such chapter (article 80 of the Uniform Code of Military Justice) on the referral of charges.

(C) Determinations under section 882 of such chapter (article 82 of the Uniform Code of Military Justice) on the referral of charges.

(D) Determinations under section 882 of such chapter (article 82 of the Uniform Code of Military Justice) on the referral of charges.

(E) Determinations under section 882 of such chapter (article 82 of the Uniform Code of Military Justice) on the referral of charges.

(F) Determinations under section 882 of such chapter (article 82 of the Uniform Code of Military Justice) on the referral of charges.

(G) Determinations under section 882 of such chapter (article 82 of the Uniform Code of Military Justice) on the referral of charges.

(H) Determinations under section 882 of such chapter (article 82 of the Uniform Code of Military Justice) on the referral of charges.

(I) CONFINEMENT OF MORE THAN ONE YEAR.—For the determinations under subsection (c), the Secretary of Defense may use funds under section 882 of such chapter (article 82 of the Uniform Code of Military Justice) to 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 V of such chapter, add the following:

PART V—ADDITIONAL MILITARY JUSTICE REFORM

SEC. 565A. SHORT TITLE.

This part may be cited as the “Military Justice Improvement Act of 2019”.

SEC. 565B. IMPROVEMENT OF DETERMINATIONS ON DISPOSITION OF CHARGES FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OF MORE THAN ONE YEAR.

(a) IMPROVEMENT OF DETERMINATIONS.—

(1) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (1) or (2) as punishable under section 881 of such title, United States Code (article 81 of the Uniform Code of Military Justice)

(2) HOMELAND SECURITY.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (1) or (2) as punishable under section 881 of such title, United States Code (article 81 of the Uniform Code of Military Justice)

(b) COVERED OFFENSES.—An offense specified in this subsection is an offense as follows:

(A) An attempt to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(B) A conspiracy to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(C) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(D) A determination whether to prefer such charges or refer such charges to a court-martial for trial, as applicable, shall cover all known offenses, including lesser included offenses.

(E) A determination whether to prefer such charges or refer such charges to a court-martial for trial, as applicable, shall cover all known offenses, including lesser included offenses.

(F) An attempt to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(G) A conspiracy to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(H) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(I) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(J) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(K) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(L) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(M) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(N) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(O) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(P) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(Q) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(R) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(S) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(T) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(U) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(V) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(W) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(X) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(Y) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)

(Z) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of such title, United States Code (article 80 of the Uniform Code of Military Justice)
may not convene a court-martial under this article, be sentenced to confinement for more than one year, or be discharged with any other disciplinary action authorized by law.

SEC. 565A. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall revise policies and procedures as necessary to ensure compliance with this section.

SEC. 565B. MODIFICATION OF OFFICERS AUTHORIZED PERSONNEL AND RESOURCES.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565C. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565D. DISCHARGE USING OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565E. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES BY DEFENSE ADVISORY COMMITTEE ON INTELLIGENCE, NATIONAL SECURITY, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

Section 565(c) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1561 note) is amended—

SEC. 565F. EFFECTIVE DATE AND APPLICABILITY.

(a) Effective Date and Applicability.

This part and the amendments made by this part shall take effect 180 days after the date of the enactment of this Act, and shall apply with respect to any allegation of charges of an offense specified in subsection (a) of section 565B, and not excluded under subsection (c) of section 565B, which offense occurs on or after such effective date.

SEC. 565G. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES BY DEFENSE ADVISORY COMMITTEE ON INTELLIGENCE, NATIONAL SECURITY, AND DEFENSE OF SEXUAL Assault in the Armed Forces.

Section 565(c) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1561 note) is amended—

SEC. 565H. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES BY DEFENSE ADVISORY COMMITTEE ON INTELLIGENCE, NATIONAL SECURITY, AND DEFENSE OF SEXUAL Assault in the Armed Forces.

Section 565(c) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1561 note) is amended—

SEC. 565I. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES BY DEFENSE ADVISORY COMMITTEE ON INTELLIGENCE, NATIONAL SECURITY, AND DEFENSE OF SEXUAL Assault in the Armed Forces.

Section 565(c) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1561 note) is amended—

SEC. 565J. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565K. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565L. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565M. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565N. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565O. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565P. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565Q. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565R. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565S. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565T. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565U. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565V. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565W. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565X. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.

SEC. 565Y. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCING CAP.

In General.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall review the personnel and resources required for the military departments and the Department of Homeland Security to ensure that such personnel and resources are necessary to ensure compliance with this part.
“(A) is incorporated in or has manufacturing facilities in the United States; and

“(B) is owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in a country that—

“(i) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677f(18)) as of the date of enactment of this subsection; and

“(ii) was identified by the United States Trade Representative in the most recent report under section 135 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign country under subsection (a)(2) of that section; and

“(B) the recipient is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).

“(2) EXCEPTION.—For purposes of paragraph (1), the term ‘otherwise related legally or financially’ does not include a minority relationship or investment.

“(3) INTERNATIONAL AGREEMENTS.—This subsection shall be applied in a manner consistent with the obligations of the United States under international agreements.

“(4) CERTIFICATION FOR RAIL ROLLING STOCK.—

“(A) IN GENERAL.—Except as provided in paragraph (5), as a condition of financial assistance made available in a fiscal year under this section, the recipient that procures rail fixed guideway public transportation systems shall certify in that fiscal year that the recipient will not award any contract or subcontract for the procurement of rail rolling stock for use in public transportation with a rail rolling stock manufacturer described in paragraph (1).

“(B) SEPARATE CERTIFICATION.—The certification required under this paragraph shall be in addition to any certification the Secretary establishes to ensure compliance with the requirements of paragraph (1).

“(5) EXCEPTION.—This subsection, including the certification requirement under paragraph (4), shall not apply to the award of a contract or subcontract made by a public transportation agency with a rail rolling stock manufacturer described in paragraph (1) if the manufacturer and the public transportation agency are a joint venture formed to manufacture a rail rolling stock that was executed before the date of enactment of this subsection.

“(6) CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK OPERATIONS.—

“(A) CERTIFICATION.—As a condition of financial assistance made available under this chapter, a recipient that operates a rail fixed guideway public transportation system shall certify that the recipient has established a process to develop, maintain, and execute a cybersecurity plan to identify and reduce cybersecurity risks.

“(B) COMPLIANCE.—For the process required under paragraph (1), a recipient of assistance under this chapter shall—

“(i) adopt the approach described by the voluntary standards and best practices developed under section 2(c)(15) of the National Institute of Standards and Technology Act (15 U.S.C. 272(c)(15)), as applicable;

“(ii) identify hardware and software that the recipient determines should undergo third-party testing and analysis to mitigate cybersecurity risks; such as hardware or software for rail rolling stock under proposed procurements; and

“(III) utilize the approach described in any voluntary standards and best practices for rail fixed guideway public transportation systems developed under the authority of the Secretary of Homeland Security, as applicable.

“(3) LIMITATIONS ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to interfere with the authority of—

“(A) the Secretary of Homeland Security to publish or ensure compliance with required standards concerning cybersecurity for rail fixed guideway public transportation systems; or

“(B) the Secretary of Transportation under section 5329 to address cybersecurity issues as those issues relate to the safety of rail fixed guideway public transportation systems.

“SA 374. Ms. KLOBUCHAR (for herself, Ms. COLLINS, Mr. MANCHIN, and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 F of title V, add the following:

“SEC. 530. ANNUAL REPORT CARD.

“Section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(i)) is amended by striking ‘‘(on activity described in section 101(d)(5) of such title)’’.

“SA 375. Ms. KLOBUCHAR (for herself, Mr. SULLIVAN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. BOOZMAN, Mr. BROWN, Mr. CASEY, Ms. COLLINS, Mr. COONS, Mr. CRUZ, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. JONES, Mr. LEAHY, Mr. MARKZER, Mr. MENENDEZ, Mr. MORAN, Ms. ROSEN, Mr. ROUNDS, Mr. SANDERS, Mrs. SHAHEEN, Ms. STABENOW, and Mr. WHITENBERG) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 1074(f). EXPOSURE TO OPEN BURN PITS AND TOXIC AIRBORNE CHEMICALS AS PART OF PERIODIC HEALTH ASSESSMENTS AND OTHER PHYSICAL EXAMINATIONS.

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

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

“(2) exposed to airborne chemicals, including any information recorded as part of the Airborne Hazards and Open Burn Pit Registry, unless the member elects to not so enroll.

“(b) SEPARATION HISTORY AND PHYSICAL EXAMINATION.—Section 1074(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

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

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

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

“SEC. 1074(h). EXCEPTION.—Section 1074(h)(2)(b) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) an assessment of whether the member was—

“(i) based or stationed at a location where an open burn pit was used, or

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

“SEC. 1074(i). SHARING OF INFORMATION.—

“(1) DOD-VA.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly enter into a memorandum of understanding for the sharing of data concerning operations, testing, and evaluation regarding the exposure by a member of the Armed Forces to toxic airborne chemicals.

