TEXT OF AMENDMENTS

SA 392. Mr. ROUNDS 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 the next-to-latest paragraph of such amendment, add the following:

K.

SEC. 835. ESTABLISHMENT OF NATIONAL TECHNOLOGY INDUSTRIAL BASE QUADRILATERAL COUNCIL.

(a) In General.—Section 991(d) of title 10, United States Code, is amended—

(1) by inserting ‘‘(1)’’ before ‘‘The Secretary’’;

(2) by striking ‘‘or a dependent’’ and inserting ‘‘a dependent’’ in such section; and

(3) by inserting ‘‘(A)’’ before ‘‘The Secretary’’ in such section.

(b) Definitions.—In this section—

(1) the term ‘‘Secretary’’ means the Secretary of Defense; and

(2) the term ‘‘covered beneficiary’’ means a covered beneficiary who resides more than 40 miles from the nearest military medical treatment facility after such chapter.”.

SA 394. Mr. ROUNDS 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. 12. REPORT ON IMPROVEMENTS TO DE- TERENCE EFFORTS WITH RESPECT TO THE RUSSIAN FEDERATION.

(a) In General.—Not later than one year after the date of the enactment of this Act, the Commander of the United States European Command shall submit to Congress a report detailing efforts to improve the ability of the Armed Forces and North Atlantic Treaty Organization forces to deny the ability of the Russian Federation to execute a fait accompli against one or more Baltic allies.

(b) Form.—The report under subsection (a) shall be—

(1) submitted in classified form; and

(2) include an unclassified summary appropriate for release to the public.

(c) FAIT ACCOMPLI.—In this section, the term ‘‘fait accompli’’ means a scenario in which the Russian Federation uses
force to rapidly seize territory of one or more Baltic allies and subsequently threatens further escalation, potentially including use of nuclear weapons, to deter an effective response by the Armed Forces and allied and partner military forces.

SA 397. Mr. HAWLEY 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 XVI, insert the following:

SEC. 1668. REPORTS ON OPERATION OF CONVENTIONAL FORCES UNDER EMPLOYMENT OR THREAT OF EMPLOYMENT OF MILITARY WEAPONS.

(a) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force, the Secretary of the Navy, the Secretary of the Army, and the Commandant of the Marine Corps shall submit to the congressional defense committees a report detailing the measures taken by the appropriate Secretary or the Commandant to ensure the ability of conventional forces to operate effectively under employment or threat of employment of nuclear weapons by the United States, an ally of the United States, or an adversary of the United States.

(b) Form of Report.—Each report required by subsection (a) shall be submitted in classified form but shall be accompanied by an unclassified summary appropriate for release to the public.

SA 398. Mr. HAWLEY 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 E of title XII, add the following:

SEC. 12. REPORT ON IMPROVEMENTS TO DETERRENCE EFFORTS WITH RESPECT TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) In General.—Not later than one year after the date of the enactment of this Act, the Commander of the United States Indo-Pacific Command shall submit to Congress a report detailing efforts to improve the ability of the Armed Forces and allied and partner military forces to deny the ability of the People's Republic of China to execute a fait accompli against Taiwan.

(b) Matters to Be Included.—The report under subsection (a) shall identify prioritized requirements for further improving the ability of the Armed Forces and allied and partner military forces to deny the ability of the People's Republic of China to execute a fait accompli against Taiwan.

(c) Form.—The report under subsection (a) shall—

(1) be submitted in classified form; and

(2) include an unclassified summary appropriate for release to the public.

(d) Fact or Opinion Defined.—In this section, the term ‘fait accompli’ means a scenario in which the People's Republic of China uses force to rapidly seize territory of Taiwan and subsequently threatens further escalation, potentially including use of nuclear weapons, to deter an effective response by the Armed Forces and allied and partner military forces.

SA 399. Mr. HAWLEY 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 XII, add the following:

SEC. 12. REPORTS ON DETERRENCE OF OPPORTUNISTIC AGGRESSION BY THE RUSSIAN FEDERATION AGAINST BALTIIC ALLIES.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Policy, in coordination with the Joint Chiefs of Staff, shall submit to Congress the following:

(1) A report on the deterrence of opportunistic aggression by the Russian Federation against one or more Baltic allies in the case of engagement of the Armed Forces in a conflict with the People's Republic of China.

(2) A report on the deterrence of opportunistic aggression by the Russian Federation against one or more Baltic allies in the case of engagement of the Armed Forces in a conflict with the Democratic People's Republic of Korea.

(3) A report on the deterrence of opportunistic aggression by the Russian Federation against one or more Baltic allies in the case of engagement of the Armed Forces in a conflict with Iran.

(b) Matters to Be Included.—Each report under subsection (a) shall—

(1) be submitted in classified form; and

(2) include an unclassified summary appropriate for release to the public.

(b) Matters to Be Included.—Each report under subsection (a) shall include the following:

(1) A description of the requirements to deter such opportunistic aggression.

(2) A description of the requirements to restore military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 12. REPORT ON DETERRENCE OF OPPORTUNISTIC AGGRESSION BY THE PEOPLE'S REPUBLIC OF CHINA AGAINST TAIWAN.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Commander of the United States Indo-Pacific Command shall submit to Congress the following:

(1) A report on the deterrence of opportunistic aggression by the People's Republic of China against Taiwan in the case of engagement of the Armed Forces in a conflict with the Russian Federation.

(2) A report on the deterrence of opportunistic aggression by the People's Republic of China against Taiwan in the case of engagement of the Armed Forces in a conflict with the Democratic People's Republic of Korea.

(3) A report on the deterrence of opportunistic aggression by the People's Republic of China against Taiwan in the case of engagement of the Armed Forces in a conflict with Iran.

(b) Matters to Be Included.—Each report under subsection (a) shall include the following:

(1) A description of the requirements to deter such opportunistic aggression.

(b) Matters to Be Included.—Each report under subsection (a) shall include the following:

(2) A description of the requirements to restore military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 16. REPORT ON OPERATION OF CERTAIN CONVENTIONAL FORCES UNDER EMPLOYMENT OR THREAT OF EMPLOYMENT OF MILITARY WEAPONS.

(a) In General.—Not later than one year after the date of the enactment of this Act, the Commander of the United States European Command, in consultation with the Commander of the United States Strategic Command, shall submit to the congressional defense committees a report detailing the measures taken by the Commander to ensure the ability of conventional forces under the authority of the Commander to execute campaign plans under employment or threat of employment of nuclear weapons by the United States, an ally of the United States, or an adversary of the United States.

(b) Form of Report.—The report required by subsection (a) shall—

(1) be submitted in classified form but shall be accompanied by an unclassified summary appropriate for release to the public.

SA 400. Mr. HAWLEY 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 E of title XII, add the following:

SEC. 12. REPORT ON DETERRENCE OF OPPORTUNISTIC AGGRESSION BY THE PEOPLE'S REPUBLIC OF CHINA AGAINST TAIWAN.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Policy, in coordination with the Joint Chiefs of Staff, shall submit to Congress the following:

(1) A report on the deterrence of opportunistic aggression by the People's Republic of China against Taiwan in the case of engagement of the Armed Forces in a conflict with the Russian Federation.

(2) A report on the deterrence of opportunistic aggression by the People's Republic of China against Taiwan in the case of engagement of the Armed Forces in a conflict with the Democratic People's Republic of Korea.

(3) A report on the deterrence of opportunistic aggression by the People's Republic of China against Taiwan in the case of engagement of the Armed Forces in a conflict with Iran.

(b) Matters to Be Included.—Each report under subsection (a) shall include the following:

(1) A description of the requirements to deter such opportunistic aggression.

(2) A description of the requirements to restore military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 16. REPORT ON OPERATION OF CERTAIN CONVENTIONAL FORCES UNDER EMPLOYMENT OR THREAT OF EMPLOYMENT OF MILITARY WEAPONS.

(a) In General.—Not later than one year after the date of the enactment of this Act, the Commander of the United States European Command, in consultation with the Commander of the United States Strategic Command, shall submit to the congressional defense committees a report detailing the measures taken by the Commander to ensure the ability of conventional forces under the authority of the Commander to execute campaign plans under employment or threat of employment of nuclear weapons by the United States, an ally of the United States, or an adversary of the United States.

(b) Form of Report.—The report required by subsection (a) shall—
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 XVI, insert the following:

SEC. 16. REPORT ON OPERATION OF CERTAIN CONVENTIONAL FORCES UNDER EMPLOYMENT OR THREAT OF EMPLOYMENT OF NUCLEAR WEAPONS.

(a) In General.—Not later than one year after the date of the enactment of this Act, the Commander of the United States Indo-Pacific Command, in consultation with the Commander of the United States Strategic Command, shall submit to the congressional defense committees a report detailing the measures taken by the Commander to ensure the ability of conventional forces under the authority of the Commander to execute campaign plans under employment or threat of employment of nuclear weapons by the United States of America, or by an adversary of the United States. (b) Form of Report.—The report required by subsection (a) shall be submitted in classified form and shall be accompanied by an unclassified summary appropriate for release to the public.

SA 403. Mr. BENNET 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 B of title XII, add the following:

SEC. 12. MODIFICATION OF SEMIANNUAL REPORT ON ENHANCING SECURITY IN Afghanistan.—Not later than January 1, 2020, the Secretary of Defense shall submit to the appropriate congressional committees a report stating the extent of the Department of Defense's support for the government of Afghanistan, including: (1) An assessment of the feasibility and advisability of distance learning programs for the Senior Reserve Officers' Training Corps; (2) An assessment of the feasibility and advisability of expanding the eligibility of institutions authorized to maintain a unit of the Senior Reserve Officers' Training Corps to include institutions for students at educational institutions who reside outside the viable range for a cross-town program; (3) The differences, if any, in the needs of military families described in subsection (a) for long-term viability of the Senior Reserve Officers' Training Corps; and (4) Any other matter the Secretary determines may detrimentally affect the national security of the United States.

SA 404. Mr. BENNET (for himself and 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 part II of subtitle F of title V, add the following:

SEC. 569. BRIEFING ON REQUIREMENTS OF MILITARY FAMILIES OF MEMBERS OF THE ARMED FORCES ON ROTATION AWAY FROM HOME BASE BUT NOT DEPLOYED TO A COMBAT ZONE.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on requirements of military families of members of the Armed Forces in units that are on rotation away from home base, but not deployed to a combat zone in connection with such rotations.

(b) ELEMENTS.—The briefing required by subsection (a) shall address the following:

(1) The anticipated and unmet needs of military families described in subsection (a) for each of the following:

(A) Access to family counseling.

(B) Access to childcare services.

(2) The need for support of Department of Defense Education Activity or other public schools in community colleges.

(3) The differences, if any, in the needs of such families depending on the component of the members concerned, whether regular, Reserve, or National Guard.

SA 405. Mr. BENNET 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 E of title V, add the following:

SEC. 569. REPORT AND BRIEFING ON THE SENIOR RESERVE OFFICERS' TRAINING CORPS.

(a) REPORT ON VARIOUS EXPANSIONS OF THE CORPS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report setting forth the following:

(1) An assessment of the feasibility and advisability of distance learning programs for the Senior Reserve Officers' Training Corps for students at educational institutions who reside outside the viable range for a cross-town program.

(2) An assessment of the feasibility and advisability of expanding the eligibility of institutions authorized to maintain a unit of the Senior Reserve Officers' Training Corps to include institutions for students at educational institutions who reside outside the viable range for a cross-town program.

(b) BRIEFING ON LONG-TERM EFFECTS ON THE CORPS OF THE OPERATION OF CERTAIN RECENT PROHIBITIONS.

(1) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on the effects of the prohibitions in section 8022 of the Department of Defense Appropriations Act, 2019 (division A of Public Law 115–245) on the long-term viability of the Senior Reserve Officers Training Corps (SHOTC).

(2) ELEMENTS.—The matters addressed by the briefing under paragraph (1) shall include an assessment of the effects of the prohibitions described in paragraph (1) on the following:

(A) Readiness.

(B) The efficient manning and administration of Senior Reserve Officers' Training Corps units.

(C) The ability of the Armed Forces to construct, on a year-by-year basis, the number and quality of new officers they need and that are representative of the nation as a whole.

(D) The availability of Senior Reserve Officers' Training Corps scholarships in rural areas.

(E) Whether the Senior Reserve Officers' Training Corps program produces officers representative of the demographic and geographic diversity of the United States, especially with respect to urban areas, and whether the restrictions on deploying established units of the Corps affects the diversity of the officer corps of the Armed Forces.

SA 406. Mr. BENNET 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 XII, insert the following:

SEC. 1272. REPORT ON EXPORT OF CERTAIN SATELLITES TO ENTITIES WITH CERTAIN BENEFICIAL OWNERSHIP STRUCTURES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the heads of appropriate agencies, shall submit to the appropriate congressional committees a report on addressing the threat or potential threat posed by the export, reexport, or in-country transfer of satellites described in section 1261(c)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 22 U.S.C. 6401) to entities described in subsection (b).

(b) ENTITIES DISCUSSED.—(1) IN GENERAL.—An entity described in this subsection is an entity the beneficial owner of which is—

(A) an individual who is a citizen or national of a country described in section 1261(c)(2) of the National Defense Authorization Act for Fiscal Year 2013;

(B) an entity organized under the laws of or otherwise subject to the jurisdiction of such a country;

(C) the government of such a country; or

(D) any other individual or entity the Secretary determines may detrimentally affect the national security of the United States.

(2) DETERMINATION OF BENEFICIAL OWNERSHIP.—For purposes of paragraph (1), the Secretary shall—

(A) identify any person as the beneficial owner of an entity—

(i) in a manner that is not less stringent than the manner set forth in section 240.134–3 of title 17, Code of Federal Regulations (as in effect on the date of the enactment of this Act); and

(ii) based on a threshold, to be determined by the Secretary, based on an assessment of whether the person’s position would give the person an opportunity to control the use of a satellite described in section 1261(c)(1) of the National Defense Authorization Act for Fiscal Year 2013 and exported, reexported, or transferred in country to the entity.

(B) make any determination that the Secretary determines may detrimentally affect the national security of the United States.

(C) The reports required by subsection (a) shall include—

(1) an evaluation of whether satellites described in section 1261(c)(1) of the National
Defense Authorization Act for Fiscal Year 2013 have been exported, reexported, or transferred in-country, directly or indirectly, to entities described in subsection (b).

(2) An examination of the effect on national security of the potential export, reexport, or in-country transfer of such satellites and commercial telecommunication equipment that do not develop or produce such satellites to entities described in subsection (b).