“(2) REGISTRY.—If a covered evaluation of a member of the Armed Forces establishes that the member was based or stationed at a location where an open burn pit was used, or the member was exposed to toxic airborne chemicals, the member shall be enrolled in the Airborne Hazards and Open Burn Pit Registry, unless the member elects to not so enroll.

“SEC. 1074(j). RULE OF CONSTRUCTION.—Nothing in this section may be construed to preclude eligibility for benefits under the laws administered by the Secretary of Veterans Affairs by reason of the open burn pit exposure history of a veteran not being recorded in a covered evaluation.

“SEC. 1074(k). DEFINITIONS.—In this section:

“(1) THE AIRMORES HAZARDS AND OPEN BURN PIT REGISTRY means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

“(2) THE TERM ‘‘COVERED EVALUATION’’ MEANS—

“(A) A PERIODIC HEALTH ASSESSMENT CONDUCTED IN ACCORDANCE WITH SUBSECTION (A), SEPARATION HISTORY AND PHYSICAL EXAMINATION CONDUCTED UNDER SECTION 1114(a)(5) OF TITLE 10, UNITED STATES CODE, AS AMENDED BY THIS SECTION; AND

“(B) A DEPLOYMENT ASSESSMENT CONDUCTED UNDER SECTION 1074(b)(2) OF SUCH TITLE, AS AMENDED BY THIS SECTION.

“(3) THE TERM ‘‘OPEN BURN PIT’’ HAS THE MEANING GIVEN TO THAT TERMINOLOGY BY THE SECRETARY OF DEFENSE, FOR MILITARY CONSTRUCTION, AND FOR DEFENSE ACTIVITIES OF THE DEPARTMENT OF ENERGY, TO 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 VIII, insert the following:

“SA 376. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 VIII, add the following:

“SEC. 101(d)(5). DEFINITIONS.—In this section:

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “Enhancing Human Rights Protections in Arms Sales Act of 2019”.

SEC. 1292. STRATEGY TO ENHANCE HUMAN RIGHTS PROTECTIONS IN UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, and every two years thereafter, the Secretary of Defense, in consultation with the Secretary of State, the Secretary of the Treasury, and the Attorney General, shall submit to the appropriate congressional committees a strategy to ensure human rights protections for United States military assistance and arms transfers. The strategy shall include—

(1) processes and procedures to—

(A) determine when United States military assistance and arms transfers are used to commit gross violations of internationally recognized human rights;

(B) determine when United States military assistance and arms transfers are used to undermine international peace and security or contribute to gross violations of internationally recognized human rights, including acts of gender-based violence and acts of violence against children, violations of international humanitarian law, terrorism, mass atrocities, or transnational organized crime; and

(C) detect other violations of United States law concerning United States military or security cooperation, and arms transfers, including the diversion of such assistance or the use of such assistance by security force or police units credibly implicated in gross violations of internationally recognized human rights;

(D) train partner militaries, security, and police forces on methods for preventing civil and human rights abuses; and

(E) determine whether individuals or entities that have received United States military, security, or police training or have participated or are scheduled to participate in joint exercises with United States forces have later been credibly implicated in gross violations of internationally recognized human rights;

(2) an implementation plan detailing specific and measurable goals, benchmarks, timetables, performance metrics, and monitoring and evaluation plans; and

(3) a report—

(A) detailing any United States military assistance and arms transfers which the Secretary of State, the Secretary of Defense, and the Secretary of Energy, to 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—Strategy to Enhance Human Rights Protections in Arms Sales

SEC. 1293. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

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

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

(2) CRIMES AGAINST HUMANITY.—The term “crimes against humanity” includes, when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack—

(A) murder;

(B) deportation or forcible transfer of population;

(C) torture;

(D) rape, sexual slavery, or any other form of sexual violence of comparable severity;

(E) persecution against any identifiable group or social category on political, racial, national, ethnic, cultural, religious, gender or other grounds that are universally recognized as impermissible under international law; and

(F) enforced disappearance of persons.

(3) GENOCIDE.—The term “genocide” means any offense described in section 101(a) of title 18, United States Code.

(4) TRANSITIONAL JUSTICE.—The term “transitional justice” means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes—

(A) to redress legacies of atrocities; and

(B) to promote long-term, sustainable peace.

(5) WAR CRIME.—The term “war crime” has the meaning given the term in section 2441(c) of title 18, United States Code.

SEC. 1294. STATEMENT OF POLICY.

It is the policy of the United States that—

(1) the pursuit of a calibrated engagement strategy is essential to support the establishment of a peaceful, prosperous, and democratic Burma that includes respect for the human rights of all people regardless of ethnicity and religion; and

(2) the guiding principles of such a strategy include—

(A) support for meaningful legal and constitutional reforms that remove remaining restrictions on civil and political rights and institute civilian control of the military, civil control of the police, and the constitutional provision reserving 25 percent of parliamentary seats for the military, which provides the military with veto power over constitutional amendments and presidential succession;

(B) the establishment of a fully democratic, pluralistic, civilian controlled, and representative political system that includes regularized free and fair elections in which all people of Burma, including the Rohingya, can vote; and

(C) the promotion of genuine national reconciliation and conclusion of a credible and sustainable nationwide cease-fire agreement, political accommodation of the needs of ethnic Shan, Kachin, Chin, Karen, and other ethnic minority groups, safe and sustainable return of displaced persons to villages of origins, and constitutional change allowing inclusive permanent peace.

(D) independent and international investigations into credible reports of war crimes, crimes against humanity, including sexual and gender-based violence and genocide, perpetrated against ethnic minorities like the Rohingya by the government, military, and security forces of Burma, violent extremist groups, and other combatants involved in the conflict;

(E) accountability for determinations of war crimes, crimes against humanity, including sexual and gender-based violence and genocide, perpetrated against ethnic minorities like the Rohingya by the Government of Burma, military, and security forces of Burma, violent extremist groups, and other combatants involved in the conflict;

(F) strengthening the government's civilian institutions, including support for greater transparency and accountability;

(G) the establishment of professional and nonpartisan military, security, and police forces that operate under civilian control;

(H) empowering local communities, civil society, and human rights defenders;

(I) promoting responsible international and regional engagement;

(J) strengthening respect for and protection of human rights and religious freedom;

(K) addressing and ending the humanitarian and human rights crises, including by supporting the return of the displaced Rohingya to their homes and granting or restoring full citizenship for the Rohingya population; and

(L) promoting broad-based, inclusive economic development and fostering healthy and resilient communities.

SEC. 1294. AUTHORIZATION OF APPROPRIATIONS FOR HUMANITARIAN ASSISTANCE AND RECONCILIATION.

There is authorized to be appropriated not less than $220,500,000 for the fiscal year 2020 for humanitarian assistance and reconciliation activities for ethnic groups and civil society organizations in Burma, Bangladesh, Thailand, and the region. The assistance may include—

(1) assistance for the victims of the Burmese military’s crimes against humanity targeting Rohingya and other ethnic minorities in Rakhine State and Shan States, including those displaced in Burma, Bangladesh, and Thailand;
(2) support for voluntary resettlement or repatriation in Bangladesh, pending a genuine repatriation agreement that is developed and negotiated with the Rohingya community and consistent with international obligations and human rights standards; and
(3) assistance to promote ethnic and religious tolerance, to combat gender-based violence, and to support victims of violence and destruction, including Rohingya refugees, Kachin, Shan, Karen, Arakan, and other ethnic minority groups in Burma, including victims of gender-based violence and unaccompanied minors; (4) support for formal education for children currently living in the camps, and opportunities to access higher education in Bangladesh; (5) support for programs to investigate and document allegations of war crimes and crimes against humanity, including sexual and gender-based violence and genocide committed in Burma; (6) assistance to ethnic groups and civil society in Burma to help sustain ceasefire agreements and further prospects for reconciliation and sustainable peace; and (7) promotion of ethnic minority inclusion and participation in Burma’s political processes.

SEC. 1295. MULTILATERAL ASSISTANCE. The Secretary of the Treasury should instruct the executive director of each international financial institution to use the voice and vote of the United States to support projects in Burma that—
(1) provide for accountability and transparency, including the collection, verification, and publication of beneficial ownership information, real-time ownership information related to extractive industries and on-site monitoring during the life of the project; (2) will be developed and carried out in accordance with best practices regarding environmental conservation, cultural protection, and empowerment of local populations, including free, prior, and informed consent of affected communities; (3) do not provide incentives for, or facilitate, forced displacement; and (4) do not partner with or otherwise involve enterprises owned or controlled by the armed forces of Burma.