(3) An examination of the effect on national security if current trends in China and the United States continue.

(4) Recommendations for, and an assessment of the effectiveness of, a licensing condition that would prohibit or limit the export, reexport, or in-country transfer of such satellites to, or the use of such satellites by, entities described in subsection (b).

(5) An assessment, based on realistic and justifiable assumptions and forecasts, of the economic implications of and potential harm caused by a licensing condition described in paragraph (4) on the United States industries that develop or produce satellites and commercial telecommunication equipment that do not develop or produce such satellites.

(6) An evaluation of the resources necessary to ensure the ability of the Bureau of Industry and Security of the Department of Commerce—

(A) to adequately identify and analyze the beneficial owners of entities in decisions relating to—

(i) licenses for the export, reexport, or in-country transfer of such satellites to such entities; or

(ii) the ultimate end uses and end-users of such satellites; and

(B) when evaluating such a decision—

(i) to have full knowledge of the potential end-user of the satellite and the current beneficial owner of the entity; and

(ii) to be able to determine whether issuing the license would be inconsistent with the goal of preventing entities described in subsection (b) from accessing or using such satellites.

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

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

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

SA 407. Mr. BENNET (for himself and Mr. PORTMAN) 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. 234. PAYMENTS TO STATES FOR THE TREATMENT OF PERFLUOROOCTANOIC ACID AND PERFLUOROOCTANOIC ACID IN DRINKING WATER.

(A) Supply chain vulnerabilities for current artificial intelligence applications in national security.

(B) Long-term global trends of state and non-state actor development and use of artificial intelligence technologies in national security.

(C) Such other matters as the Secretary considers appropriate.

(4) ACTIONS.—The actions referred to in paragraph (1)(B) may include the following:

(A) Partnering and engaging with the private sector and encouraging public-private partnerships and investment in artificial intelligence in national security.

(B) Improving Federal and private sector workforce training and awareness of the necessary requirements and resulting challenges.

(C) Working with the International community to establish international standards for the use of artificial intelligence technologies.

(D) Identifying areas for Federal investment.

(E) Such other actions as the Secretary considers appropriate.

SA 408. Mr. BENNET 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 III, add the following:

SEC. 324. PAYMENTS TO STATES FOR THE TREATMENT OF PERFLUOROOCTANOIC ACID AND PERFLUOROOCTANOIC ACID IN DRINKING WATER.

(A) IN GENERAL.—The Secretary of the Air Force shall pay a local water authority located in the vicinity of an installation of the United States to, or the use of such satellites by, entities described in subsection (b).

(B) Improving Federal and private sector workforce training and awareness of the necessary requirements and resulting challenges.

(C) Working with the International community to establish international standards for the use of artificial intelligence technologies.

(D) Identifying areas for Federal investment.

(E) Such other actions as the Secretary considers appropriate.
S3492

CONGRESSIONAL RECORD — SENATE
June 13, 2019

SEC. 10. CHACO CULTURAL HERITAGE AREA PROTECTION.

(a) DEFINITIONS.—In this section:

(1) COVERED LEASE.—The term ‘‘covered lease’’ means any oil and gas lease for Federal land—

(A) on which drilling operations have not been commenced before the end of the primary term of the applicable lease;

(B) that is not producing oil or gas in paying quantities; and

(C) that is not subject to a valid cooperative or unit plan of development or operation certified by the Secretary to be necessary.

(2) FEDERAL LAND.—

(A) IN GENERAL.—The term ‘‘Federal land’’ means—

(i) any Federal land or interest in Federal land that is within the boundaries of the Chaco Cultural Heritage Withdrawal Area, as depicted on the Map; and

(ii) any interest in land located within the boundaries of the Chaco Cultural Heritage Withdrawal Area, as depicted on the Map, that is acquired by the Federal Government after the date of enactment of this Act.

(B) EXCLUSION.—The term ‘‘Federal land’’ does not include land that has been withdrawn under section 17(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and any other applicable law.

(3) OIL AND GAS MANAGEMENT.—

(A) TERMINATION OF NON-PRODUCING LEASES.—A covered lease—

(i) shall automatically terminate by operation of law pursuant to section 17(e) of the Mineral Leasing Act (30 U.S.C. 226(e)) and subpart 3108 of title 43, Code of Federal Regulations (or successor regulations); and

(ii) may not be extended by the Secretary.

(B) TERMINATION OF TERMINATED, RELINQUISHED, OR ACQUIRED LEASES.—Any portion of the Federal land subject to a covered lease that is terminated, relinquished or otherwise relinquished or acquired by the United States on or after the date of enactment of this Act is withdrawn from—

(i) the members of the Little Shell Tribe of the Rocky Boy’s Reservation of Montana, which also are political successors to the signatories of the Pembina Treaty of 1863, under which a large area of land in the State of North Dakota was ceded to the United States;

(ii) the Indian Reorganization Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly known as the ‘‘Indian Reorganization Act’’); and

(iii) subpart 3108 of title 43, Code of Federal Regulations (or successor regulations), to the Secretaries of the Interior and of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 1. PRIORITIZATION OF PROJECTS IN ANNUAL REPORT ON UNFUNDED REQUIREMENTS FOR LABORATORY MILITARY CONSTRUCTION PROJECTS.


(1) by striking ‘‘Assistant Secretary of Defense for Energy, Installations, and Environment’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’;

(2) by striking ‘‘reporting’’ and inserting ‘‘report’’; and

(3) by inserting ‘‘in prioritized order, with specific accounts and program elements identified,’’ after ‘‘evaluation facilities,’’.

SA 412. MR. TESTER (for himself and Mr. Daines) 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, defense activities of the Department of Energy, to 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, insert the following:

SEC. 1. LITTLE SHELL TRIBE OF CHIPPEWA INDIANS OF MONTANA.

(a) FINDINGS.—Congress finds that—

(1) the Little Shell Tribe of Chippewa Indians is a political successor to signatories of the Pembina Treaty of 1863, under which a large area of land in the State of North Dakota was ceded to the United States;

(2) the Turtle Mountain Band of Chippewa of North Dakota and the Chippewa-Cree Tribe of the Rocky Boy’s Reservation of Montana, which also are political successors to the signatories of the Pembina Treaty of 1863, under which a large area of land in the State of North Dakota was ceded to the United States;

(3) the members of the Little Shell Tribe continue to live in the State of Montana, as their ancestors have for more than 100 years since ceding land in the State of North Dakota as described in paragraph (1);

(4) in the 1930s and 1940s, the Tribe repeatedly petitioned the Federal Government for reorganization under the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly known as the ‘‘Indian Reorganization Act’’); and

(5) Members of the Little Shell Tribe, the Tribe and Commissioner of Indian Affairs John Collier attested to the responsibility of the federal Government for the Tribe and members of the Tribe, members of the Tribe are eligible for, and should be provided with, trust land, making the Tribe eligible for reorganization under the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly known as the ‘‘Indian Reorganization Act’’);

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to any valid existing rights, the Federal land is withdrawn from—

(A) any Federal land or interest in Federal land that is within the boundaries of the Chaco Cultural Heritage Withdrawal Area, as depicted on the Map; and

(B) any interest in land located within the boundaries of the Chaco Cultural Heritage Withdrawal Area, as depicted on the Map, that is acquired by the Federal Government after the date of enactment of this Act.

(c) AGREEMENTS.—

(1) IN GENERAL.—The Secretary of the Air Force may enter into such agreements with a local water authority or State as the Secretary considers necessary to implement this section.

(2) USE OF MEMORANDUM OF AGREEMENT.—The Secretary of the Air Force may use the applicable Defense Memorandum of Agreement to pay amounts under subsection (a) that would otherwise be eligible for payment under that agreement were those costs paid using amounts appropriated to the Federal Environmental Restoration Account, Air Force, established under section 2703(a)(4) of title 10, United States Code.

(d) PAYMENT WITHOUT REGARD TO EXISTING AGREEMENTS.—Payment may be made under subsection (a) to a State or a local water authority in that State without regard to existing agreements relating to environmental response actions or indemnification between the Department of the Air Force and that State.

(e) LIMITATION.—Any payment made under subsection (a) may not exceed the actual cost of treatment of perfluorooctanoic acid and perfluorooctanoic acid resulting from contamination conducted by or paid for by the Department of the Air Force.

(f) AVAILABILITY OF AMOUNTS.—Of the amounts appropriated to the Department of Defense for Operation and Maintenance, Air Force, $10,000,000 shall be available to carry out this section.

SA 409. MR. WARNER 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, defense activities of the Department of Energy, to 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, insert the following:

SEC. 1. CHACO CULTURAL HERITAGE WITHDRAWAL AREA PROTECTION.

(a) DEFINITIONS.—In this section:

(1) COVERED LEASE.—The term ‘‘covered lease’’ means any oil and gas lease for Federal land—

(A) on which drilling operations have not been commenced before the end of the primary term of the applicable lease;
to secure land for the Tribe as required for reorganization under the Act of June 13, 1944 (25 U.S.C. 5101 et seq.) (commonly known as the "Indian Reorganization Act"), the Tribe continued separate communities with leaders exhibiting clear political authority;

(8) the Tribe, together with the Turtle Mountain Band of Chippewa of North Dakota and the Chippewa-Cree Tribe of the Rocky Boy’s Reservation of Montana, filed 2 law suits under the Act of August 13, 1946 (60 Stat. 440) (commonly known as the "Indian Claims Commission Act"), to petition for additional compensation for land ceded to the United States by the Pembina Treaty of 1863 and the McCumber Agreement of 1892;

(9) in 1971 and 1982, pursuant to Acts of Congress, the tribes received awards for the claims described in paragraph (8);

(10) in 1978, the Tribe submitted to the Bureau of Indian Affairs a petition for Federal recognition, which is still pending as of the date of enactment of this Act; and

(11) the Federal Government, the State of Montana, and the other federally recognized Indian tribes of the State have had continuous dealings with the recognized political leaders of the Tribe since the 1930s.

(b) DEFINITIONS.—In this section:

(1) MEMBER.—The term "member" means an individual enrolled as a member of the Tribe after the date of enactment of this Act, and

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

(c) FEDERAL RECOGNITION.—

(1) IN GENERAL.—Federal recognition is extended to the Tribe.

(2) EFFECT OF FEDERAL LAWS.—Except as otherwise provided in this section, all Federal laws (including regulations) of general application to Indians and Indian tribes, including the Act of June 13, 1944 (25 U.S.C. 5101 et seq.) (commonly known as the "Indian Reorganization Act"), shall apply to the Tribe and members.

(d) FEDERAL SERVICES AND BENEFITS.

(1) IN GENERAL.—Beginning on the date of enactment of this Act, the Tribe and each member shall be eligible for all services and benefits provided by the United States to Indians and federally recognized Indian tribes, without regard to—

(A) the existence of a reservation for the Tribe; or

(B) the location of the residence of any member on or near an Indian reservation.

(2) SERVICE AREA.—For purposes of the delivery of services and benefits to members, the service area of the Tribe shall be considered to be the area comprised of Blaine, Cascade, Glacier, and Hill Counties in the State of Montana.

(e) AFFIRMATION OF RIGHTS.—

(1) IN GENERAL.—Nothing in this section diminishes any right or privilege of the Tribe or any individual enrolled before the date of enactment of this Act.

(2) CLAIMS OF TRIBES.—Except as otherwise provided in this section, nothing in this section alters or affects any legal or equitable claim of the Tribe to enforce any right or privilege reserved by, or granted to, the Tribe that was wrongfully denied to, or taken from, the Tribe before the date of enactment of this Act.

(f) MEMBERSHIP ROLL.—

(1) IN GENERAL.—As a condition of receiving recognition, services, and benefits pursuant to this section, the Tribe shall submit to the Secretary, by not later than 18 months after the date of enactment of this Act, a membership roll of the name of each individual enrolled as a member of the Tribe.

(2) DETERMINATION OF MEMBERSHIP.—The qualifications for inclusion on the membership roll of the Tribe shall be determined in accordance with sections 1 through 3 of article 5 of the Constitution of the Tribe dated September 10, 1977 (including amendments to the constitution).

(3) MAINTENANCE OF ROLL.—The Tribe shall maintain the membership roll under this subsection.

(g) ACQUISITION OF LAND.—

(1) HOMELAND.—The Secretary shall acquire, for the benefit of the Tribe, trust title to 200 acres of land within the service area of the Tribe to be used for a tribal land base.

(2) ADDITIONAL LAND.—The Secretary may acquire additional land within the service area of the Tribe pursuant to section 5 of the Act of June 13, 1944 (25 U.S.C. 5108) (commonly known as the "Indian Reorganization Act").

(h) ACQUISITION OF LAND.—

(1) IN GENERAL.—Beginning on the date of enactment of this Act, the Secretary of the Interior shall 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. 1141. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREEES WITH CONCURRENT SERVICE-CONNECTED DISABILITIES.

(a) EXTENSION OF CONCURRENT RECEIPT AUTHORITY TO RETIREEES WITH SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT.—Section 1414 of title 10, United States Code, is amended by striking paragraph (1) and inserting the following:

"(1) Members eligible for retired pay who are also eligible for veterans’ disability compensation: concurrent payment of retired pay and disability compensation.”.

(b) CLERICAL AMENDMENTS.—

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

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

(2) The item relating to such section in the table of sections at the beginning of chapter 1 of such title is amended to read as follows:

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

SEC. 1413. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION: CONCURRENT PAYMENT OF RETIRED PAY AND DISABILITY COMPENSATION.

(a) AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.—

(1) QUALIFIED RETIREES.—Subsection (a) of section 1414 of title 10, United States Code, as amended by section 498(a) of the National Defense Authorization Act for Fiscal Year 2019, is amended by striking paragraphs (1) and (2) and inserting the following:

"(1) A member of the uniformed services who—

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

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

SEC. 1414. ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.—

(1) QUALIFIED RETIREES.—Subsection (a) of section 1414 of title 10, United States Code, as amended by section 498(a) of the National Defense Authorization Act for Fiscal Year 2019, is amended by striking paragraphs (1) and (2) and inserting the following:

"(1) A member of the uniformed services who—

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

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

(b) CLERICAL AMENDMENTS.—

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

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

(2) The item relating to such section in the table of sections at the beginning of chapter 1 of such title is amended to read as follows:

"1414. Members eligible for retired pay who are also eligible for veterans’ disability compensation: concurrent payment of retired pay and disability compensation.”.
January 1, 2020, and shall apply to payments for months beginning on or after that date.