SEC. 1296. SENSE OF CONGRESS ON RIGHT OF RETURN AND FREEDOM OF MOVEMENT. (a) RIGHT OF RETURN.—It is the sense of Congress that the Government of Burma, in collaboration with the United Nations High Commissioner for Refugees, should—
(1) ensure the dignified, safe, sustainable, and voluntary return of all those displaced from their homes, especially from Rakhine State, without an unduly high burden of proof, and the opportunity to obtain appropriate compensation to restart their lives in Burma; (2) ensure that those returning are granted or restored full citizenship and all the rights that adhere to citizenship in Burma; (3) offer to those who do not want to return meaningful opportunity to obtain appropriate compensation or restitution; (4) not place returning Rohingya in internally displaced persons camps or “model villages”, but instead make efforts to reconstitute Rohingya villages as and where they were; (5) facilitate the return of any funds collected by the Government of Burma through the land previously owned and tended by Rohingya farmers for them upon their return; (6) fully implement all of the recommendations of the Advisory Commission on Rakhine State; and (7) ensure there is proper consultation, buy-in, and confidence building from the Rohingya refugee community on decisions being made on their behalf.
(b) FREEDOM OF MOVEMENT OF REFUGEES AND INTERNALLY DISPLACED PERSONS.—Congress recognizes that the Government of Bangladesh has provided long-standing support and hospitality to people fleeing violence in Burma, and calls on the Government of Bangladesh to—
(1) ensure all refugees, including Rohingya persons living in camps in Bangladesh and in internally displaced persons camps in Rakhine State, have meaningful opportunity to obtain accommodation including outside of the camps, and under no circumstance are subject to unsafe, involuntary, or uninformed repatriation; (2) to ensure safe, sustainable, and voluntary return of those displaced from their homes, and offer to those who do not want to return meaningful means to obtain compensation or restitution; and (3) to ensure the rights of refugees are protected, including through allowing them to build more permanent shelters, and ensuring equal access to healthcare, basic services, education, and work.

SEC. 1297. MILITARY COOPERATION. (a) PROHIBITION.—Except as provided under subsection (b), the President may not furnish any military equipment in any military-to-military programs with the armed forces of Burma, including training or observership or participation in regional exercises, unless, in consultation with the Secretary of Defense, certifies to the appropriate congressional committees that the Burmese military has demonstrated significant progress in abiding by international human rights standards and is undertaking meaningful and significant security sector reform, including transparency and accountability to prevent human rights abuses, as determined by the following criteria:
(1) The military adheres to international human rights standards and institutes meaningful internal reforms to stop future human rights violations.
(2) The military supports efforts to carry out meaningful and comprehensive independent and international investigations of credible reports of abuses and is holding accountable those Burmese military responsible for human rights violations.
(3) The military supports efforts to carry out meaningful and comprehensive independent investigations of credible reports of conflict-related sexual and gender-based violence and is holding accountable those in the Burmese military who failed to protect women and girls, prevent and prosecute sexual, gender-based, and other gender-based violence against women, sexual violence, or other gender-based violence.
(4) The Government of Burma, including the military, allows immediate and unfettered humanitarian access to communities in areas affected by conflict, including Rohingya and other minority communities in Burma, and specifically to the United Nations High Commissioner for Refugees and other relevant United Nations agencies.
(5) The Government of Burma, including the military, cooperates with the United Nations High Commissioner for Refugees and other relevant United Nations agencies to ensure the protection of displaced persons and the safe and voluntary return of Rohingya and other minority refugees and internally displaced persons.
(b) EXCEPTIONS.—(1) CERTAIN EXISTING AUTHORITIES.—The Department of Defense may continue to conduct consultations based on the authorities under section 1253 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 22 U.S.C. 2472 note) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to support earth armed groups and the Burmese military for the purpose of supporting research, dialogues, meetings, and other activities related to the Union Peace Conference, Political Dialogues, and related committees, in furtherance of inclusive, sustainable reconciliation.
(c) MILITARY REFORM.—The certification required under subsection (a) shall include a written justification in classified and unclassified form describing the Burmese military’s efforts to implement reforms, end impunity for human rights violations, and increase transparency and accountability.
(d) RULE OF CONSTRUCTION.—Nothing in this subtitle shall be construed to authorize Department of Defense assistance to the Government of Burma except as provided in this section.

SEC. 1298. CONGRESSIONAL AUTHORITY TO DETERMINE RELATIONSHIP BETWEEN UNITED STATES AND BURMA. The Secretary of State, with the concurrence of the Secretary of Defense, and in consultation with the United States executive director of each international financial institution, shall submit to the appropriate congressional committees a report, in both classified and unclassified form, on the strategy and plans for military-to-military engagement between the United States Armed Forces and the military of Burma.

SEC. 1299. ANNUAL REPORT TO CONGRESS ON MILITARY SUPPORT TO BURMA. (a) REQUIREMENT.—The Secretary of Defense shall report to the Committees on Armed Services that—
(1) an assessment of progress on the military-to-military engagement between the United States and Burma’s military forces, including the military of Burma, the Burma Police Force, and armed ethnic groups; (2) an assessment of the progress of the Burmese military towards implementing a framework to implement human rights reforms, including—
(i) cooperation with civilian authorities to investigate and prosecute cases of human rights violations; (ii) actions taken to demonstrate respect for internationally-recognized human rights standards and implementation of and adherence to the laws of war; and (iii) a description of the elements of the military-to-military engagement between the United States and Burma that promote such implementation.
(b) FORM.—The report required under subsection (a) shall include the following elements:
(1) A description and assessment of the Burma military’s strategy for—
(i) the security sector reform as it relates to an end to involvement in the illicit trade in jade, rubies, and other natural resources; (ii) efforts to end corruption and illicit drug trafficking; and (iii) constitutional reforms to ensure civilian control of the Government.
(2) A list of ongoing military activities conducted by the United States Government with the Government of Burma, and a description of the United States strategy for promoting democratic transition between the United States and Burma’s military forces, including the military of Burma, the Burma Police Force, and armed ethnic groups.
(c) CERTIFICATION REQUIREMENTS.—The Secretary of Defense shall certify to the Committees on Armed Services that—
(1) the Burmese military demonstrates significant progress in abiding by international human rights standards and is undertaking meaningful and significant security sector reform, including transparency and accountability to prevent human rights abuses, as determined by the following criteria:
(2) the Burmese military adheres to international human rights standards and institutes meaningful internal reforms to stop future human rights violations.
(3) the Burmese military supports efforts to carry out meaningful and comprehensive independent investigations of credible reports of abuses and is holding accountable those Burmese military responsible for human rights violations.
(4) the Burmese military supports efforts to carry out meaningful and comprehensive independent investigations of credible reports of conflict-related sexual and gender-based violence and is holding accountable those in the Burmese military who failed to protect women and girls, prevent and prosecute sexual, gender-based, and other gender-based violence against women, sexual violence, or other gender-based violence.
(5) the Government of Burma, including the military, ensures immediate and unfettered humanitarian access to communities in areas affected by conflict, including Rohingya and other minority communities in Burma, and specifically to the United Nations High Commissioner for Refugees and other relevant United Nations agencies.
(6) the Government of Burma, including the military, cooperates with the United Nations High Commissioner for Refugees and other relevant United Nations agencies to ensure the protection of displaced persons and the safe and voluntary return of Rohingya and other minority refugees and internally displaced persons.
(7) the Government of Burma, including the military, takes steps toward the implementation of the recommendations of the Advisory Commission on Rakhine State.

(F) An assessment of the Burmese military’s use of violence against women, sexual violence, or other gender-based violence as a tool of terror, war, or crimes against humanity.

(g) Civilian Channels.—Any program initiated under this section shall use appropriate civilian channels with a democratically elected Government of Burma.

(2) CONFORMING AMENDMENTS.—Section 3A of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61; 50 U.S.C. 1701 note) is amended—

(1) in subsection (b), by striking “until such time” and all that follows through “2008” and inserting “beginning on the date that is 15 days after the date of the enactment of the Burma Human Rights and Freedom Act of 2019”; and

(2) in paragraph (2), by striking “the date of the enactment of this Act” and inserting “the date of the enactment of the Burma Human Rights and Freedom Act of 2019”; and

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to the protection of human rights in Burma for preferential duty treatment under the Generalized System of Preferences under the Trade Act of 1974 (19 U.S.C. 2461 et seq.).

(b) COMMITTEES SPECIFIED.—The committees specified in this paragraph are—

(A) the Committee on Appropriations, the Committee on Finance, and the Committee on Foreign Affairs in the Senate;

(B) the Committee on Appropriations, the Committee on Foreign Affairs, and the Committee on Ways and Means of the House of Representatives.