SA 416. Mr. TESTER (for himself and Mr. LANKFORD) 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 XXVIII, add the following:

SEC. 22. REQUIREMENTS RELATING TO PROCESS OF DEPARTMENT OF DEFENSE, THE ARMED FORCES, THEIR FAMILIES, AND THEIR PERSONAL PROPERTY.

(a) CUSTOMER SATISFACTION SURVEYS.—
(1) IN GENERAL.—The Secretary of Defense shall require that each member of the Armed Forces who uses moving services provided by the Department of Defense complete a customer satisfaction survey.

(b) QUALITY ASSURANCE.—The Secretary shall ensure that quality assurance staff of the Department:
(1) are present at not less than 50 percent of moves by a member of the Armed Forces and their family using moving services provided by the Department; and
(2) inspect all inbound and outbound shipments of personal property of members of the Armed Forces made through such a service.

(c) ELECTRONIC TRACKING OF PACKED ITEMS.—The Secretary shall require that all transportation service providers used by the Department use electronic tracking for all packed items consistent with industry standards for the shipment of packages (such as standards used by FedEx Corporation and United Parcel Service).

SA 417. Mr. CARPER 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. 10. PER- AND POLYFLUOROALKYL SUBSTANCES.

(a) DESIGNATION AS HAZARDOUS SUBSTANCES.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall designate all per- and polyfluoroalkyl substances as hazardous substances under section 102(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9602(a)).

(b) AIRPORT SPONSORS.—No sponsor (as defined in section 47102 of title 49, United States Code), including a sponsor of the civilian portion of a joint-use airport or a shared-use airport (as those terms are defined in section 139.5 of title 14, Code of Federal Regulations (or successor regulations)), shall be liable to the Administrator for any failures to comply with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the costs of responding to, or damages from, releases of any per- and polyfluoroalkyl substances that resulted from the use of aqueous film-forming foam, if that use was required pursuant to, and carried out in accordance with, part 139 of title 14, Code of Federal Regulations (as in effect on the date of enactment of this Act).

SA 418. Mr. GARDNER 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. 11. SUPPORT AND ENHANCEMENT OF DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE AND CRITICAL ELECTRIC INFRASTRUCTURE.

(a) IN GENERAL.—The Secretary of Energy may use any portion of funds appropriated by Congress to the Secretary of Energy (including through financial assistance or other means) to enhance, improve, develop, or support defense critical electric infrastructure or critical electric infrastructure (as those terms are defined in section 215A(a) of the Federal Power Act (16 U.S.C. 824o–1(a))) to improve the resilience of the infrastructure against threats or challenges to the optimal performance of that infrastructure.

(b) QUALITY ASSURANCE.—The Secretary shall ensure that quality assurance staff of the Department:
(1) are present at not less than 50 percent of moves by a member of the Armed Forces and their family using moving services provided by the Department; and
(2) inspect all inbound and outbound shipments of personal property of members of the Armed Forces made through such a service.

(c) ELECTRONIC TRACKING OF PACKED ITEMS.—The Secretary shall require that all transportation service providers used by the Department use electronic tracking for all packed items consistent with industry standards for the shipment of packages (such as standards used by FedEx Corporation and United Parcel Service).

SA 419. Mr. GARDNER 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 VIII, add the following:

SEC. 1002. PILOT PROGRAM ON STRENGTHENING MANUFACTURING IN THE DEFENSE INDUSTRIAL BASE IN SUPPORT OF LOWER COST MODULAR UNITED STATES DEFENSE RADAR SYSTEMS.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of supporting—

(1) production needs to meet military requirements and increase the capability of the defense industrial base to support the expansion of traditional and nontraditional radar suppliers through open competition; and

(2) manufacturing and production of emerging defense and commercial technologies to develop and prove out a low cost and high performance radar architecture via broadband digital receiver and exciter (DREX) components and prototypes together with scalable and reconfigurable antennas.

(b) PILOT PROGRAM.—The Secretary shall carry out the pilot program under the following authorities:

(1) Chapters 137 and 139 and sections 2371, 2371b, and 2373 of title 10, United States Code.

(2) Such other legal authorities as the Secretary considers applicable to carrying out the pilot program.

(c) ACTIVITIES.—Activities under the pilot program may include the following:

(1) Use of contracts, grants, or other transac- tion authorities to support manufacturing and production capabilities in small and medium-sized manufacturers.

(2) Purchasing or goods or equipment for testing and certification purposes.

(3) Incentives, including purchase commit- ments and cost sharing with nongovern- mental sources, for the private sector to de- velop and produce manufacturing and production capabili- ties in areas of national security interest.

(4) Issuing loans or providing loan guaran- tees to small and medium-sized manufactur- ers to support manufacturing and production capabilities in areas of national security in- terest.

(5) Giving awards to third party entities to support investments in small- and medium-sized manufacturers working in areas of na- tional security interest, including debt and equity investments that would benefit mis- sing the Department.

(6) Such other activities as the Secretary determines necessary.

(d) TERMINATION.—The pilot program shall terminate on the date that is four years after the date of the enactment of this Act.

(e) BRIEFING REQUIRED.—Not later than January 31, 2023, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the results of the pilot program.

SA 420. Mr. GARDNER 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 appropriate place, insert the following:

SEC. 1103. MISSION PARTNER ENVIRONMENT.

(a) IN GENERAL.—The amount authorized to be appropriated by this Act for fiscal year 2020 for the Department of Defense is hereby increased by $53,200,000, with the amount of such increase to be available for Mission Partner Environment in order to support necessary infrastructure and data network investment that facilitates multi-domain information shar- ing with allies and like-minded partners and to address common challenges to a Free and Open Info-Pacific in South Asia, South East Asia, and Oceania.

SA 421. Mr. GARDNER (for himself 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 mili- tary activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1202. HONORING THE ARMS OF THE UNITED STATES.

(a) HONORING THE ARMS OF THE UNITED STATES.—The amount authorized to be appropriated by this Act for the Armed Forces of the United States, for defense activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1305. BRIEFING ON CHAIRMAN GOSISCH'S REPORT.

(a) IN GENERAL.—Not later than 60 days after the date of the submission of the report of the Senate Select Committee on Intelligence on January 31, 2023, the Secretary of Defense shall submit to the Senate, in a briefing to the Senate Armed Services Committee, a detailed report on the implementation of the findings and recommendations of the report.

(b) BRIEFING REQUIRED.—Not later than 45 days after the date of the receipt of the report of the Senate Select Committee on Intelligence, the Secretary of Defense shall submit to the Senate, in a briefing to the Senate Armed Services Committee, a detailed report on the implementation of the findings and recommendations of the report.

(c) CONSULTATION.—The Secretary of Defense shall consult with the Senate Armed Services Committee and the Senate Committee on Intelligence in the preparation of the report.

(d) REASON.—The Secretary of Defense shall include in the report the reason for the failure to implement the findings and recommendations of the report.
regular requests to the Government of the People’s Republic of China for the Navy to conduct port calls to Hong Kong, including United States aircraft carrier visits.

SA 422. Mr. GARDNER 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 appropriate place, insert the following:

SEC. 12. IMPLEMENTATION OF THE ASIA REASSURANCE INITIATIVE ACT WITH REGARD TO TAIWAN ARMS SALES.

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

(1) The Department of Defense Indo-Pacific Strategy Report (referred to in this section as the “Indo-Pacific Strategy”), released on June 1, 2019, states: “[The Asia Reassurance Initiative Act, a major bipartisan legislation, was signed into law by President Donald J. Trump on December 31, 2018. This legislation enshrines a generational whole-of-government policy framework that demonstrates U.S. commitment to a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security.”.

(2) The Indo-Pacific Strategy further states: “The United States has a vital interest in upholding the rules-based international order that includes a strong, prosperous, and democratic Taiwan. The Department [of Defense] is committed to providing Taiwan with defense articles and services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.”.

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

(1) the Asia Reassurance Initiative Act of 2018 (Public Law 115–409) has recommitted the United States to support the close, economic, political, and security relationship between the United States and Taiwan; and

(2) the United States should fully implement the Act with regard to regular defensive arms sales to Taiwan.

(c) BRIEFING.—Not later than 30 days after the date of enactment of this Act, the Secretary of State and the Secretary of Defense, or their designees, shall brief the appropriate committees of Congress on the efforts to implement section 209(b) of the Asia Reassurance Initiative Act of 2018 (Public Law 115–409).

(d) 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 423. Mr. GARDNER 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 appropriate place, insert the following:

SEC. 12. IMPLEMENTATION OF THE ASIA REASSURANCE INITIATIVE ACT WITH REGARD TO TAIWAN ARMS SALES.

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

(1) The Department of Defense Indo-Pacific Strategy Report (referred to in this section as the “Indo-Pacific Strategy”), released on June 1, 2019, states: “[The Asia Reassurance Initiative Act, a major bipartisan legislation, was signed into law by President Donald J. Trump on December 31, 2018. This legislation enshrines a generational whole-of-government policy framework that demonstrates U.S. commitment to a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security.”.

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

(1) the government of the People’s Republic of China and the Hong Kong Special Administrative Region of the People’s Republic of China authorities should immediately withdraw from consideration the proposed amendments to the Fugitive Offenders Ordinance and refrain from any unwarranted use of force against the protestors that is inconsistent with internationally recognized law enforcement best practices;

(2) the United States should impose financial sanctions, visa bans, and other punitive economic measures against all individuals or entities violating the fundamental human rights and freedoms of the people of Hong Kong, consistent with United States and international law.

SA 425. Mr. HOEVEN (for himself, Mr. TESTER, Mr. DAINES, and Mr. ENZI) 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 XVI, add the following:

SEC. 1668. SENSE OF SENATE ON SUPPORT FOR A ROBUST AND MODERN ICBM FORCE TO MAXIMIZE THE VALUE OF THE NUCLEAR TRIAD OF THE UNITED STATES.

(a) FINDINGS.—The Senate makes the following findings:

(1) Land-based intercontinental ballistic missiles (in this section referred to as “ICBMs”) have been a critical part of the United States deterrent for decades in conjunction with air- and sea-based strategic delivery systems.

(2) President John F. Kennedy referred to the deployment of the first intercontinental missile during the Cuban Missile Crisis as his “ace in the hole”.

(3) The Minuteman III missile entered service in 1979 and is still deployed in 2019, well beyond its originally intended service life.

(4) The ICBM force of the United States peaked at more than 1,200 deployed missiles during the Cold War.

(5) The ICBM force of the United States currently consists of approximately 400 Minuteman III missiles deployed to operational missile silos, each carrying a single warhead.
(6) The Russian Federation currently deploys at least 300 ICBMs with multiple warheads loaded on each missile and has announced plans to replace its Soviet-era systems with modernized ICBMs.

(7) The People’s Republic of China currently deploys at least 75 ICBMs and plans to grow its ICBM force through the deployment of modernized, road-mobile ICBMs that carry multiple warheads.

(8) The Russian Federation and the People’s Republic of China deploy nuclear weapons across a variety of platforms in addition to their ICBM forces.

(9) Numerous countries possess or are seeking to develop nuclear weapons. States that pose challenges to the nuclear deterrence of the United States.

(10) The nuclear deterrent of the United States is comprised of a triad of delivery systems for nuclear weapons, including submarine-launched ballistic missiles (in this subsection referred to as “SLBMs”), air-delivered gravity bombs and cruise missiles, and land-based ballistic missiles that provide interlocking and mutually reinforcing attributes that enhance strategic deterrence.

(11) The triad of the United States is a robust deterrent, as each leg of the triad provides distinct characteristics, including responsiveness, persistence, and capability, that enhance strategic deterrence.

(12) In the nuclear deterrent of the United States, ICBMs provide commanders with the most prompt response capability, SLBMs provide stealth and survivability, and aircraft armed with nuclear weapons provide flexibility.

(13) The ICBM force of the United States provides a credible nuclear deterrent force that would be difficult for any potential adversary to attack.

(14) The size, dispersal, and global reach of the ICBM force of the United States ensures that no adversary can escalate a crisis beyond the ability of the United States to respond.

(15) A potential attacker would be forced to expend far more warheads to destroy the ICBMs of the United States than the United States would lose in an attack, because of the deployment of a single warhead on each ICBM of the United States.

(16) The ICBM force provides a persistent deterrent capability that reinforces strategic stability.

(17) ICBMs are the cheapest delivery system for nuclear weapons for the United States to operate and maintain.

(18) The United States Strategic Command has validated military requirements for the unique capabilities of ICBMs.

(19) In a 2014 analysis of alternatives, the Air Force concluded that replacing the Minuteman III missile would provide upgraded capabilities at lower cost when compared with extending the service life of the Minuteman III missile.

(20) The Minuteman III replacement program, known as the ground-based strategic deterrent, is expected to provide an improved land-based strategic deterrent capable for 5 decades after the program enters service.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) land-based ICBMs have certain characteristics, including responsiveness, persistence, and dispersal, that enhance strategic stability and discourage the development of the triad of the nuclear triad of the United States;

(2) ICBMs have played and continue to play a role in deterring attacks on the United States and its allies;

(3) while arms control agreements have reduced the size of the ICBM force of the United States, the treaty obligations of the United States continue to enhance, enlarge, and modernize their ICBM forces; and

(4) the modernization of the ICBM force of the United States through the ground-based strategic deterrent program should be supported;

(5) ICBMs have the lowest operation, maintenance, and modernization costs of any part of the nuclear deterrent of the United States; and

(6) unilaterally reducing the size of the ICBM force of the United States or delaying the implementation of the ground-based strategic deterrent program would degrade the stability, credibility, and reliability of the country operational and modernized nuclear triad and should not take place at the present time.

SA 426. 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 subtitle C of title VII, add the following:

SEC. 729. REPORT ON SUCCESSFUL SUICIDE PREVENTION PRACTICES AND INITIATIVES OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on successful suicide prevention practices and initiatives of the Department of Defense.

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

(1) a complete list of all current and planned mental health and suicide prevention programs available to members of the Armed Forces, whether provided by the Department or through community partnerships;

(2) For each program listed under paragraph (1), the annual funding and number of members of the Armed Forces served;

(3) The number of members of the Armed Forces receiving treatment in each such program who ultimately commit suicide;

(4) The metrics used by the Department to track the efficiency and effectiveness of the Department of Defense mental health programs of the Department, including an assessment of how those metrics are tracked longitudinally;

(5) Recommendations for how the Department of Defense can work more cooperatively with the Department of Veterans Affairs and mental health organizations in the sector to serve the unique needs of members of the reserve components of the Armed Forces;

(6) Recommendations for additional metrics for the Department of Defense to use to better measure the efficacy of each mental health program of the Department;

(7) Recommendations for how the Department of Defense can work more cooperatively with the Department of Veterans Affairs and other mental health organizations in the sector to serve the unique needs of members of the reserve components of the Armed Forces;

(b) Required consultation.—The Secretary of Defense shall consult with the Secretary of the Interior, the American Battlefield Memorials Commission, and other applicable authorities with respect to any adjustments to the nomenclature and placement of names pursuant to subsection (a) to address any space limitations on the placement of additional names on the Vietnam Veterans Memorial Wall.

(c) Nonapplicability of Commemorative Works Act.—Chapter 89 of title 40, United States Code (commonly known as the “Commemorative Works Act”), shall not apply to any activities carried out under subsection (a) or (b).

SA 428. Mr. HEINRICH 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: In section 3320(b)(1)(A), strike “two consecutive terms”.

SA 429. Mr. BROWN (for himself and Mr. CRAPO) 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. AUTHORIZATION OF APPROPRIATIONS FOR DEFENSE PRODUCTION ACT OF 1950.

Section 711 of the Defense Production Act of 1950 (50 U.S.C. 4561) is amended by striking “$133,000,000” and all that follows and insert the following: “(1) $250,000,000 for each of fiscal years 2020 through 2024; and

(2) $133,000,000 for fiscal year 2025 and each fiscal year thereafter.”.

SA 430. Mr. CARPER (for himself, Mr. PORTMAN, and Mr. PETERS) 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. MULTINATIONAL SPECIES CONSERVATION FUNDS SEMIPOSTAL STAMP REAUTHORIZATION.

(a) In general.—Section 2(c) of the Multinational Species Conservation Fund Semipostal Stamp Act of 2010 (39 U.S.C. 416 note; Public Law 111–241) is amended—

(1) in paragraph (2)—

(A) by striking "of at least 6 years."; and

(B) by inserting before the period at the end the following: "and ending not earlier than the date on which the United States Postal Service provides notice to Congress under paragraph (5)"; and

(2) by adding at the end the following:

"(5) REQUIREMENT TO SELL ALL STAMPS PRINTED.—

(A) In general.—The United States Postal Service shall sell each copy of the Multinational Species Conservation Fund Semipostal Stamp that the United States Postal Service prints under this Act.

(B) Notification of Congress.—The United States Postal Service shall notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives when all copies of the Multinational Species Conservation Fund Semipostal Stamp printed under this Act have been sold."
year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 811. APPLICABILITY OF BUY AMERICAN REQUIREMENT TO ITEMS ANALYZED OUTSIDE THE UNITED STATES.

Section 8302(a)(2)(A) of title 41, United States Code, is amended by inserting “needed on an urgent basis or for national security reasons (as determined by the head of a Federal agency)” after “for use outside the United States”.

SA 435. Ms. STABENOW 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. MANUFACTURING EXTENSION PARTNERSHIP SUPPORT FOR DEVELOPMENT OF DOMESTIC SUPPLY BASE FOR PRODUCTION OF COMPONENTS AND WEAPON SYSTEMS.

(a) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of Commerce shall enter into a memorandum of understanding (MOU) for purposes of ensuring—

(1) the development of a domestic supply base to support production of components and weapon systems for the Department of Defense;

and

(2) compliance with chapter 83 of title 41, United States Code (commonly referred to as the “Buy American Act”) and section 2531a of title 10, United States Code (commonly referred to as the “Berry Amendment”), including by limiting the use of waivers.

(b) ACTIVITIES.—The MOU shall include provisions—

(1) allowing Department of Defense personnel to consult with the National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership (MEP) when conducting market research; and

(2) requiring that before a domestic non-availability waiver is granted, NIST MEP shall conduct an analysis to identify domestic suppliers that may be able to meet Department of Defense acquisition needs.

SA 436. Mr. TESSETR (for himself and 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 H of title X, add the following:

SEC. 1086. ANNUAL REPORTS ON FEDERAL PROJECTS THAT ARE OVER BUDGET AND BEHIND SCHEDULE.

(a) DEFINITION OF COVERED AGENCY.—In this section, the term “covered agency” means—

(1) an Executive agency, as defined in section 105 of title 5, United States Code; and

(2) an independent regulatory agency, as defined in section 3502 of title 44, United States Code.

(b) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Director of the Office of Management and Budget shall submit to Congress a report on each project funded by a covered agency—

(1) that is more than 5 years behind schedule; or

(2) for which the amount spent on the project is not less than $1,000,000,000 more than the original cost estimate for the project.

(c) CONTENTS.—Each report submitted and posted under subsection (b) shall include, for each project included in the report—

(1) a brief description of the project, including—

(A) the purpose of the project;

(B) each location in which the project is carried out;

(C) the year in which the project was initiated;

and

(D) the Federal share of the total cost of the project; and

(E) each primary contractor, subcontractor, grant recipient, and subcontractee recipient of the project;

(2) an explanation of any change to the original scope of the project, including by the addition or narrowing of the initial requirements of the project;

(3) the original expected date for completion of the project; and

(4) the current expected date for completion of the project;

(5) the original cost estimate for the project, as adjusted to reflect increases in the Consumer Price Index for All Urban Consumers, as published by the Bureau of Labor Statistics;

(6) the current cost estimate for the project, as adjusted to reflect increases in the Consumer Price Index for All Urban Consumers, as published by the Bureau of Labor Statistics;

(7) an explanation for a delay in completion or increase in the original cost estimate for the project; and

(8) the amount of and rationale for any award, incentive fee, or type of bonus, if any, awarded for the project.

(d) SUBMISSION WITH BUDGET.—Section 1105(a) of title 31, United States Code, is amended by adding at the end the following:

“(40) the report required under section 1866(b) of the National Defense Authorization Act for Fiscal Year 2020 for the calendar year ending in the fiscal year in which the budget is submitted.”.

SA 438. Ms. ERNST (for herself, Mrs. BLACKBURN, and Mr. BRAUN) 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. 335. AUTHORITY OF DEPARTMENT OF DEFENSE TO CONSOLIDATE INFRASTRUCTURE DISTRIBUTION CENTERS TO IMPROVE EFFICIENCY AND EFFECTIVENESS OF SUPPLY CHAIN AND INVENTORY MANAGEMENT.

(a) IN GENERAL.—The Secretary of Defense may consolidate infrastructure, including warehouses, at the distribution centers of the Department of Defense to improve the efficiency and effectiveness of the supply chain and inventory management of the Department to support the needs of the Armed Forces and reduce costs.

(b) USE OF COST SAVINGS.—

(1) IN GENERAL.—Any cost savings achieved through consolidation under subsection (a) shall be used for programs and activities of Special Victims’ Counsel (SVC) under section 1044e of title 10, United States Code, throughout the Armed Forces in order to—

(A) enhance the frequency, timeliness, and quality of services provided by Special Victims’ Counsel; and

(B) expand the individuals eligible for services of Special Victims’ Counsel to include victims of domestic violence.

(2) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to Congress a report specifying—

(A) the amount transferred to the Special Victims’ Counsel to be used under paragraph (1); and

(B) the number of claims that were addressed with that amount.

(c) PLAN.—

(1) IN GENERAL.—Not later than 60 days before implementing any consolidation under subsection (a), the Secretary shall submit to Congress a plan for such consolidation.

(2) ELEMENTS.—Any plan submitted pursuant to paragraph (1) with respect to consolidation under subsection (a) shall include the following:
(A) An estimate of the cost savings of such consolidation.

(B) A list of the specific facilities that will be subject to closure and disposal under such consolidation, and for any purpose other than to calculate the applicable reduction amount under paragraph (A)(1) of this section, the monetary allowance that would be payable to a modern former President.

(C) A certification that the overall effectiveness of the supply chain of the Department of Energy, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

**Subtitle I—Presidential Allowance Modernization**

**SEC. 1091. SHORT TITLE.**

This subtitle may be cited as the “Presidential Allowance Modernization Act of 2019.”

**SEC. 1092. AMENDMENTS.**

(a) **IN GENERAL.**—The Act entitled “An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes,” approved August 25, 1958 (commonly known as the “Former Presidents Act of 1958”) (3 U.S.C. 102 note), is amended—

(1) by striking “That (a)” and inserting the following:

**SECTION 1. MODERN FORMER PRESIDENTS LEAVING OFFICE BEFORE PRESIDENTIAL ALLOWANCE MODERNIZATION ACT OF 2019.**

(a) “Each”:

(2) by redesignating subsection (g) as section 3 and adjusting the margin accordingly; and

(3) by inserting after section 1, as so designated, the following:

**SEC. 2. FORMER PRESIDENTS LEAVING OFFICE AFTER PRESIDENTIAL ALLOWANCE MODERNIZATION ACT OF 2019.**

(a) **ANNUITIES AND ALLOWANCES.—**

(1) **ANNUITY.—** Each modern former President shall be entitled for the remainder of his or her life to receive from the United States an annuity at the rate of $200,000 per year, subject to subsections (b)(2) and (c), to be paid by the Secretary of the Treasury, if such widow or widower holds an appointment to a position under the Federal Government to which is attached a rate of pay other than a nominal rate.

(2) **DURATION; FREQUENCY.—**

(a) The annuity and allowance under subsection (a) shall each—

(A) commence on the day after the date on which an individual becomes a modern former President;

(B) terminate on the date on which the modern former President dies; and

(C) be payable on a monthly basis.

(3) **APPOINTIVE OR ELECTIVE POSITIONS.—** The annuity and allowance under subsection (a) shall not be payable for any period during which a modern former President holds an appointive or elective position in or under the Federal Government to which is attached a rate of pay other than a nominal rate.

(4) **COST-OF-LIVING INCREASES.—** Effective December 1 of each year, each annuity and allowance under subsection (a) that commenced before that date shall be increased by the same percentage by which benefit amounts under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased, effective as of that date, as a result of a determination under section 215(i) of that Act (42 U.S.C. 415(i)).

**LIMITATION ON MONETARY ALLOWANCE.—**

(1) **IN GENERAL.—** Notwithstanding any other provision of this section, the monetary allowance payable under subsection (a)(2) to a modern former President for any 12-month period—

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

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

(ii) the applicable reduction amount for such 12-month period; and

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

(2) **DEFINITION.—**

(A) **IN GENERAL.—** For purposes of paragraph (1), the term ‘applicable reduction amount’ means, with respect to any modern former President and in connection with any 12-month period, the amount by which—

(i) the sum of—

(A) the adjusted gross income (as defined in section 62 of the Internal Revenue Code of 1986) of the modern former President for the most recent taxable year for which a tax return is available; and

(B) any interest excluded from the gross income of the modern former President under section 163 of such Code for such taxable year, exceeds (if at all)

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

(B) **JOINT RETURNS.—** In the case of a joint return, subsection (1)(i) of this paragraph (a) shall be applied by taking into account both the amounts properly allocable to the modern former President and the amounts properly allocable to the spouse of the modern former President.

(3) **COST-OF-LIVING INCREASES.—** The dollar amount specified in subparagraph (A)(i) shall be adjusted at the same time that, and in accordance with the same percentage by which, annuities of modern former Presidents are increased under subsection (c) (disregarding this subsection).

(4) **DISCLOSURE REQUIREMENT.—**

(A) **DEFINITIONS.—** In this paragraph—

(1) the term ‘return’ means any return or return information filed by the modern former President and in connection with any 12-month period and the monetary allowance that would be payable to a modern former President.

(2) **DEFINITION.—** In this section, the term ‘modern former President’ means a person—

(i) who shall have held the office of President of the United States of America; and

(ii) who becomes a modern former President.

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

(5) **CONFIDENTIALITY.—** Except as provided in section 6103 of the Internal Revenue Code of 1986 and any other provision of law, the Secretary may not, with respect to a return or return information disclosed to the Secretary under subsection (B)—

(A) disclose the return or return information to any entity or person; or

(B) use the return or return information for any purpose other than to calculate the applicable reduction amount under paragraph (2).
Section 1094. APPLICABILITY.
Section 2 of the former Presidents Act of 1958, as added by section 1092(a)(3) of this subtitle, shall not apply to—

(1) any individual who is a former President on the date of enactment of this Act; or
(2) the widow or widower of an individual described in paragraph (1).

SA 440. Mr. BLUNT (for himself, Mr. HAWLEY, 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 H of title X, 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.

(b) DESIGNATION.—

(1) May 1 is Silver Star Service Banner Day.

(2) The President, in consultation with the Secretary of Defense, shall designate May 1 as Silver Star Service Banner Day.

SEC. 1087. MODIFICATION TO FIRST DIVISION MONUMENT.

(a) AUTHORIZATION.—

(1) IN GENERAL.—The Society of the First Infantry Division, an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, may, by finding under section 501(a) of that Code, make modifications, including construction of additional plaques and stone plinths on which to put plaques, to the First Division Monument located on Federal land in President's Park in the District of Columbia that was set aside for memorial purposes of the First Infantry Division, to honor the members of the First Infantry Division who made the ultimate sacrifice during United States operations, including Operation Desert Storm, Operation Iraqi Freedom, Operation Enduring Freedom, and Operation Dawn.

(2) COLLABORATION.—The First Infantry Division and the Secretary of the Army shall collaborate with the Society of the First Infantry Division to provide to the Secretary the list of names to be added to the First Division Monument under paragraph (1).

(b) NONAPPLICABILITY OF COMMEMORATIVE WORKS ACT.—Section 8003(b) of title 40, United States Code (commonly known as the "Commemorative Works Act"), shall not apply to any activity carried out pursuant to subsection (a).

(c) FUNDING.—Federal funds may not be used to pay any expense of the activities of the Society of the First Infantry Division authorized by this section.

SA 443. Mr. MORAN (for himself and Mr. TESTER) 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. 1088. ESTABLISHMENT OF MODELING FOR DETERMINING ADVERSE EFFECT BY WIND TURBINES ON AIR COMMERCE, MILITARY TRAINING ROUTES, OR SPECIAL USE AIRSPACE.

(a) ANALYSIS.—

(1) IN GENERAL.—Not later than September 30, 2021, the Secretary of Defense, in coordination with the Secretary of Transportation, shall submit to Congress a report setting forth the results of a review conducted for purposes of the report, of the Morale, Welfare and Recreation (MWR) programs and activities of the Department. The purpose of the review is to identify means and mechanisms by which to improve such programs and activities.