SEC. 1299. VISA BAN AND ECONOMIC SANCTIONS
WITH RESPECT TO MILITARY OFFICIALS FOR HUMAN RIGHTS VIOLATIONS.

(a) List Required.—

(1) In general.—Not later than 180 days after the date of enactment of the Act, the President shall submit to the appropriate congressional committees a list of—

(A) senior officials of the military and security forces of Burma that the President determines have knowingly played a direct and significant role in the commission of gross violations of human rights, war crimes, or crimes against humanity (including sexual or gender-based violence), in Burma, including against the Rohingya minority population; and

(B) entities owned or controlled by officials described in subparagraph (A).

(2) Inclusions.—The list required by paragraph (1) shall include—

(A) each senior official of the military and security forces of Burma—

(i) who—

(I) knew, or should have known, that the official’s subordinates were committing gross violations of human rights, war crimes, or crimes against humanity (including sexual or gender-based violence); and

(II) failed to take adequate steps to prevent such violations or crimes or punish the subordinates responsible for such violations or crimes; and

(B) each entity owned or controlled by an official described in subparagraph (A).

(3) Updates.—Not later than one year after the date of the enactment of this Act, and not less frequently than every 180 days thereafter, the President shall submit to the appropriate congressional committees an updated version of the list required by paragraph (1).

(b) Sanctions.—

(1) VISA BAN.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any individual included in the most recent list required by this subsection.

(2) Blocking of Property.—

(A) In general.—The Secretary of the Treasury shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of a person included in the most recent list required by 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.


(3) Authority for Additional Financial Sanctions.—The Secretary of the Treasury may, in consultation with the Secretary of State, prohibit or impose strict conditions on the opening or maintaining in the United States of a correspondent account or payable-through account by a foreign financial institution that the President determines has, or on after the date of the enactment of this Act, knowingly conducted or facilitated a significant transaction or transactions on behalf of a person included in the most recent list required by subsection (a) or included on the SDN list pursuant to subsection (c).

(4) Rule of Construction.—Nothing in this subsection may be construed to apply with respect to transactions with a non-governmental humanitarian organization in Burma.

(c) Consideration of Inclusions in SDN List.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the President shall—

(A) determine whether the individuals specified in paragraph (2) should be included on the SDN list; and

(B) submit to the appropriate congressional committees a report, in classified form if necessary, on the procedures for including those individuals on the SDN list and whether such actions are consistent with United States obligations under the Agreement between the United Nations and the United States of America regarding the freezing of assets of the Burmese military that was signed on October 16, 2008.

(2) Individuals Specified.—The individuals specified in this paragraph are—

(i) General Min Aung Hlaing;

(ii) Deputy Commander-in-Chief and Vice Senior-General Soe Win;

(iii) Commander of the 33rd Light Infantry Division, Brigadier-General Aung Aung; and

(iv) Commander of the 90th Light Infantry Division, Brigadier-General Than Oo;

and

(b) any senior official of the military or security forces of Burma for which the President determines there are credible reports that the official—

(i) aided, participated in, or is otherwise involved in gross violations of human rights, war crimes, or crimes against humanity (including sexual or gender-based violence), in Burma;

(ii) knew, or should have known, that the official’s subordinates were committing such violations or crimes; and

(iii) failed to take adequate steps to prevent such violations or crimes or punish the subordinates responsible for such violations or crimes; or

(3) Effective Date.—The amendments made by this section shall apply with respect to transactions with the persons described in paragraph (2) on or after the date of the enactment of this Act.
Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other international obligations of the United States.

(3) Exception relating to importation of goods.—

(a) In General.—The authority to block and prohibit all transactions in all property and interests in property under this section shall not include the authority to impose sanctions on the importation of goods.

(b) Good Defined.—In this paragraph, the term "good" means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(4) Waiver.—The President may waive a requirement of this section if the Secretary of State, with the Secretary of the Treasury, determines and reports to the appropriate congressional committees that the waiver is important to the national security interest of the United States.

(g) Implementation; Penalties.—

(1) Implementation.—The President may exercise all authorities provided under sections 235 and 236 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) Penalties.—A person that violates,企图 to violate, conspires to violate, or attempts to violate, conspires to violate, or attempts to violate, the Act shall be subject to the penalties set forth in sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1703 and 1704).

(b) Report to Congress on Diplomatic Engagement.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on diplomatic efforts to impose coordinated sanctions with respect to persons sanctioned under—

(1) section 1299; or

(2) section 2683 of the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114-328, 22 U.S.C. 2656) and as described in subsection (a) of that section in or with respect to Burma.

(c) Protection of Witnesses and Evidence.—The Secretary shall take due care to ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of evidence by the Government of Burma.

SEC. 1299B. STRATEGY FOR PROMOTING ECONOMIC ENGAGEMENT AND TOWARDS A MORE PROSPEROUS AND OPEN BURMA.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury and the United States Agency for International Development shall jointly submit to the appropriate congressional committees a strategy to support sustainable, inclusive, and broad-based economic development, in accordance with the priorities of disadvantaged communities with respect to significant civil society and local stakeholders, and to improve economic conditions and government transparency.

(b) Elements.—The strategy required by subsection (a) shall include a roadmap—

(1) to assess and recommend measures to diversify over and access to participation in key sectors in cooperation with relevant civil society and local stakeholders, and to improve economic conditions and government transparency.

(E) to the extent possible, a description of the conventional and unconventional weapons—or support for such crimes and the origins of such weapons.

(2) A description and assessment by the Department of State, the United States Agency for International Development, the Department of Justice, and other appropriate Federal departments and agencies of programs that the United States Government has authorized to support or to take to promote accountability for credible reports of war crimes, crimes against humanity, including sexual and gender-based violence, and genocide perpetrated against the Rohingya and other ethnic minority groups by the Government, security forces, and military of Burma, violent extremist groups, and other combatants involved in the conflict, including programs—

(A) to train investigators within and outside of Burma and Bangladesh on how to document, investigate, develop findings of, and identify and locate alleged perpetrators of such crimes in Burma;

(B) to promote and prepare for a transition to international justice processes for the perpetrators of such crimes in Burma;

(C) to document, collect, preserve, and protect evidence of reports of such crimes in Burma to disclose to the Government of Bangladesh, foreign, and international non-governmental organizations, the United Nations Human Rights Council’s investigative team, and other entities; and

(3) A detailed study of the feasibility and desirability of potential transitional justice mechanisms for Burma, including a hybrid court and tribunal as well as other international justice and accountability options.

The report shall be produced in consultation with the Rohingya representatives and those of other ethnic minorities who have suffered grave human rights abuses.

(c) Enforcement; Penalties.—The term "knowingly", with respect to conduct, a circumstance, or a result of such conduct, means that, in the case of a natural person, such person had actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(d) Protection of Witnesses and Evidence.—The Secretary shall ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of evidence by the Government of Burma.

SEC. 1299C. TECHNICAL ASSISTANCE AUTHORIZED.

(a) In General.—The Secretary of State, in consultation with the Department of Justice, and other appropriate Federal departments and agencies, is authorized to provide appropriate assistance to support entities that, with respect to credible reports of war crimes, crimes against humanity, including sexual and gender-based violence, and genocide perpetrated by the military, security forces, and Government of Burma, Buddhist militias, and all other armed groups fighting in Rakhine State—

(1) identify suspected perpetrators of such crimes;

(2) collect, document, and protect evidence of such crimes; and

(3) conduct criminal investigations.

(b) Additional Assistance.—The Secretary of State, after consultation with appropriate Federal departments and agencies and the appropriate congressional committees, and taking into account the findings of the transitional justice study required under section 1299B(b)(3), is authorized to provide additional assistance to support the creation and operation of transitional justice mechanisms for Burma.

SEC. 1299D. REPORT ON CRIMES AGAINST HUMANITY AND SERIOUS HUMAN RIGHTS ABUSES IN BURMA.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report detailing the credible reports of crimes committed by violent extremist groups and the military of Burma, with the goal of eliminating the role of the military in the economy of Burma; and

(b) Report to Congress on Diplomatic Engagement.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a strategy to support reforms in the power sector and electrification projects that increase energy access, in partnership with the Government of Burma; and

(c) Protection of Witnesses and Evidence.—The Secretary shall take due care to ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of evidence by the Government of Burma.

SEC. 1299E. TECHNICAL ASSISTANCE AUTHORIZED.

(a) In General.—The Secretary of State, in consultation with the Department of Justice, and other appropriate Federal departments and agencies, is authorized to provide appropriate assistance to support entities that, with respect to credible reports of war crimes, crimes against humanity, including sexual and gender-based violence, and genocide perpetrated by the military, security forces, and Government of Burma, Buddhist militias, and all other armed groups fighting in Rakhine State—

(1) identify suspected perpetrators of such crimes;

(2) collect, document, and protect evidence of such crimes; and

(3) conduct criminal investigations.