(b) MEANS AND MECHANISMS.—The means and mechanisms identified pursuant to the review required for purposes of the report under subsection (a) shall include means and mechanisms to achieve the following:

(1) Increased participation in Morale, Welfare, and Recreation programs and activities
SA 445. Ms. ERNST (for herself, Ms. DUCKWORTH, and Mrs. CAPITO) submitted an amendment intended to be proposed by her in 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. 4. MAXIMUM AWARD PRICE FOR SOLE SOURCE MANUFACTURING CONTRACTS.

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

(1) in section 8 (15 U.S.C. 637)—

(A) in subsection (a)(1)(D)(i)(II), by striking "$5,000,000" and inserting "$7,000,000"; and

(B) in subsection (m)—

(i) in paragraph (7)(B)(i), by striking "$65,500,000" and inserting "$7,000,000"; and

(ii) in paragraph (8)(B)(i), by striking "$65,500,000" and inserting "$7,000,000";

(2) in section 31(b)(2)(A)(i) (15 U.S.C. 657a(b)(2)(A)(i)), by striking "$5,000,000" and inserting "$7,000,000"; and

(3) in section 316(a)(2)(A) (15 U.S.C. 657t(a)(2)(A)), by striking "$5,000,000" and inserting "$7,000,000".

SA 446. Mr. KENNEDY 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. 5. TREATMENT OF LAW FIRM MERGERS AS COVERED TRANSACTIONS BY CONSUMER ON FOREIGN INVESTMENT IN THE UNITED STATES.


(1) carried out through a joint venture; or

(2) conducted in foreign control of a United States business that provides legal services.”

SA 447. Mr. KENNEDY 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 XIV, add the following:

SEC. 1412. ASSESSMENT OF RARE EARTH SUPPLY CHAIN ISSUES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Defense Logistics Agency, shall submit to Congress a report assessing issues relating to the supply chain for rare earth materials.

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

(1) An assessment of the rare earth materials in the reserves held by the United States for such materials—

(A) in general; and

(B) to support a major near-peer conflict such as is outlined in war game scenarios included in the 2018 National Defense Strategy.

(2) An assessment of the extent to which substitutes for such materials are available.

SA 448. Mr. KENNEDY 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. 6. ALLOWING CLAIMS AGAINST THE UNITED STATES FOR INJURY AND DEATH OF MEMBERS OF THE ARMED FORCES CAUSED BY IMPROPER MEDICAL TREATMENT.

(a) IN GENERAL.—Chapter 171 of title 28, United States Code, is amended by adding at the end the following:

§ 2681. Claims against the United States for injury and death of members of the Armed Forces

“(a) In this section—

(1) the term ‘Armed Forces’ has the meaning given the term in section 101 of title 10; and

(2) the term ‘covered military medical treatment facility’—

(A) means the facilities described in subsections (b), (c), and (d) of section 1073d of title 10, regardless of whether the facility is located in or outside the United States; and

(B) does not include battalion aid stations or other medical treatment locations deployed in an area of armed conflict.

(b) A claim may be brought against the United States under this chapter for damages for personal injury or death of a member of the Armed Forces arising out of a negligent or wrongful act or omission in the performance of a duty related to health care services (including clinical studies and investigations) that is provided at a covered military medical treatment facility by a person acting within the scope of his office or employment of that person by or at the direction of the Government of the United States shall be exclusive of any other civil action or proceeding by reason of the same subject matter against such person (or the estate of such person) whose act or omission gave rise to the action or proceeding.

(1) A claim under this section shall not be commenced later than 3 years after the date on which the claimant discovered, or by reasonable diligence should have discovered, the injury and the cause of the injury; and

(2) With respect to a claim pending before the date of enactment of this section, the limitations period described in paragraph (1) shall begin on the date of enactment of this section.

(c) For purposes of claims brought under this section—

“(1) subsections (j) and (k) of section 2680 shall not apply; and

“(2) for purposes of claims arising under this section, the laws and procedures of the State that would otherwise apply shall be deemed to be the law of the State of domicile of the claimant.

(d) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to limit the application of the administrative process and procedures of chapter 171 of title 28, United States Code, to claims permitted under section 2681, as added by this section.

SA 449. Mr. MORAN (for himself, Mr. TESTER, and Mr. WARNER) 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. 16. JOINT ASSESSMENT OF DEPARTMENT OF DEFENSE CYBER RED TEAM Capabilities, Demand, and Requirements.

(a) JOINT ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Chief Information Officer of the Department of Defense, Principal Cyber Advisor, and the Director of Operational Test and Evaluation—

(1) conduct a joint assessment of Department cyber red team capabilities, capacity,
demand, and future requirements that affect the Department’s ability to develop, test, and maintain secure systems in a cyber environment; and
(2) if such denial is authorized by a provision of Federal law that specifically limits the right of the Board to access such information pursuant to subsection (a), the Secretary; or
Mr. HEINRICH) 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 III, add the following:
SEC. 323. 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 warfare.
(3) there are significant logistics shortfalls, as outlined in the November 2018 final report of the Defense Science Board (DSB) on Survivable Supply Chain, and which, if left unaddressed, would hamper the readiness and ability of the Armed Forces of the United States to conduct operations globally;
(4) since the military departments have not shown a strong commitment to funding logistics, the Secretary of Defense should review the full list of recommendations listed in the report described in paragraph (3) and address the chronic underfunding of logistics relative to other priorities of the Department of Defense.

SA 452. Mr. UDALL (for himself and Mr. HEINRICH) 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:
...
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 XXXII, add the following:

SEC. 3204. SUSPENSION OF DEPARTMENT OF ENERGY ORDER 149.1

The Secretary of Energy shall suspend implementation of Department of Energy Order 149.1 (relating to interface with the Defense Nuclear Facilities Safety Board) until the Comptroller General of the United States submits to Congress the results of the review of that Order conducted by the Comptroller General pursuant to the direction of the Committee on Appropriations of the Senate in Senate Report 116-48.

SA 454. Mr. UDALL (for himself, Mr. ROUNDS, Mr. PETERS, Mr. MORAN, Mr. HEINICH, Ms. CAPITTO, Ms. BALDWIN, Ms. ERNST, Mr. TESTER, Mr. ROBERTS, and Mrs. MURRAY) 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 V, add the following:

SEC. 512. COMPENSATION AND CREDIT FOR RETIRED PAY PURPOSES FOR MATERNITY LEAVE TAKEN BY MEMBERS OF THE RESERVE COMPONENTS.

(a) COMPENSATION.—Section 206(a) of title 37, United States Code, is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; or”;

and

(3) by adding the end the following new paragraph:

“(4) for each of 6 days in connection with the taking by the member of a period of maternity leave.”

(b) CREDIT FOR RETIRED PAY PURPOSES.—

(1) IN GENERAL.—The period of maternity leave taken by a member of the reserve component of the Armed Forces in connection with the birth of a child shall count toward the member’s entitlement to retired pay, and in connection with the years of service used in computing retired pay, under chapter 1223 of title 10, United States Code, as 12 points.

(2) SEPARATE CREDIT FOR EACH PERIOD OF LEAVE.—Separate crediting of points shall accrue to a member pursuant to this subsection for each period of maternity leave taken by the member in connection with a childbirth event.

(3) CREDIT CREDITED.—Points credited to a member for a period of maternity leave pursuant to this subsection shall be credited in the year in which the period of maternity leave is made.

(4) CONTRIBUTION OF LEAVE TOWARD ENTITLEMENT TO RETIRED PAY.—Section 12732(a)(2) of title 10, United States Code, is amended by inserting after subparagraph (E) the following new subparagraph:

“(F) Points at the rate of 12 a year for the taking of maternity leave.”

(b) by redesignating paragraph (5) as paragraph (6); and

(b) by inserting after paragraph (4) the following new paragraph (5):

“(5) One day for each point credited to the person under subparagraph (F) of section 12732(a)(2) of this title.”

(c) EFFECTIVE DATE.—This section and the amendments made by this subsection shall take effect on the date of the enactment of this Act, and shall apply with respect to periods of maternity leave that commence on or after that date.

SA 455. Mr. WHITEHOUSE (for himself, Mr. COTTON, Mr. BRAUN, and Mr. JONES) 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. 1066. ELIMINATION OF WAITING PERIOD FOR SOCIAL SECURITY DISABILITY INSURANCE BENEFITS FOR DISABILITY INCURRED DURING MILITARY SERVICE WITH AMYOTROPHIC LATERAL SCLEROSIS (ALS).

(a) IN GENERAL.—Section 223(a)(1) of the Social Security Act (42 U.S.C. 423(a)(1)) is amended in the matter following subparagraph (E) by striking “or (ii)” and inserting “(ii) in the case of an individual who has been medically determined to have amyotrophic lateral sclerosis, for each month beginning with the first month during all of which the individual is under a disability and in which the individual becomes entitled to such insurance benefits, or (iii)”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to applications for disability insurance benefits filed after the date of the enactment of this Act.

SA 456. 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 E of title III, add the following:

SEC. 360. REQUIREMENT TO INCLUDE FOREIGN LANGUAGE PROFICIENCY IN READINESS REPORTING SYSTEMS OF DEPARTMENT OF DEFENSE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing all Department of Defense contracts with companies or business entities that are owned or controlled by, or affiliated with, the Government of the People’s Republic of China or the Chinese Communist Party.

SA 457. Mr. KENNEDY 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. 366. REPORT ON CONTRACTS WITH ENTITIES AFFILIATED WITH THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY.

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 all Department of Defense contracts with companies or business entities that are owned or controlled by, or affiliated with, the Government of the People’s Republic of China or the Chinese Communist Party.

SA 458. Mr. SCOTT of Florida 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 ENTITIES AFFILIATED WITH THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY.

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 all Department of Defense contracts with companies or business entities that are owned or controlled by, or affiliated with, the Government of the People’s Republic of China or the Chinese Communist Party.

SA 459. Mr. SCOTT of Florida 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. 366. ANNUAL LIST OF SBIR AWARDS.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(vv) ANNUAL LIST OF LOW PARTICIPATION STATES.—Each Federal agency participating in the SBIR program shall prepare and submit to the Congress a report required under subsection (b)(7), for the preceding 12-month period—
SA 460. Mr. KENNEDY 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 XXVIII, add the following:

SEC. 3057. TESTING OF HOUSING ON MILITARY INSTALLATIONS FOR LEAD CONTAMINATION.

(a) IN GENERAL. The Secretary of Defense shall ensure that all housing on an installation of the Department of Defense is tested for lead contamination.

(b) 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 Senate and the House of Representatives a report on how to improve the living facilities for members of the Armed Forces and their families who are living in housing with lead contamination on an installation of the Department.

SA 463. Mr. SULLIVAN (for himself, Ms. BALDWIN, 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 for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 101B. CONTRACTS FOR OVERHAUL, REPAIR, AND MAINTENANCE OF NAVAL VESSELS IN NON-COASTWISE WAREHOUSES.

Section 2647a of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) USE OF COST SAVINGS REALIZED.—(1) With respect to a fiscal year in which cost savings are realized as a result of entering into an agreement under this section for a military installation, the Secretary concerned shall certify to the congressional defense committees the amount of the cost savings available for use by the Secretary in the maintenance of that installation to carry out activities described in section 2667(e)(1)(C) of this title.

"(2) Not later than 90 days after the Secretary concerned determines that cost savings will result from an agreement under this section, the Secretary concerned shall certify to the congressional defense committees the amount of the cost savings available for use by the Secretary in the maintenance of the installation to carry out activities described in section 2667(1)(C) of this title.

"(3) Effective Date.—The amendments made by this section shall apply with respect to fiscal year 2020 and each subsequent fiscal year.

SA 461. Mr. KENNEDY 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 III, add the following:

SEC. 342. REPORT ON PLAN OF DEPARTMENT OF DEFENSE TO PROVIDE RDX POWDER AND HMX POWDER TO MANUFACTURERS IN THE UNITED STATES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the plan of the Department of Defense to provide RDX powder and HMX powder to the possession of the Department of Defense to manufacturers in the United States.

SA 462. Mr. KENNEDY 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 XXX, add the following:

SEC. 3057. TESTING OF HOUSING ON MILITARY INSTALLATIONS FOR LEAD CONTAMINATION.

(a) IN GENERAL. The Secretary of Defense shall ensure that all housing on an installation of the Department of Defense is tested for lead contamination.

(b) 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 Senate and the House of Representatives a report on how to improve the living facilities for members of the Armed Forces and their families who are living in housing with lead contamination on an installation of the Department.

SA 463. Mr. SULLIVAN (for himself, Ms. BALDWIN, 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 for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 101B. CONTRACTS FOR OVERHAUL, REPAIR, AND MAINTENANCE OF NAVAL VESSELS IN NON-COASTWISE WAREHOUSES.

Section 2647a of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) USE OF COST SAVINGS REALIZED.—(1) With respect to a fiscal year in which cost savings are realized as a result of entering into an agreement under this section for a military installation, the Secretary concerned shall certify to the congressional defense committees the amount of the cost savings available for use by the Secretary in the maintenance of that installation to carry out activities described in section 2667(e)(1)(C) of this title.

"(2) Not later than 90 days after the Secretary concerned determines that cost savings will result from an agreement under this section, the Secretary concerned shall certify to the congressional defense committees the amount of the cost savings available for use by the Secretary in the maintenance of the installation to carry out activities described in section 2667(e)(1)(C) of this title.

"(3) Effective Date.—The amendments made by this section shall apply with respect to fiscal year 2020 and each subsequent fiscal year.

SA 461. Mr. KENNEDY 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 III, add the following:

SEC. 342. REPORT ON PLAN OF DEPARTMENT OF DEFENSE TO PROVIDE RDX POWDER AND HMX POWDER TO MANUFACTURERS IN THE UNITED STATES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the plan of the Department of Defense to provide RDX powder and HMX powder to the possession of the Department of Defense to manufacturers in the United States.
committees a comprehensive report on current United States-funded Central American aid programs. The report shall—

(1) identify all United States-funded Central American programs;

(2) consider whether each program is consistent with the strategy;

(3) provide measurable outcomes on ongoing programs, if applicable;

(4) recommend whether each program should be maintained, modified, or eliminated.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ‘appropriate congressional committees’ means—

(1) the Committee on Foreign Relations, the Committee on Energy and Natural Resources, the Select Committee on Intelligence, the Committee on the Judiciary, the Committee on Finance, the Committee on Appropriations, and the Caucus on International Narcotics Control of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Homeland Security, the Permanent Select Committee on Intelligence, the Committee on the Judiciary, the Committee on the Budget, the Select Committee on Intelligence, the Committee on the Judiciary, and the Caucus on International Narcotics Control of the House of Representatives.