(b) Additional Assistance.—The Secretary of State, after consultation with appropriate Federal departments and agencies and the appropriate congressional committees, and taking into account the findings of the transitional justice study required under section 1299B(b)(3), is authorized to provide additional assistance to support the creation and operation of transitional justice mechanisms for Burma.

SEC. 1299F. REPORT ON CRIMES AGAINST HUMANITY AND SERIOUS HUMAN RIGHTS ABUSES IN BURMA.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report detailing the credible reports of crimes committed by violent extremist groups and the military of Burma, with the goal of eliminating the role of the military in the economy of Burma; and

SEC. 1299G. TECHNICAL ASSISTANCE AUTHORIZED.

(a) In General.—The Secretary of State, in consultation with the Department of Justice, and other appropriate Federal departments and agencies, is authorized to provide appropriate assistance to support entities that, with respect to credible reports of war crimes, crimes against humanity, including sexual and gender-based violence, and genocide perpetrated by the military, security forces, and Government of Burma, Buddhist militias, and all other armed groups fighting in Rakhine State—

(1) identify suspected perpetrators of such crimes;

(2) collect, document, and protect evidence of such crimes; and

(3) conduct criminal investigations.

(b) Additional Assistance.—The Secretary of State, after consultation with appropriate Federal departments and agencies and the appropriate congressional committees, and taking into account the findings of the transitional justice study required under section 1299B(b)(3), is authorized to provide additional assistance to support the creation and operation of transitional justice mechanisms for Burma.

SEC. 1299H. REPORT ON CRIMES AGAINST HUMANITY AND SERIOUS HUMAN RIGHTS ABUSES IN BURMA.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report detailing the credible reports of crimes committed by violent extremist groups and the military of Burma, with the goal of eliminating the role of the military in the economy of Burma; and

(b) Report to Congress on Diplomatic Engagement.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a strategy to support reforms in the power sector and electrification projects that increase energy access, in partnership with the Government of Burma; and

(c) Protection of Witnesses and Evidence.—The Secretary shall take due care to ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of evidence by the Government of Burma.
SEC. 1299D. SENSE OF CONGRESS ON PRESS FREEDOM.

In order to promote freedom of the press in Burma, it is the sense of Congress that—

(1) Reuters journalists Wa Lone and Kyaw Soe Oo should be immediately released and should have access to lawyers and their families; and

(2) the Government of Burma should repeal the Official Secrets Act, a colonial-era law that was used to arrest these journalists, as well as other laws that are used to harass journalists and undermine press freedom around the world.

SEC. 1299E. MEASURES RELATING TO MILITARY COOPERATION BETWEEN BURMA AND NORTH KOREA.

(a) IMPOSITION OF SANCTIONS.—

(1) In general.—The President may, with respect to any person described in paragraph (2),

(A) impose the sanctions described in paragraph (1) or (3) of section 1299(b); or

(B) include that person on the SDN list (as defined in section 1299f).

(2) Persons described.—A person described in this paragraph is an official of the Government of Burma or an individual or entity acting on behalf of that Government that the President determines purchases or otherwise provides sensitive articles by the Government of North Korea or an individual or entity acting on behalf of that Government.

(b) RESTRICTION ON FOREIGN ASSISTANCE.—

The President may terminate or reduce the provision of United States foreign assistance to Burma if the President determines that the Government of Burma does not verifiably and irreversibly eliminate all purchases or other acquisitions of defense articles by persons described in subparagraph (a)(2) from the Government of North Korea or individuals or entities acting on behalf of that Government.

SEC. 1299F. NO AUTHORIZATION FOR THE USE OF MILITARY FORCE.

Nothing in this subtitle shall be construed as an authorization for the use of force.

SA 379. Mr. PETERS submitted an amendment intended to be proposed by him to S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 XV, add the following:

Subtitle C—Inspectors General Matters

SEC. 1351. ESTABLISHMENT OF LEAD INSPECTOR GENERAL FOR AN OVERSEAS CON-TINGENCY OPERATION BASED ON THE UNIFORMED SERVICE OF DEFENSE NOTIFICA-

(a) Notification on commencement of OCO.—Section 113 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(n) Notification of certain overseas contingency operations for purposes of inspectors general.—The Secretary of Defense shall provide the Chair of the Council of Inspectors General on Integrity and Efficiency, with written notification of the commencement or designation of a military operation as an overseas contingency operation upon the earlier of—

(1) the commencement or designation of a military operation as an overseas contingency operation that exceeds 60 days; or

(2) receipt of a notification under section 113(n) of title 10, United States Code, with respect to an overseas contingency operation; and

"(o) Use of lead inspector general.—(1) in subsection (d), by striking—

"the commencement or designation of a military operation concerned as an overseas contingency operation that exceeds 60 days; and

and inserting—

"(A) the commencement or designation of a military operation concerned as an overseas contingency operation that exceeds 60 days; or

(2) in subsection (d)(1), by striking—

"the commencement or designation of the military operation concerned as an overseas contingency operation that exceeds 60 days; and

and inserting—

"(A) the commencement or designation of a military operation as an overseas contingency operation that exceeds 60 days; or

(2) receipt of a notification under section 113(n) of title 10, United States Code, with respect to an overseas contingency operation; and

SEC. 1532. CLARIFICATION OF AUTHORITY OF INSPECTORS GENERAL FOR OVERSEAS CONTINGENCY OPERATIONS.

Section 8L(d)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (D)—

(A) by striking—

"the earlier of—

and all that follows through "the Chair" and inserting—

"(A) in clause (i), by striking "to exercise"

and inserting "to conduct such investigation.

and (B) in paragraph (2), by amending subparagraph (A) to read as follows:

"(A) applies for adjustment not later than 1 year after the date of enactment of this Act;
order of deportation, removal, or exclusion, by which an alien who is subject to a final
migrate regulations establishing procedures
section, to file a separate motion to reopen,
be required, as a condition of submitting or
paragraph (A).

order of exclusion, deportation, removal, or
United States who has been subject to an
PRESENCE.—For purposes of establishing the
SIBILITY.—In determining the admissibility
migrant visa; and

or daughter of an alien described in subpara-
November 20, 2014, and ending on the date on
(2) DETERMINATION OF CONTINUOUS PHYSI-
ABLE.—The Secretary of State shall not be

Act may be construed to repeal, amend,
ments for fiscal year 2020 for military activities of the Department of De-
and for defense activities of the Depart-
ment of Energy, to prescribe military
personnel strengths for such fiscal year, and for other purposes; which was
 lied to lie on the table; as follows:
At the end of subtitle E of title V, add the following:

SEC. 569. PARTICIPATION OF OTHER FEDERAL
AGENCIES IN THE SKILLBRIDGE AP-
FERSHIP AND INTERNSHIP PROGRAM FOR MEMBERS OF THE
ARME F ORCES.

Section 4(d) of title 10, United States
Code, is amended—
(1) by redesignating paragraph (3) as para-
graph (4); and

(2) by inserting after paragraph (2) the fol-
lowing new paragraph (3):

"(3) Any program under this subsection
may be carried out at, through, or in con-
sultation with such other departments or
agencies of the Federal Government as the
Secretary of the military department con-
cerned considers appropriate.".

SA 382. Mr. REED (for himself, Mr.
Cramer, Mr. Kennedy, Ms. Collins, Mr.
Jones, Ms. Cortez Masto, and Mr.
 Warner) submitted an amendment in-
tended to be proposed by him to the
bill S. 1790, to authorize appropriations
for fiscal year 2020 for military activi-
ties of the Department of Defense, for
military construction, and for defense
activities of the Department of Energy,
to 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 X, add the following:

SEC. 14C. CYBERSECURITY TRANSPARENCY.

"(a) Definitions.—In this section—"

(1) the term ‘cybersecurity' means any
action, step, or measure to detect, prevent,
mitigate, or address any cybersecurity
threat or any potential cybersecurity threat;

(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
system that may result in an unauthorized
access to, damage to, or interference with
information or computer equipment used by the
Federal Government to store, process, or transmit
information;

(b) no offset in number of visas avail-
able.—The Secretary of State shall not be
required to reduce the number of immigrant
visas authorized to be issued under any pro-
vision of the Immigration and Nationality
Act (8 U.S.C. 1101 et seq.) to offset the adjust-
ment of status of any alien under this section is final
shall not be subject to review by any
court.

(2) RULE OF CONSTRUCTION.—Nothing in
paragraph (1) shall be construed to preclude
the review of a constitutional claim or a
question of law under section 704 of title 5,
United States Code, with respect to a denial
of adjustment of status under this section.

(h) NO OFFSET IN NUMBER OF VISAS AVAIL-
ABLE.—The Secretary of State shall not be
required to reduce the number of immigrant
visas authorized to be issued under any pro-
vision of the Immigration and Nationality
Act (8 U.S.C. 1101 et seq.) to offset the adjust-
ment of status of any alien under this section.

(i) LIMITATION ON JUDICIAL REVIEW.—"

(1) the term 'cybersecurity' means any
action, step, or measure to detect, prevent,
mitigate, or address any cybersecurity
threat or any potential cybersecurity threat;

(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
access to, damage to, or interference with
information or computer equipment used by the
Federal Government to store, process, or transmit
information;

(b) no offset in number of visas avail-
able.—The Secretary of State shall not be
required to reduce the number of immigrant
visas authorized to be issued under any pro-
vision of the Immigration and Nationality
Act (8 U.S.C. 1101 et seq.) to offset the adjust-
ment of status of any alien under this section is final
shall not be subject to review by any
court.

(2) RULE OF CONSTRUCTION.—Nothing in
paragraph (1) shall be construed to preclude
the review of a constitutional claim or a
question of law under section 704 of title 5,
United States Code, with respect to a denial
of adjustment of status under this section.

(h) NO OFFSET IN NUMBER OF VISAS AVAIL-
ABLE.—The Secretary of State shall not be
required to reduce the number of immigrant
visas authorized to be issued under any pro-
vision of the Immigration and Nationality
Act (8 U.S.C. 1101 et seq.) to offset the adjust-
ment of status of any alien under this section is final
shall not be subject to review by any
court.

(2) RULE OF CONSTRUCTION.—Nothing in
paragraph (1) shall be construed to preclude
the review of a constitutional claim or a
question of law under section 704 of title 5,
United States Code, with respect to a denial
of adjustment of status under this section.

(h) NO OFFSET IN NUMBER OF VISAS AVAIL-
ABLE.—The Secretary of State shall not be
required to reduce the number of immigrant
visas authorized to be issued under any pro-
vision of the Immigration and Nationality
Act (8 U.S.C. 1101 et seq.) to offset the adjust-
ment of status of any alien under this section is final
shall not be subject to review by any
court.

(2) RULE OF CONSTRUCTION.—Nothing in
paragraph (1) shall be construed to preclude
the review of a constitutional claim or a
question of law under section 704 of title 5,
United States Code, with respect to a denial
of adjustment of status under this section.

(h) NO OFFSET IN NUMBER OF VISAS AVAIL-
ABLE.—The Secretary of State shall not be
required to reduce the number of immigrant
visas authorized to be issued under any pro-
vision of the Immigration and Nationality
Act (8 U.S.C. 1101 et seq.) to offset the adjust-
ment of status of any alien under this section is final
shall not be subject to review by any
court.

(2) RULE OF CONSTRUCTION.—Nothing in
paragraph (1) shall be construed to preclude
the review of a constitutional claim or a
question of law under section 704 of title 5,
“(4) the term ‘NIST’ means the National Institute of Standards and Technology; and
“(5) the term ‘reporting company’ means any company that is an issuer—
“(A) the securities of which are registered under section 12; or
“(B) that is required to file reports under section 15(d).

(b) RECOGNITION AND HONORING OF SERVICE.—In carrying out the pilot program, the Secretary of Defense may use the authorities under chapter 111 and sections 2363, 2605, and 2574a of title 10, United States Code, and such other authorities the Secretary considers appropriate.

(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 using commonly defined roles, specialities, knowledge, skills, and abilities, such as those provided in NIST Special Publication 800-131, entitled ‘National Initiative for Cybersecurity Education (NICE) Cybersecurity Workforce Framework’, or any successor thereto.

SA 383. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 594. PILOT PROGRAM ON DIGITAL ENGINEERING FOR THE JUNIOR RESERVE OFFICERS’ TRAINING CORPS.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense shall carry out a pilot program in accordance with this section to assess the feasibility and advisability of activities to enhance the preparation of students in the Junior Reserve Officers’ Training Corps in digital engineering.

(b) COORDINATION.—In carrying out the pilot program, the Secretary of Defense may coordinate with the following:

(1) The Secretary of Education.
(2) The National Science Foundation.
(3) The heads of such other Federal, State, and local government entities as the Secretary of Defense considers appropriate.
(4) Such private sector organizations as the Secretary of Defense considers appropriate.
(5) Establishments of targeted internships and cooperative research opportunities in digital engineering at defense laboratories, test ranges, and other locations; and such other entities in and instructors of the Junior Reserve Officers’ Training Corps.

(2) Support for training and other support for instructors to improve digital engineering education activities relevant to Junior Reserve Officers’ Training Corps programs and students.
(3) Efforts and activities that improve the quality of digital engineering education, training opportunities, and curricula for students and instructors.
(4) Development of professional development opportunities, demonstrations, mentoring programs, and informal education for students and instructors.
(5) A report—

(f) METRICS.—The Secretary of Defense shall establish outcome-based metrics and internal and external assessments to evaluate the pilot program. The pilot activities conducted under the pilot program with respect to the needs of the Department of Defense, and any additional activities authorized by the Secretary of Defense for the study conducted under subsection (a).

SA 384. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 XVIII, add the following:

SEC. 2328. STANDALONE INSTALLATIONS OF THE DEPARTMENT OF DEFENSE THAT ARE DESIGNATED AS REMOTE OR ISOLATED.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the designation by the Secretary of Defense and the Secretary of the Department of Energy of installations of the Department of Defense as ‘remote’ or ‘isolated’.

(b) ELEMENTS OF STUDY.—The study conducted under subsection (a) shall—

(1) identify—

(A) the various definitions within the Department of Defense of remote and isolated installations;
(B) how those definitions differ between the Department of Energy and the Department of Defense; and
(C) the criteria to meet those definitions;

(2) assess the uses by the Department of the remote or isolated designation for an installation; and

(3) review—

(A) the range of services available at remote installations;
(B) how those services differ between the military departments; and
(C) the process used to determine whether those services meet the needs of members of the Armed Forces at those installations.

(c) REPORT.—Not later than January 30, 2020, the Comptroller General shall submit to Congress a report containing the following for the study conducted under subsection (a), respectively:

SA 385. Ms. WARREN (for herself, Mr. PORTMAN, Mr. TILLIS, Ms. SINEMA, Mr. TESTER, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, 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 X, insert the following:

SEC. 2. TERMINATION OF LEASES OF PREMISES AND ESTABLISHMENT OF SITES FOR RESERVES OF SERVICEMEMBERS WHO INCUR CATASTROPHIC INJURY OR ILLNESS OR DIE WHILE IN MILITARY SERVICE.

(a) CATASTROPHIC INJURIES AND ILLNESSES.—Subsection (a) of section 305 of the Servicemembers Civil Relief Act (30 U.S.C. 3855), as amended by section 301 of the Veterans Benefits and Transition Act of 2018 (Public Law 115–407), is further amended by adding at the end the following new paragraph:

“(4) CATASTROPHIC INJURY OR ILLNESS OF LESSEE.—The spouse of the lessee on a lease described in subsection (b) may terminate the lease during the first half of the fiscal year in which the lessee incurs a catastrophic injury or illness (as that term is defined in section 106(g) of title 10, United States Code), if the lessee incurs the catastrophic injury or illness during a period of military service or while performing full-time National Guard duty, active Guard and Reserve duty, or inactive-duty training (as such terms are defined in section 101(d) of title 10, United States Code).”.

(b) DEATHS.—Paragraph (3) of such subsection is amended by striking “subsection (b)(1)” and inserting “in subsection (b)”.

SA 386. Ms. WARREN (for herself, Ms. COLLINS, Mr. KING, Mr. DANES, Mr. MURPHY, Mr. MORAN, Mr. MARKEY, Mr. MENENDEZ, Ms. HASSAN, Mr. MERKLEY, Mr. JONES, Mr. TESTER, Mr. BLUMENTHAL, Mr. BOOKER, Ms. SHAHEEN, Mr. VAN HOLLEN, Ms. STABENOW, Mr. CASEY, Mr. CARDIN, Ms. KLOBUCHAR, Mr. COONS, and Ms. BALDWIN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 3. RECOGNITION AND HONORING OF SERVICE TO OFFICERS WHO SERVED IN UNITED STATES CADET NURSE CORPS DURING WORLD WAR II.

(a) DETERMINATION OF ACTIVE MILITARY SERVICE.—

(1) IN GENERAL.—The Secretary of Defense shall be deemed to have determined under subparagraph (A) of section 401(a)(1) of the GI Bill Improvement Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note) that the service of the organization known as the United States Cadet Nurse Corps during the period beginning on July 1, 1943, and ending on December 31, 1948, constitutes active military service.
subparagraph (b) of such section, issue to each member of such organization a discharge from service of such organization under honorable conditions where the nature and duration of the service of such member so warrants.