SA 465. Ms. M. CSALLY 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. 1290. IMPROVING ACCESS TO COUNTRY-SPECIFIC INFORMATION RELATING TO ASYLUM CLAIMS.

(a) ANNUAL COUNTRY CONDITIONS REPORT.—

(1) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Defense shall compile an annual report that objectively identifies for each country from which a national submitted an application for asylum under section 239a of the Immigration and Nationality Act (8 U.S.C. 1158) during the fiscal year, and for nationals within such country that would support a claim that a national of such country would be unable or unwilling to return to such country due to a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

(b) REVIEW OF CREDIBLE FEAR CLAIMS AND ASYLUM APPLICATIONS.—

(1) IN GENERAL.—The Director of U.S. Citizenship and Immigration Services shall provide all credible fear claims and asylum applications to the Secretary of State for review.

(2) ADDITIONAL INFORMATION.—The Chief Immigration Judge of the Executive Office for Immigration Review or the Director of U.S. Citizenship and Immigration Services may request that the Secretary of State provide information pertaining to the conditions in the country of origin for consider- ing asylum applications to the Secretary of State for review.

(c) USE OF COUNTRY-SPECIFIC INFORMATION RECEIVED FROM THE SECRETARY OF STATE.—

(1) In general.—Each asylum officer and immigration judge shall consider any information compiled or provided by the Secretary of State under subsections (a) and (b) before making a determination of whether an applicant has a credible fear of persecution in the country of last residence and shall consider whether the applicant has a reasonable fear of persecution in the country of last residence.

(2) What constitutes credible fear.—For purposes of this paragraph, the term ‘credible fear’ means that the applicant has a well-founded fear of persecution because of race, religion, nationality, membership in a particular social group, or political opinion.

(d) REPORT TO CONGRESSIONAL COMMITTEES.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall prescribe the report, which shall include—

(A) a description of the credible fear determinations made by the Department of Homeland Security and the Department of Justice, including the number of credible fear determinations for each country and the percentage of such determinations that determined that the applicant had a credible fear of persecution;

(B) a description of the asylum applications filed by nationals of each country, including the number of asylum applications filed by nationals of each country;

(C) a description of the asylum applications denied by the Department of Homeland Security and the Department of Justice, including the number of asylum applications denied by the Department of Homeland Security and the Department of Justice for each country and the percentage of such determinations that determined that the applicant did not have a credible fear of persecution;

(D) a description of the asylum applications granted by the Department of Homeland Security and the Department of Justice, including the number of asylum applications granted by the Department of Homeland Security and the Department of Justice for each country and the percentage of such determinations that determined that the applicant had a credible fear of persecution;

(E) a description of the asylum applications that were withdrawn by the applicant, including the number of asylum applications withdrawn by the applicant for each country;

(F) a description of the asylum applications that were reversed on appeal, including the number of asylum applications reversed on appeal for each country;

(G) a description of the asylum applications that were remanded to the Immigration Judge of the Executive Office for Immigration Review for a new hearing, including the number of asylum applications remanded to the Immigration Judge of the Executive Office for Immigration Review for a new hearing for each country;

(H) a description of the asylum applications that were terminated, including the number of asylum applications terminated for each country;

(I) a description of the asylum applications that were closed with a finding that the applicant had a well-founded fear of persecution, including the number of asylum applications closed with a finding that the applicant had a well-founded fear of persecution for each country; and

(J) a description of the asylum applications that were closed with a finding that the applicant did not have a well-founded fear of persecution, including the number of asylum applications closed with a finding that the applicant did not have a well-founded fear of persecution for each country.

(e) COMMITTEES—

(1) SUBMISSION.—The Secretary of State shall submit the report described in this subsection to—

(A) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Homeland Security, the Permanent Select Committee on Intelligence, the Committee on the Judiciary, the Select Committee on Intelligence, the Committee on the Judiciary, and the Select Committee on Intelligence of the House of Representatives;

(B) the Committee on Appropriations of the House of Representatives;

(C) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Homeland Security, the Permanent Select Committee on Intelligence, the Committee on the Judiciary, the Select Committee on Intelligence, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate; and

(D) the Committee on Appropriations of the Senate.

(f) DEFINITION OF SKILLBRIDGE PROGRAM.—

In this section, the term ‘SkillBridge program’ means any program of job training and employment skills training for members of the Armed Forces pursuant to section 1143(e) of title 10, United States Code.

SA 469. Mr. HALEY 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 XVI, insert the following:

SEC. 1668. REPORTS BY MILITARY DEPARTMENTS AND DEFENSE AGENCIES ON OPERATIONS OF CONVENTIONAL FORCES UNDER EMPLOYMENT OR THREAT OF EMPLOYMENT OF NUCLEAR WEAPONS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force, the Secretary of the Army, the Secretary of the Navy, and the Commander of the Marine Corps shall each submit to the congressional defense committees a report detailing the measures taken by the appropriate Secretary or the Commandant to ensure the ability of conventional forces to operate effectively under employment or threat of use of nuclear weapons by the United States, an ally of the United States, or an adversary of the United States.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in an unclassified summary appropriate for release to the public.

SEC. 1669. REPORTS BY UNITED STATES EUROPEAN COMMAND AND UNITED STATES INDO-PACIFIC COMMAND ON OPERATIONS OF CONVENTIONAL FORCES UNDER EMPLOYMENT OR THREAT OF EMPLOYMENT OF NUCLEAR WEAPONS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Commander of the United States European Command and the Commander of the United States Indo-Pacific Command, in consultation with the Commander of the United States Strategic Command, shall each submit to the congressional defense committees a report detailing the measures taken by the Commander to ensure the ability of conventional forces under the control of the Commander to execute contingency plans under employment or threat of employment of nuclear weapons by the United States, an ally of the United States, or an adversary of the United States.

(b) FORM OF REPORT.—The report required by subsection (a) shall be submitted in an unclassified summary appropriate for release to the public.

SA 470. Mr. BRAUN 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 Energy, for military construction, and for defense activities of the Department of Energy, to prescribe military 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, add the following:

SEC. 569. RULE REGARDING MEMBERS OF THE ARMED FORCES PARTICIPATING IN SKILLBRIDGE PROGRAM.

(a) IN GENERAL.—No member of the Armed Forces who participates in, or affiliates with, the SkillBridge program shall be subject to the laws described in subsection (b) in connection with participating in, or affiliating with, such program.

(b) LABOR LAWS.—The laws described in this subsection are each of the following:


(2) Subchapter IV of chapter 31 of title 40, United States Code.

(3) Chapter 67 of title 41, United States Code.
of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military 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. 520. PRIORITY AND EMPHASIS IN PROMOTION OF MEMBERS OF THE ARMED FORCES FOR BILLET-RELATED SKILLS AND TRAINING, OPERATIONAL EXPERIENCE, AND OTHER MATTERS.

(a) PRIORITY AND EMPHASIS.—Commingling not later than 180 days after the date of the enactment of this Act, promotion selection boards shall promote officers, and personnel responsible for determinations regarding promotions, in the case of other members, shall afford an enhanced priority and emphasis in the promotion of members of the Armed Forces for skills, training, and other matters specified in subsection (b) when compared with civilian education and matters not specified in that subsection.

(b) SPECIFIED SKILLS, TRAINING, AND OTHER MATTERS.—The skills, training, and other matters specified in this subsection are the following:

(1) Billet-related skills.
(2) Billet-related training.
(3) Operational experience.
(4) Instruction in accordance with guidance issued by the Secretary of a military department for purposes of this section. Such guidance shall specify the extent of the priority and emphasis to be afforded by promotion selection boards and personnel in the promotion of members, and the manner in which such priority and emphasis is to be afforded.

SA 471. Mr. BRAUN 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. 520. PREFERENCE IN PROMOTION AND RETENTION OF MEMBERS OF THE ARMED FORCES FOR EXPERIENCE CREDIBLE TOWARD A CAMPAIGN, COMBAT, OR VALOR AWARD.

(a) PREFERENCE IN PROMOTION OF OFFICERS.—

(1) AUTHORITY FOR PROMOTION BOARDS TO ASSIGN PREFERENCE.—Section 616 of title 10, United States Code, is amended by adding at the end the following:

`'(h)(1) In selecting the officers to be recommended for promotion, a selection board may, when authorized by the Secretary of the military department concerned, assign such preference in placement on the promotion list promulgated by the Secretary under section 624(a)(1) of this title to officers who fulfills the operational experience, as the board considers appropriate in accordance with the guidance issued pursuant to paragraph (3).

'(2) In this subsection, the term ‘operational experience’, in the case of an officer, means service of the officer that is credible toward the award of a campaign, combat, or valor medal, ribbon, or device."

SEC. 521. Mr. BRAUN 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 V, add the following:

SEC. 589. TERMINATION OF EFFECTIVENESS OF REGULATIONS PROHIBITING AWARD OF COMBAT-RELATED DECORATIONS TO MEMBERS OF THE ARMED FORCES SUBJECT TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS.

Commingling not later than 90 days after the date of the enactment of this Act, any regulation or policy of the Department of Defense or a military department that prohibits or limits the presentation or award of a combat-related decoration to a member of the Armed Forces who is subject to suspension of favorable personnel actions (commonly referred to as ‘‘flagging’’) shall cease to be in effect:

(1) any regulation or policy of the Department of Defense or a military department that prohibits or limits the presentation or award of a combat-related decoration to a member of the Armed Forces who is subject to suspension of favorable personnel actions (commonly referred to as ‘‘flagging’’) shall cease to be in effect; and

(2) combat-related decorations shall be presented or awarded to members of the Armed Forces who are subject to a suspension of favorable personnel actions without regard to such regulation or policy as if such members were not such to a suspension of favorable personnel actions.

SA 473. Mr. BRAUN 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 VII, add the following:

SEC. 705. AVAILABILITY OF MENTAL HEALTH RESOURCES TO ALL MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall ensure that mental health resources of the Department of Defense are made available to all members of the Armed Forces, including the reserve components, regardless of the branch of the Armed Forces, or other component under which the member serves.

SA 474. Mr. KENNEDY (for himself and 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 appropriate place, insert the following:

SEC. 714. DISCLOSURE REQUIREMENT.

(i) DISCLOSURE REGARDING FOREIGN JURISDICTIONS.

(a) LICENSED FOREIGN FINANCIAL INSTITUTIONS.

(A) the term ‘covered issuer’ means an issuer that is required to file reports under section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m; 78o–d); and

(B) the term ‘non-inspection year’ means, with respect to a covered issuer, a year—

(i) during which the Commission identifies the covered issuer under paragraph (2)(A) with respect to every report described in subparagraph (A) filed by the covered issuer during such year; and

(ii) that begins after the date of the enactment of this section.
SEC. 1045. CRITERIA FOR EX GRATIA PAYMENTS.

(a) PROGRAM OF PAYMENTS.—The Secretary of Defense shall establish a program, to be carried out by local United States military commanders, or other officers or employees of the Department of Defense designated by the Secretary for that purpose, to provide, at their discretion, ex gratia payments for damages, personal injury, death, or other harm suffered by civilians, members of the Armed Forces, and their families as a result of combat operations of the Armed Forces in a foreign country.

(b) CONDITION OF PAYMENT.—An ex gratia payment made under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined to be friendly to the United States; and

(2) a claim for damages would not be compensable under chapter 183 of title 10, United States Code (commonly known as the "Foreign Claim Act").

(c) NATURE OF PAYMENTS.—An ex gratia payment under the program under this section shall not be considered an admission or acknowledgment of any legal obligation to compensate for any damage, personal injury, or death.

(d) AMOUNTS OF PAYMENT.—The amounts of ex gratia payments made under the program under this section in a particular location to civilians determined to have suffered harm incident to combat operations of the Armed Forces shall be determined pursuant to regulations prescribed by the Secretary and based on an assessment, which should include such factors as the extent of the harm suffered, cultural appropriateness, and prevailing economic conditions in such location.

(e) LEGAL ADVICE.—Local military commanders or other employees, making ex gratia payments under the program under this section shall receive legal advice before making any such payment. The legal advice shall, in accordance with regulations of the Department of Defense, advise on whether such a payment is proper under this section and applicable Department regulations.

(f) WRITTEN RECORD.—A written record of any ex gratia payment offered or denied under the program under this section shall be kept by each officer or official specified or designated pursuant to subsection (a), and on a timely basis submitted to the office in the Department of Defense that is responsible for the management of the program and for the preservation of such records.

(g) ANNUAL REPORT.—Not later than March 1, 2020, and annually thereafter, the Secretary shall submit to the congressional defense committees a report setting forth, for the preceding calendar year, the following:

(1) The number of cases considered for ex gratia payments under the program under this section.

(2) The number of payments offered, and the amount of each such offered payment.

(3) For each such offered payment, whether a payment was made.

(h) FUNDING.—Funds for ex gratia payments under the program under this section during a fiscal year shall be derived from amounts authorized to be appropriated for the Department for such fiscal year and available for obligation or payment, and the Secretary shall be open to the public, unless the Board, on its own motion or after considering the motion of a party, orders otherwise.

(c) PUBLICATION OF DETERMINATIONS.—Section 105(c)(1)(C) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 721(d)(1)(C)) is amended by striking "(once any stay on the imposition of such sanction has been lifted)"

SA 477. Mr. SANDERS 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:

The appropriate place, insert the following:

SEC. 569. ASSISTANCE FOR DEPLOYMENT-RELATED SUPPORT OF MEMBERS OF THE ARMED FORCES UNDERGOING DEPLOYMENT AND THEIR FAMILIES BEYOND THE YELLOW RIBBON RE-INTEGRATION PROGRAM.

Section 565 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is amended—

(1) by redesignating subsections (k) and (l) as subsections (l) and (m), respectively; and

(2) by inserting after subsection (j) the following new subsection (k):

(k) SUPPORT BEYOND PROGRAM.—The Secretary of Defense shall provide funds to States, Territories, and government entities to carry out programs, and other activities as the Secretary considers appropriate, that provide services, and referrals to members of the Armed Forces, and their families, throughout the deployment cycle. Such programs may include the provision of access to outreach services, including the following:

(1) Employment counseling.

(2) Behavioral health counseling.

(3) Suicide prevention.

(4) Housing advocacy.

(5) Financial counseling.

(6) Referrals for the receipt of other related services.

SA 478. Mr. ENZI 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 E of title X, add the following:

SEC. 1045. CRITERIA FOR EX GRATIA PAYMENTS FOR DAMAGES, PERSONAL INJURIES, AND DEATHS INCIDENT TO COMBAT OPERATIONS IN A FOREIGN COUNTRY.