(b) BENEFITS.—

(1) STATUS AS A VETERAN.—Except as otherwise provided, any person who discharges from the active military, naval, or air service (as defined in section 101 of title 38, United States Code) for purposes of eligibility and entitlement to benefits under chapters 23 and 24 of title 38, United States Code.

(c) MEDALS OR OTHER COMMENDATIONS.—The Secretaries of Defense may design and produce a service medal or other commendation to honor individuals who receive a discharge under subsection (a)(2).

SA 387. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. CONGRESSIONAL COMMISSION ON PREVENTING, COUNTERING, AND RESPONDING TO NUCLEAR AND RADIOLOGICAL TERRORISM.

(a) Establishment.—There is hereby established a commission, to be known as the “Congressional Commission on Preventing, Countering, and Responding to Nuclear and Radiological Terrorism” (referred to in this Act as the “Commission”), which shall develop a comprehensive strategy to prevent, counter, and respond to nuclear and radiological terrorism.

(b) Composition.—

(1) Membership.—The Commission shall be composed of 16 members, of whom—

(A) 2 shall be appointed by the chairman of the Committee on Armed Services of the Senate;

(B) 2 shall be appointed by the ranking minority member of the Committee on Armed Services of the Senate;

(C) 2 shall be appointed by the chairman of the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) 2 shall be appointed by the ranking minority member of the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) 2 shall be appointed by the chairman of the Committee on Homeland Security of the House of Representatives;

(F) 2 shall be appointed by the ranking minority member of the Committee on Homeland Security of the House of Representatives; and

(G) 2 shall be appointed by the chairman of the Committee on Homeland Security of the House of Representatives.

Chairs: Vice Chairman.—

(A) Chairman.—The chair of the Committee on Homeland Security and Governmental Affairs of the Senate shall be the chair of the Committee.

(B) Vice Chairman.—The ranking member of the Committee on Armed Services of the Senate and the ranking member of the Committee on Homeland Security of the House of Representatives shall jointly designate 1 member of the Commission to serve as Vice Chairman of the Commission.

(c) TERM OF APPOINTMENT: VACANCIES.—

Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(d) DUTIES.—

(1) REVIEW.—After conducting a review of the United States strategy, outlined in the National Strategy for Countering Weapons of Mass Destruction Terrorism, to prevent, counter, and respond to nuclear and radiological terrorism, the Commission shall develop a comprehensive strategy that—

(A) identifies national and international nuclear and radiological terrorism risks and critical emerging threats;

(B) prevents state and nonstate actors from acquiring the technologies, materials, and critical capabilities to mount nuclear or radiological attacks;

(C) counters efforts by state and nonstate actors to mount such attacks;

(D) responds to nuclear and radiological terrorism incidents to attribute their origin and help manage their consequences;

(E) provides the projected resources to implement and sustain the strategy;

(F) delineates indicators for assessing progress toward implementing the strategy;

(G) identifies potential commercial incentives and related vulnerabilities to sly, dispose or store sensitive nuclear and radiological materials;

(H) makes recommendations for improvements to the National Strategy for Countering Weapons of Mass Destruction Terrorism;

(I) determines whether a Nuclear Nonproliferation Council is needed to oversee and coordinate nuclear nonproliferation, nuclear counterproliferation, nuclear security, and nuclear arms control activities and programs of the Government, and, upon the determination by the Commission and the Nuclear Nonproliferation Council, makes recommendations to the Congress.

(d) REPORT.—The Commission shall submit a comprehensive strategic report to the President at least every 4 years, which shall—

(A) status as a veteran; and

(B) the Secretary of Defense; and

(C) the Secretary of Energy; and

(D) the Secretary of Homeland Security; and

(E) the Director of National Intelligence; and

(F) the Committee on Armed Services of the Senate; and

(G) the Committee on Armed Services of the House of Representatives; and

(H) the Committee on Armed Services of the House of Representatives.

(e) STRATEGIC REPORT.—

Not later than December 1, 2020, the Commission shall submit a strategic report containing the Commission’s findings, conclusions, and recommendations to—

(A) the President;

(B) the Secretary of Defense; and

(C) the Secretary of Energy; and

(D) the Secretary of Homeland Security; and

(E) the Director of National Intelligence; and

(F) the Committee on Armed Services of the Senate; and

(G) the Committee on Armed Services of the House of Representatives.

(f) TERMINATION.—The Commission shall terminate on the date on which the report is submitted under subsection (e).

SA 388. Mr. WARNER (for himself and Mr. RUHLM) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 243. OFFICE OF CRITICAL TECHNOLOGIES AND SECURITY.

(a) Establishment.—There is established in the Executive Office of the President an Office of Critical Technology and Security (in this section referred to as the “Office”).

(b) Director.—

(1) IN GENERAL.—There shall be at the head of the Office a Director who shall be appointed by the President.

(2) REPORTING.—The Director of the Office shall report directly to the President.

(c) ADDITIONAL ROLES.—In addition to serving as the head of the Office, the Director of the Office shall—

(A) be a Deputy National Security Advisor for the National Security Council and serve as a member of such council;

(B) be a Deputy Director for the National Economic Council and serve as a member of such council; and
(C) serve as the chairperson of the Council on Critical Technologies and Security established under Section 244.

(c) FUNCTIONS.—The functions of the Director of the Office are as follows:

(1) COORDINATION.—To carry out coordination functions as follows:

(A) To serve as a centralized focal point within the Executive Office of the President for coordinating policy and actions of the Federal Government—

(i) to stop the transfer of critical emerging, foundational, and dual-use technologies to countries that pose a national security risk, including by supporting the interagency process to identify emerging and foundational technologies under section 1758 of title 50, United States Code, and the Federal Acquisition Regulation; and

(ii) to maintain technological leadership with respect to critical emerging, foundational, and dual-use technologies and ensure supply chain integrity and security for such technologies.

(B) To coordinate whole-of-government responses, working in partnership with heads of national security and economic agencies and agencies with science and technology hubs, including those described in Section 244(c)(1).

(C) To facilitate coordination and consultation with:

(i) Federal and State regulators of telecommunications and technology industries, including the Federal Communications Commission, the Federal Trade Commission, and the Office of Science and Technology Policy;

(ii) the private sector, including industry, labor, consumer, and other groups as necessary;

(iii) other nongovernmental scientific and technical hubs and stakeholders, including academic stakeholders; and

(iv) international partners and allies of the United States.

(2) MESSAGING AND OUTREACH.—To lead messaging and outreach efforts by the Federal Government on related security and technology issues;

(B) encouragement of Federal departments and agencies to work with key stakeholders as described in paragraph (1), as well as States, localities, international partners, and allies, to better analyze and disseminate critical information from the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 403)) and (C) improving overall education of the United States public and business leaders in key sectors about the threat to United States national security posed by—

(i) the improper acquisition and transfer of critical emerging, foundational, and dual-use technologies that the Federal Government determines necessary to protect, by countries of concern including—

(A) acting as the chief policy spokesperson for the Federal Government on related security and technology issues; and

(B) encouraging Federal departments and agencies to work with key stakeholders as described in paragraph (1), as well as States, localities, international partners, and allies, to better analyze and disseminate critical information from the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 403)); and

(C) improving overall education of the United States public and business leaders in key sectors about the threat to United States national security posed by—

(i) the improper acquisition and transfer of critical technologies by countries that pose a national security risk; and

(ii) the improper acquisition and transfer of foreign products identified by the Federal government that pose a national security risk in private sector supply chains.

(3) LONG-TERM STRATEGY.—To lead the development of a comprehensive, long-term strategic plan in coordination with United States allies and other defense partners—

(A) to improve the interagency process for identifying emerging and foundational carried out under section 1758 of the John S. McCain National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–232) and to re-evaluate those identifications on an ongoing basis;

(B) to protect and enforce intellectual property rights;

(ii) to reduce reliance on foreign products identified by the Federal Government that pose a national security risk to the United States in critical public sector supply chains;

(iii) to develop a strategy to inform the private sector about critical supply chain risks; and

(iv) to address other security concerns related to forced or unfair technology transfer to and from suppliers.

(C) to maintain technological leadership with respect to critical emerging, foundational, and dual-use technologies and to increase public funding for research and development that is key to maintaining such technological leadership;

(D) to develop specific policies and actions to enforce intellectual property and cybersecurity standards to deter and prosecute industrial espionage and other similar measures;

(E) to develop specific policies—

(i) to improve the research and development ecosystem, including academic institutions, nonprofit organizations, and private entities; and

(ii) to reestablish the United States as the world leader in research and development; and

(F) to develop specific measures and goals that can be tracked and monitored as described in paragraph (4).

(4) MONITORING AND TRACKING.—

(A) MEASURES.—In conjunction with the Council of Economic Advisors, the United States Trade Representative, the Office of Science and Technology Policy, to use measures developed under paragraph (3)(F) to monitor and track—

(i) key trends relating to transfer of critical emerging, foundational, and dual-use technologies;

(ii) key trends relating to United States government investments in innovation and competitiveness compared to governments of other countries;

(iii) inappropriate influence of international standards setting processes by foreign countries that pose a national security risk; and

(iv) progress implementing the comprehensive, long-term strategic plan developed under paragraph (3).

(B) GOALS.—To monitor and track progress made towards achieving goals relating to protecting the security of critical technologies of the United States.

(d) STAFF.—The Director of the Office may—

(1) without regard to the civil service laws, employ, and fix the compensation of, such specialists and other experts as may be necessary for the Director to carry out the functions of the Director; and

(2) subject to the civil service laws, employ such other persons and employees as may be necessary to carry out the functions of the Director.

(e) ANNUAL REPORT.—

(1) IN GENERAL.—Not less frequently than once each year, the Director shall submit to Congress a report on—

(A) the activities of the Office; and

(B) matters relating to national security and the protection of critical technologies.

(2) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(f) CONFORMING AMENDMENT.—Section 101(c) of the National Security Act of 1947 (50 U.S.C. 1531(c)) is amended by inserting “the Director of the Office of Critical Technologies and Security,” after “Treasury,”.
SEC. 1045. TRAINING OF MIDCAREER DEPARTMENT OF DEFENSE PERSONNEL ON WHOLE-OF-GOVERNMENT APPROACHES TO NATIONAL SECURITY CHALLENGES.

(a) In general.—The Secretary of Defense shall ensure that midcareer personnel of the Department of Defense are provided training on whole-of-Government approaches to national security challenges.

(b) Interagency training.—Providing training under this section, the Secretary shall coordinate with the heads of other departments and agencies of the United States Government, interagency partners, and how to leverage sectoral learning, collaboration, and problem-solving for midcareer military and civilian personnel.

(c) Elements.—The training under this section shall include the following:

(1) Training on creating integrated and consistent policy across the executive branch.

(2) Training on 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) Training on operating collaboratively in an interagency environment.

(4) Table-top role playing exercises and mentorship programs designed to enable participants to gain a greater understanding of interagency partners and how to leverage the whole-of-Government approach to achieve desired outcomes.

(d) 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.

(A) from across the Department and the Armed Forces; and

(B) to the extent practicable, from other departments and agencies.

(2) Providers of training.—The entities providing training under this section shall include the military staff and war colleges, the National Defense University, and accredited public institutions of higher education that provide whole-of-Government curricula and are centrally located in areas of high concentration of military and civilian national security personnel.

(3) Training at public institutions of higher education.—At least 50 percent of the training under this section shall be provided at or by accredited public institutions of higher education described in paragraph (2).

SA 390. Mr. STABENOW (for herself, Mr. CORNYN, Mrs. FEINSTEIN, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military construction, and to carry out an EMP and GMD risk assessment, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 320. ENHANCED RESILIENCE TO ELECTROMAGNETIC PULSES AND GEOMAGNETIC DISTURBANCES.

(a) Definitions.—In this section—

(1) the term ‘appropriate congressional committees’ means, with respect to the fiscal year 2020, the Committees on Appropriations of the Senate and the House of Representatives; and

(2) by adding at the end the following:

‘‘(C) Waiver.—The Secretary may waive the requirement under subparagraph (A) for an entity receiving a grant under this section if the Secretary determines that—

(i) the results of the grant—

(I) will benefit a specific specialty crop; and

(II) are likely to be applicable to agricultural commodities generally, including specialty crops; or

(II) the grant involves scientifically important research and

(I) the grant recipient is unable to satisfy the matching funds requirement.’’.

SA 391. Mr. JOHNSON (for himself and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military construction, and to carry out a national exercise to test the preparedness of the Nation to the effect of an EMP or extreme GMD event.

‘‘(A) in general.—The Secretary, in coordination with the heads of relevant Sector-Specific Agencies, shall—

(ii) develop technologies to enhance the resilience of and better protect critical infrastructure.’’.

SA 392. Mr. CORNYN, Mrs. FEINSTEIN, and Mr. SCHUMER submitted an amendment intended to be proposed by them to the bill S. 1790, to authorize appropriations for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military construction, and to carry out a national exercise to test the preparedness of the Nation to the effect of an EMP or extreme GMD event.

‘‘(C) Research and Development.—

(i) In general.—The Secretary, in coordination with the heads of relevant Sector-Specific Agencies, shall—

(ii) without duplication of existing or ongoing efforts, conduct research and development to better understand how to effectively model the effects of EMPs and GMDs on critical infrastructure (which shall not include any system or infrastructure of the Department of Defense or any system or infrastructure of the Department of Energy associated with nuclear weapons activities); and

(iii) develop technologies to enhance the resilience of and better protect critical infrastructure.’’.

SA 393. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military construction, and to carry out a national exercise to test the preparedness of the Nation to the effect of an EMP or extreme GMD event.

‘‘(D) Emergency Information System.—

(i) in general.—The Director of the Management and Budget, shall brief the appropriate congressional committees regarding the system required under clause (i).

(ii) quadrennial risk assessments.—

(A) in general.—The Secretary, in coordination with the heads of relevant Sector-Specific Agencies, shall—

(i) develop a quadrennial EMP and GMD risk assessment, and

(ii) enhance resilience.—The Secretary, in coordination with the heads of relevant Sector-Specific Agencies, shall assume the responsibility to develop and manage critical infrastructure and to define the roles and responsibilities of Commerce and other relevant Sector-Specific Agencies, shall assume the responsibilities of the quadrennial EMP and GMD risk assessment, and the quadrennial EMP and GMD risk assessment, and the quadrennial EMP and GMD risk assessment, and the quadrennial EMP and GMD risk assessment, and the quadrennial EMP and GMD risk assessment.
risk assessments to better understand and to improve resilience to the effects of EMPs and GMDs across all critical infrastructure sectors, including coordinating the priorities of the Department of Homeland Security with those critical infrastructures that are maintained by private sector operators. This action will help ensure that the critical infrastructures of the Nation are resilient to the effects of EMPs and GMDs.

(3) COORDINATION.
(A) National essential technological options.—Not later than December 21, 2020, and every 4 years thereafter until 2032, the Secretary, in coordination with the Secretary of Homeland Security, the Secretary of the Treasury, the heads of other appropriate agencies, and, as appropriate, private-sector partners, shall submit to the appropriate congressional committees, a report that:

(i) identifies gaps in available engineering approaches for mitigating the effects of EMPs and GMDs on critical infrastructure systems, networks, and assets.
(ii) evaluates any gaps in the technological options available to improve the resilience of critical infrastructure to the effects of EMPs and GMDs; and

(iii) identifies gaps in available technological options and opportunities for technological developments to inform research and development activities.

(4) TEST DATA.—
(I) IN GENERAL.—Not later than December 20, 2020, the Secretary, in coordination with the heads of the Sector-Specific Agencies and in consultation with the Secretary of Defense and the Secretary of Energy, shall:

(i) review test data regarding the effects of EMPs and GMDs on critical infrastructure systems, networks, and assets representative of those throughout the Nation; and

(ii) identify any gaps in the test data.

(5) IMPLEMENTATION.—The heads of each agency identified in the plan developed under clause (ii) shall implement the plan in a manner that is critical to supporting that installation, including infrastructure and emergency response and recovery efforts after an EMP or GMD.

(c) NATIONAL ESSENTIAL FUNCTION.—
(1) IN GENERAL.—Not later than September 22, 2020, the Secretary of Homeland Security, in consultation with the Secretary of Defense and the Secretary of Energy, shall jointly brief the appropriate congressional committees on the cost and effectiveness of the evaluated approaches.

(2) BRIEFING.—Not later than 90 days after the date on which the pilot test described in paragraph (1) is completed, the Secretary of Homeland Security, in coordination with the Secretary of Defense and the Secretary of Energy, shall conduct a test to evaluate engineering approaches for hardening a strategic military installation, including infrastructure that is critical to supporting that installation, against the effects of EMPs and GMDs. Not later than 180 days after completing the pilot test described in paragraph (1), the Secretary of Defense shall submit to the appropriate congressional committees a report regarding the cost and effectiveness of the evaluated approaches.

(d) BENCHMARKS.—Not later than March 26, 2020, each agency that supports a national essential function shall prepare and implement an integrated cross-sector plan to address the identified gaps.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect in any manner the authority, existing on the day before the date of enactment of this subsection, of the Federal Emergency Management Agency, or the authority of any other Federal department or agency, including the authority provided to the Sector-Specific Agency specified in section 320 and inserting the following:

(II) identify any gaps in the test data.