(a) PROGRAM OF PAYMENTS.—The Secretary of Defense shall establish a program, to be carried out by local United States military
SEC. 1008. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE EFFECTS OF CONTINUING RESOLUTIONS ON READINESS AND PLANNING OF THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional committees appropriate reports setting forth a description and assessment of the effects of continuing resolutions on readiness and planning of the Department of Defense.

(b) CONTENT OF REPORT REQUIRED.—The report required by subsection (a) shall address the following:

(1) The extent to which the acquisition of goods and services, the support of operations, the stewardship of installations and facilities by the Department of Defense are impacted by continuing resolutions, including the following:

(A) The extent to which continuing resolutions negatively impact contract fidelity, including Department purchasing power, and Department leverage in non-pecuniary contract terms such as contract type and delivery date.

(B) The extent to which the Department pays more, all other things being equal, because of frequent continuing resolutions.

(C) An estimate of the total decrease in Department purchasing power as a result of contracting delays caused by continuing resolutions.

(D) The extent to which continuing resolutions negatively impact Department maintenance work;

(E) The effects of preparations for and operations of Department personnel under continuing resolutions, including the following:

(1) The time spent by Senior Executive Service personnel and general and flag officers in preparations for and responses to the enactment of continuing resolutions, set forth by average per year and average per continuing resolution.

(2) The time spent by other Department personnel in preparations for and implementation of continuing resolutions.

(C) The extent to which Department personnel take more time to focus on budget execution under a continuing resolution when compared with a full year appropriation.

(D) The extent to which continuing resolutions negatively impact the ability of managers at the Department to hire;

(E) The effects of the Department associated with continuing resolutions, including the extent to which the Department has requested so-called “anomalies” or exceptions on limitations on duration, amount, or purposes of funds that otherwise apply to interim funding under continuing resolutions, including the following (beginning with fiscal year 2020):

(A) The number and absolute value of programs affected by continuing resolutions restrictions on starts.

(B) The number and absolute value of programs affected by continuing resolutions restrictions on production increases.

(C) The number and absolute value of such exceptions that were disapproved by the Department.

(D) The percentage of such exceptions, in both numbers and dollar amount, included in continuing resolutions.

(E) The total cumulative delay due to continuing resolutions in programs funded through procurement or research, development, test, and evaluation.

(F) The total cumulative delay in which the budget of the Department has been disallowed either between or within accounts due to continuing resolutions, set forth by budget category 050 and accounting adjustments with a dollar amount for the length of the continuing resolution concerned.

(c) CONTINUING RESOLUTION DEFINED.—In this section, the term “continuing resolution” means a continuing resolution or similar partial-year appropriation providing funds for the Department pending enactment of a full-year appropriation for the Department.

SA 479. Mr. CRUZ 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 XII, add the following:

SEC. 1272. REPORT ON THE CONTINUING PARTICIPATION OF CAMBODIA IN THE GENERALIZED SYSTEM OF PREFERENCES.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a report setting forth the following:

(1) A determination as to whether, if its status as a beneficiary of the Government of Cambodia would meet the criteria in sections 501 and 502(c) of the Trade Act of 1974 (19 U.S.C. 2461, 2462(c)) for designation as

(A) a beneficiary developing country; or

(B) a least-developed beneficiary developing country;

(2) A decision as to whether the application of duty-free treatment under the Generalized System of Preferences to the Government of Cambodia should be withdrawn, suspended, or limited pursuant to section 502(d) of the Trade Act of 1974 (19 U.S.C. 2462(d)).

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

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Finance of the Senate; and

(2) the Committee on Ways and Means of the House of Representatives.

SA 480. Mr. JOHNSON 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 V, add the following:

SEC. 520. SENSE OF CONGRESS ON LOCAL PERFORMANCE OF MILITARY ACCESSIONS PHYSICALS.

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

(1) The United States Military Entrance Processing Command (USMEPCOM) consists of 65 Military Entrance Processing Stations (MEPS) dispersed throughout the contiguous United States, Alaska, Hawaii, and Puerto Rico.

(2) Applicants who must travel to the closest Processing Station are often driven by their desire to avoid delays and increase efficiency in its processing times.

(3) In fiscal year 2015, the United States Military Entrance Processing Command processed 473,000 applicants at its Processing Stations, with an aggregate total of 931,000 applicants in visits to such Processing Stations in that fiscal year.

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

(1) permitting military accession physicals in local communities would allow recruiters to focus on their core recruiting mission; and

(2) the conduct of military accession physicals in local communities would permit the United States Military Entrance Processing Command to reduce costly and inefficient return visits by applicants to Military Entrance Processing Stations, and increase efficiency in its processing times.

SA 481. Mr. JOHNSON (for himself, Mr. RUBIO, and Mr. CRUZ) 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 V, add the following:

SEC. 588. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO JAMES MEGELLAS FOR ACTS OF VALOR DURING THE BATTLE OF THE BULGE.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 7271 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 7271 of such title to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleville, Texas, for the acts of valor during World War II described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in such subsection (a) are the actions of James Megellas on January 28, 1945, in Herresbach, Belgium, during the Battle of the Bulge when, as a first lieutenant in the 82nd Airborne Division, he led a surprise and devastating attack on a much larger advancing enemy force, killing and capturing a large number and causing others to flee, single-handedly destroying an attacking German Mark V tank with two hand-held grenades, and then leading his men in clearing and seizing Herresbach.

SA 482. Mr. BRAUN (for himself, Mr. RUBIO, and Mr. CRUZ) 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 V, add the following:

SEC. 1290. SENSE OF SENATE CALLING FOR GREATER RELIGIOUS AND POLITICAL FREEDOMS IN CUBA.

(a) FINDINGS.—The Senate makes the following findings:
The Castro regime has used arbitrary incarcerations, harassment, and intimidation to deny basic freedoms to thousands of Cubans since the Cuban Revolution.

(2) In April 2019, a family was sent to prison by authorities in Cuba for homeschooling their children.

(3) The children were enrolled in a Christian school, and the family believed the prison sentence was punishment for their faith.

(4) The families involved, which included a pastor, cited religious reasons for homeschooling their children.

(5) The government of Cuba has a history of arresting individuals who chose to homeschool their children and sentencing them to prison time and hard labor.

(6) The tension between state control and individual freedom in Cuba remains a significant concern.

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that the head of an agency may appoint under this section during a fiscal year may not exceed the number equal to 15 percent of the number of students that the agency head appoints as program directors of Government fiscal year to a position at the GS–11 level, or an equivalent level, or below.

SA 488. Mr. CRAPO 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. 10. ESTABLISHMENT OF NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

(a) ESTABLISHMENT OF CENTER.—Title IX of the Intelligence Authorization Act for Fiscal Year 2003 (50 U.S.C. 3382 et seq.) is amended by adding at the end the following:

"SEC. 905. NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

(ii) critical technology; or

SEC. 1086. INVESTMENT IN SUPPLY CHAIN SECURITY UNDER DEFENSE PRODUCTION ACT OF 1950.

(a) In General.—Section 303 of the Defense Production Act of 1950 (50 U.S.C. 4533) is amended by adding at the end the following:

"SEC. 906. NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

(b) DIRECTOR OF NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.—There is a Director of the National Supply Chain Intelligence Center, who shall be appointed by the President, in consultation with the Director of National Intelligence and other interagency partners as the President considers appropriate.

SEC. 1090. ESTABLISHMENT OF NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

(a) ESTABLISHMENT OF CENTER.—There is within the National Counterintelligence and Security Center in the Office of the Director of National Intelligence a National Supply Chain Intelligence Center.

(b) DIRECTOR OF NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.—There is a Director of the National Supply Chain Intelligence Center, who shall be appointed by the Director of National Intelligence and other interagency partners as the President considers appropriate.

SEC. 1090. NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

(a) ESTABLISHMENT OF CENTER.—Title IX of the Intelligence Authorization Act for Fiscal Year 2003 (50 U.S.C. 3382 et seq.) is amended by adding at the end the following:

"SEC. 905. NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

(b) DIRECTOR OF NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.—There is a Director of the National Supply Chain Intelligence Center, who shall be appointed by the Director of National Intelligence and other interagency partners as the President considers appropriate.

(c) CENTER PERSONNEL.—

(1) SENIOR MANAGEMENT.—The Director of the National Supply Chain Intelligence Center shall ensure that the senior management of the Center includes one or more detailers from one or more other Federal agencies.

(2) DETAIL OR ASSIGNMENT OF PERSONNEL.—

(A) In General.—With the approval of the Director of the Office of Management and Budget, in consultation with the congressional committees of jurisdiction, the Director of the National Supply Chain Intelligence Center may request of the head of any department, agency, or element of the Federal Government the detail or assignment of personnel from such department, agency, or element to the National Supply Chain Intelligence Center.

(B) DUTIES.—Personnel detailed or assigned under subparagraph (A) shall assist the National Supply Chain Intelligence Center in carrying out the primary missions of the Center.

(C) TERMS.—Personnel detailed or assigned under subparagraph (A) shall be assigned detailed or assigned under subparagraph (A) shall retain the rights, status, and privileges of his or her regular employment without interruption.

(b) DUTIES.—Personnel detailed or assigned under subparagraph (A) shall assist the National Supply Chain Intelligence Center in carrying out the primary missions of the National Supply Chain Intelligence Center as follows:

(1) To aggregate all-source intelligence relating to supply chains, including—

(A) classified and unclassified information;

(b) threat information; and

(C) proprietary and sensitive information, including risk and vulnerability information, voluntarily provided by private entities.

(b) To share strategic warnings relating to supply chains or supply chain activities, as the Director of the National Supply Chain Intelligence Center considers appropriate and consistent with security standards for classified information and sensitive proprietary information, among—

(a) the elements of the intelligence community described in section 3 of the National Security Act of 1947 (50 U.S.C. 3003), components of the Department of Justice and the Department of Defense, the Federal Acquisition Security Council, and other Federal agencies;

(b) at-risk industry partners; and

(c) governments of countries that are allies of the United States.

(3) To serve as the central and shared knowledge resource for—

(a) known and suspected threats to supply chain activities or supply chain integrity from international groups, companies, countries, or other entities; and

(b) the goals, strategies, capabilities, and networks of contacts and support of such groups, companies, countries, and other entities.

(c) To perform tasks assigned to the National Supply Chain Intelligence Center by relevant Government supply chain task forces, including the Federal Acquisition Security Council, and other entities.

(d) REPORT ON ALIGNMENT WITH PARTNER EFFORTS.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, the Director of the National Supply Chain Intelligence Center, in coordination with the Director of the Defense Counterintelligence and Security Agency and other Government partners, shall submit to Congress a report on the alignment and deconfliction among Government partner activities on supply chain intelligence matters.

(2) ANNUAL REPORTS REQUIRED.—The Director of the National Supply Chain Intelligence Center shall annually submit to Congress a report, with classified annexes as appropriate, on the state of threats to the security of supply chains and supply chain activities for United States Government acquisitions and replenishments as of the date of the submittal of the report.

(3) FUNDING.—Amounts used to carry out this section shall be derived from amounts appropriated or otherwise available for the National Intelligence Program (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(b) Clerical Amendment.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 901 the following new item:

"Sec. 905. National Supply Chain Intelligence Center.".

SA 490. Mr. CRAPO (for himself, Mr. WARNER, Mr. DAINES, and Mrs. FEINSTEIN) 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. 10. ESTABLISHMENT OF NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

(a) ESTABLISHMENT OF CENTER.—Title IX of the Intelligence Authorization Act for Fiscal Year 2003 (50 U.S.C. 3382 et seq.) is amended by adding at the end the following:

"SEC. 905. NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

(a) ESTABLISHMENT OF CENTER.—There is within the National Counterintelligence and Security Center in the Office of the Director of National Intelligence a National Supply Chain Intelligence Center.

(b) DIRECTOR OF NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.—There is a Director of the National Supply Chain Intelligence Center, who shall be appointed by the Director of National Intelligence and other interagency partners as the President considers appropriate.
of the National Supply Chain Intelligence Center, who shall be appointed by the President, in consultation with the Director of National Intelligence and other interagency partners as the President considers appropriate.

(c) Center Personnel.—

(1) Senior Management.—The Director of the National Supply Chain Intelligence Center shall ensure that the senior management of the Center includes one or more detailees from each of the following:

(A) The Department of Defense.

(B) The Department of Justice.

(C) The Department of Homeland Security.

(D) The Department of Commerce.

(2) Detail or Assignment of Personnel.—

(A) In General.—With the approval of the Director of the Office of Management and Budget, and in consultation with the congressional committees of jurisdiction, the Director of the National Supply Chain Intelligence Center may request of the head of any department, agency, or element of the Federal Government the detail or assignment of personnel from such department, agency, or element to the National Supply Chain Intelligence Center.

(B) Duties.—Personnel detailed or assigned under subparagraph (A) shall assist the National Supply Chain Intelligence Center in carrying out the primary missions of the Center.

(C) Terms.—Personnel detailed or assigned under subparagraph (A) shall be detailed or assigned to the National Supply Chain Intelligence Center for a period of not more than 2 years.

(D) Ongoing Employment.—Any Federal Government employee detailed or assigned under subparagraph (A) shall retain the rights, status, and privileges of his or her regular position, without interruption.

(d) Primary Missions.—The primary missions of the National Supply Chain Intelligence Center shall be as follows:

(1) To aggregate all-source intelligence relating to supply chains, including—

(A) classified and unclassified information;

(B) threat information; and

(C) proprietary and sensitive information, including risk and vulnerability information, voluntarily provided by private entities.

(2) To share strategic warnings relating to supply chains or supply chain activities, as the Director of the National Supply Chain Intelligence Center considers appropriate and consistent with security standards for classified information and sensitive proprietary information, among—

(A) the elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), components of the Department of Justice and the Department of Defense, the Federal Acquisition Security Council, and other Federal agencies;

(B) at-risk industry partners; and

(C) governments of countries that are allies of the United States.

(3) To serve as the central and shared knowledge resource for—

(A) known and suspected threats to supply chain activities or supply chain integrity from international groups, companies, countries, or other entities; and

(B) the goals, strategies, capabilities, and networks of contacts and support of such groups, companies, countries, and other entities.

(4) To perform tasks assigned to the National Supply Chain Intelligence Center by relevant Government supply chain task forces, including the Federal Acquisition Security Council, and other entities.

(5) To report on alignment with partner efforts.—Not later than 180 days after the date of the establishment of the National Defense Authorization Act for Fiscal Year 2020, the Director of the National Supply Chain Intelligence Center, in coordination with the Director of National Intelligence and the Director of National Intelligence and the Department of Homeland Security and Agency and other Government partners, shall submit to Congress a report on the alignment and deconfliction among Government partner activities on supply chain intelligence matters.

(6) To report on alignment with partner efforts.—Not later than 180 days after the date of the establishment of the National Defense Authorization Act for Fiscal Year 2020, the Director of the National Supply Chain Intelligence Center shall annually submit to Congress a report, with classified annexes as appropriate, on the state of threats to the security of supply chains and supply chain activities for United States Government acquisitions and replenishment as of the date of the submittal of the report.

(7) Funding.—Amounts used to carry out this section shall be derived from amounts appropriated or otherwise made available for the National Intelligence Program (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(b) Annual Reports Required.—The Director of the National Supply Chain Intelligence Center shall annually submit to Congress a report, with classified annexes as appropriate, on the state of threats to the security of supply chains and supply chain activities for United States Government acquisitions and replenishment as of the date of the submittal of the report.

(8) Funding.—Amounts used to carry out this section shall be derived from amounts appropriated or otherwise made available for the National Intelligence Program (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(c) In General.—The President, in consultation with the Director of the National Supply Chain Intelligence Center, shall ensure that the senior management of the Center includes one or more detailees from each of the following:

(A) The Department of Defense.

(B) The Department of Justice.

(C) The Department of Homeland Security.

(D) The Department of Commerce.

(2) Detail or Assignment of Personnel.—

(A) In General.—With the approval of the Director of the Office of Management and Budget, and in consultation with the congressional committees of jurisdiction, the Director of the National Supply Chain Intelligence Center may request of the head of any department, agency, or element of the Federal Government the detail or assignment of personnel from such department, agency, or element to the National Supply Chain Intelligence Center.

(3) To serve as the central and shared knowledge resource for—

(A) the elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), components of the Department of Justice and the Department of Defense, the Federal Acquisition Security Council, and other Federal agencies;

(B) at-risk industry partners; and

(C) governments of countries that are allies of the United States.

(4) To perform tasks assigned to the National Supply Chain Intelligence Center by relevant Government supply chain task forces, including the Federal Acquisition Security Council, and other entities.

(e) Report on alignment with partner efforts.—Not later than 180 days after the date of the establishment of the National Defense Authorization Act for Fiscal Year 2020, the Director of the National Supply Chain Intelligence Center, in coordination with the Director of National Intelligence and the Department of Homeland Security and Agency and other Government partners, shall submit to Congress a report on the alignment and deconfliction among Government partner activities on supply chain intelligence matters.

(f) Annual Reports Required.—The Director of the National Supply Chain Intelligence Center shall annually submit to Congress a report, with classified annexes as appropriate, on the state of threats to the security of supply chains and supply chain activities for United States Government acquisitions and replenishment as of the date of the submittal of the report.

(g) Funding.—Amounts used to carry out this section shall be derived from amounts appropriated or otherwise made available for the National Intelligence Program (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(h) Clerical Amendment.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 904 the following new item:

“Sec. 905. National Supply Chain Intelligence Center.”.

SA 491. Mr. CRAPO (for himself, Ms. STABENOW, Mrs. SHAHEEN, Mr. RISCH, Ms. ROSEN, Mr. GARDNER, and Mr. PETERS) 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 provide for allocations of resources for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 509. EDUCATION OF MEMBERS OF THE ARMED FORCES ON CAREER READINESS AND PROFESSIONAL DEVELOPMENT.

(a) Programs of Education Required.—

(1) In General.—Chapter 101 of title 10, United States Code, is amended by inserting after the following new section:

“(a) Program of Education Required.—The Secretary of Defense shall carry out a program to provide education on career readiness and professional development to members of the armed forces.

(b) Elements.—The program under this section shall provide members with the following:

(1) Information on the transition plan as described in section 1142(b)(10) of this title.

(2) Information on the opportunities available to members during military service for professional development and preparation for a career after military service, including—

(A) programs of education, certification, training, and employment assistance (including programs under sections 1143(e), 2007, and 2015 of this title); and

(B) programs and resources available to members in communities in the vicinity of military installations.

(3) Instruction on the use of online and other electronic mechanisms to access the education, training, and assistance and resources described in paragraph (2).

(4) Such other information, instruction, and matters as the Secretary shall specify for purposes of this section.

(c) Timing of Provision of Information.—Subject to subsection (d), information instruction, and matters under the program under this section shall be provided to members at the times as follows:

(1) Upon arrival at first duty station.

(2) Upon arrival at any subsequent duty station.

(3) Upon deployment.

(4) Upon promotion.

(5) Upon resettlement.

(6) At any other point in a military career specified by the Secretary for purposes of this section.

(d) Special Provision of Information in a Year With Multiple Events.—A member who has received information and instruction under the program under this section in connection with an event specified in subsection (c) in a year may elect not to undergo additional receipt of information and instruction under the program in connection with another such event in the year, unless such other event is arrival at a new duty station.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2015 the following new item:

“2015a. Education of members on career readiness and professional development.”.

(b) Report on Implementation.—
At the end of subtitle E of title V, add the following:

SEC. 508. CONTROLLER GENERAL OF THE UNITED STATES REPORT ON PARTICIPATION IN TRANSITION ASSISTANCE PROGRAMS AT SMALL AND REMOTE MILITARY INSTALLATIONS.

(a) Report required.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on a review, conducted by the Comptroller General for purposes of the report, of covered transition assistance programs of military 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 title V, add the following:

SEC. 508. CONTROLLER GENERAL OF THE UNITED STATES REPORT ON PARTICIPATION IN TRANSITION ASSISTANCE PROGRAMS AT SMALL AND REMOTE MILITARY INSTALLATIONS.

(a) Report required.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on a review, conducted by the Comptroller General for purposes of the report, of covered transition assistance programs of members assigned to small military installations and remote military installations as described in subsection (c).

(b) Covered Transition Assistance Programs.—For purposes of this section, covered transition assistance programs are the following:

(1) The Transition Assistance Program.

(2) The programs under section 1143(e) of title 10, United States Code (commonly referred to as "Job Training, Employment Skills, Apprenticeships and Internships (JTEST–AI)" or "Skill Bridge").

(3) Any program of apprenticeship, on-the-job training, internship, education, or transition assistance offered at small military installations and remote military installations.

(B) An installation that is located outside the United States.

(d) Scope of Review.—In conducting the review, the Comptroller General shall evaluate participation in covered transition assistance programs at a number of small military installations and remote military installations to provide a complete understanding of the participation in such programs of members of the Armed Forces at such installations throughout the United States.

(e) Elements.—The review under this section shall include the following:

(1) Rates of participation of members of the Armed Forces in transition assistance programs at small military installations and remote military installations in the United States.

(2) In the case of the Transition Assistance Program, the following:

(A) Compliance with the deadlines for participation in person and rates of participation online.

(B) A comparison between rates of participation of members assigned to small military installations and remote military installations.

(C) The average ratio of permanent, full-time equivalent program staff to participating members at small military installations and remote military installations.

(D) The average number of program staff (including full-time equivalent staff and contractor staff) permanently located on installation at small military installations and at remote military installations.

(3) Such other matters with respect to participation in covered transition assistance programs of members assigned to small military installations and remote military installations as the Comptroller General considers appropriate.

(f) 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 Veterans' Affairs of the Senate; and

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

SA 495. Mr. ENZI 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 V of title V, add the following:

SEC. 1412. REPORT RELATING TO RARE EARTH ELEMENTS.

Not later than 270 days after the date of the enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense and the Secretary of the Interior, shall submit to Congress a report that assesses—

(1) the threat presented by the dependence of the United States on rare earth elements produced in foreign countries; and

(2) ways to revive and sustain the United States industrial base with respect to such elements, specifically with respect to—

(A) traditional mining of such elements;

(B) nontraditional corrosive extraction and refining of such elements from ore and coal; and

(C) nontraditional noncorrosive extraction and refining of such elements from ore and coal.

SA 496. Mr. CRUZ 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 V of title V, add the following:

SEC. 1412. REPORT RELATING TO RARE EARTH ELEMENTS.

Not later than 270 days after the date of the enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense and the Secretary of the Interior, shall submit to Congress a report that assesses—

(1) the threat presented by the dependence of the United States on rare earth elements produced in foreign countries; and

(2) ways to revive and sustain the United States industrial base with respect to such elements, specifically with respect to—

(A) traditional mining of such elements;

(B) nontraditional corrosive extraction and refining of such elements from ore and coal; and

(C) nontraditional noncorrosive extraction and refining of such elements from ore and coal.

SA 496. Mr. CRUZ 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 V of title V, add the following:

SEC. 1412. REPORT RELATING TO RARE EARTH ELEMENTS.

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(A) traditional mining of such elements;

(B) nontraditional corrosive extraction and refining of such elements from ore and coal; and

(C) nontraditional noncorrosive extraction and refining of such elements from ore and coal.

SA 496. Mr. CRUZ 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 V of title V, add the following:
SEC. 1086. IMPOSITION OF SANCTIONS WITH RESPECT TO THE CIVIL NUCLEAR SECTOR OF IRAN.

(a) SANCTIONS WITH RESPECT TO SECTORS OF THE ECONOMY OF IRAN.—

(1) IN GENERAL.—Section 1244 of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8804) is amended—

(A) in the section header, by striking “SHIPBUILDING, AND CIVIL NUCLEAR’’;

(B) in subsection (a)(1), by striking “shipbuilding’’ and inserting “shipbuilding, and civil nuclear’’;

(C) in subsection (b)—

(i) in the subsection header, by striking “AND SHIPBUILDING’’ and inserting “SHIPBUILDING, AND CIVIL NUCLEAR’’; and

(ii) by striking “shipbuilding’’ and inserting “shipbuilding, or civil nuclear’’;

(D) in subsection (c)—

(i) in the subsection header, by striking “AND SHIPBUILDING’’ and inserting “SHIPBUILDING, AND CIVIL NUCLEAR’’; and

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking “or shipbuilding’’ and inserting “shipbuilding, or civil nuclear’’; and

(ii) in subparagraph (B), by striking “or shipbuilding’’ and inserting “or shipbuilding, or civil nuclear’’.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are sanctions applicable with respect to a foreign person pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to prohibiting property and interests in property transactions with persons who commit, threaten to commit, or support terrorism).

SA 498. Mr. CRUZ 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 XII, add the following:

SEC. 1244. MODIFICATION OF PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE EQUIPMENT.

Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

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

(2) in subsection (e)(3), as so redesignated—

(A) in subparagraph (B), by striking “produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company’’ and inserting “produced by Huawei Technologies Company, Huahua Communications Corporation, Hangzhou Hikvision Digital Technology Company, Dahua Technology Company, or HiSilicon Technologies Co., Ltd.’’;

(B) by inserting “or electronic components of telecommunications equipment or video surveillance equipment produced by Huawei Technologies Company (or any subsidiary or affiliate of such entities),’’; and

(D) in subparagraph (E), as redesignated by subparagraph (B) of this paragraph, by inserting “or components of telecommunications equipment or video surveillance equipment’’ after “service equipment’’.

SEC. 1256. IMPOSITION OF SANCTIONS WITH RESPECT TO SPECIAL TRADE AND FINANCE INSTITUTE OF IRAN.

(a) IN GENERAL.—Beginning on the date that is 90 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (b) with respect to the Special Trade and Finance Institute of Iran and any foreign person that is an officer, agent, or shareholder of the Institute.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are sanctions applicable with respect to a foreign person pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to prohibiting property and interests in property transactions with persons who commit, threaten to commit, or support terrorism).

SA 499. Mr. CRUZ 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. MODIFICATION OF PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE EQUIPMENT.

Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

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

(2) in subsection (e)(3), as so redesignated—

(A) in subparagraph (B), by striking “produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company’’ and inserting “produced by Huawei Technologies Company, Huahua Communications Corporation, Hangzhou Hikvision Digital Technology Company, Dahua Technology Company, or HiSilicon Technologies Co., Ltd.’’;

(B) by inserting “or electronic components of telecommunications equipment or video surveillance equipment produced by Huawei Technologies Company (or any subsidiary or affiliate of such entities),’’; and

(D) in subparagraph (E), as redesignated by subparagraph (B) of this paragraph, by inserting “or components of telecommunications equipment or video surveillance equipment’’ after “service equipment’’.
SA 500. Mr. CRUZ (for himself and Mr. TESTER) 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 provide a tiered preference eligibility for members of a reserve component of the Armed Forces; 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. 1421. DEVELOPMENT OF RARE EARTH MINERALS IN THE UNITED STATES.

(a) GRANTS.—

(1) IN GENERAL.—The Secretary of Defense may award grants for the development of rare earth mining activities in the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to award grants under paragraph (1).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President, acting through the Secretary of the Navy, should use the full authority provided under section 15 of the Strategic and Critical Materials Stock Piling Act (90 U.S.C. 969–h) to ensure that the United States has sufficient domestic sources of rare earth minerals as required for the national defense.

SA 502. Mr. CRUZ 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 III, add the following:

SEC. 324. CONTRACT CRITERIA FOR REMEDIATION OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

(a) ESTABLISHMENT OF CRITERIA.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall establish criteria for treatment and remediation of perfluoroalkyl substances and polyfluoroalkyl substances in drinking water and ground water at military installations and other Department of Defense facilities.

(b) ELEMENTS.—The criteria established under subsection (a) shall—

(1) ensure the utilization of best value contracting methods;

(2) require consideration of long-term operation and maintenance costs;

(3) for treatment or remediation techniques that include water filtration, include performance specifications that—

(A) give preference to filtration products made from materials mined, produced, or manufactured in the United States, consistent with chapter 83 of title 41, United States Code (commonly referred to as the "Buy American Act"); and
SEC. 113. REPORT ON THE WARFIGHTING CAPABILITY CURRENTLY DELIVERED BY BLOCK I AND BLOCK II CONFIGURATIONS OF H-47 CHINOOK HELICOPTERS.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of the Army, shall submit to the congressional defense committees a report that includes the following elements:

(1) An analysis of the warfighting capability currently delivered by the Block I and Block II configurations of H-47 Chinook helicopters;

(2) An analysis of the feasibility and advisability of delaying or terminating the CH-47F Chinook Block II upgrade;

(3) A plan to ensure that weapon systems are delivered to the Department of Defense with the delay or termination of the CH-47F Chinook Block II upgrade.

(b) Form.—The report required under subsection (a) shall be in an unclassified form, but may include a classified annex.

SA 508. Mr. TOOMEY 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. SENSE OF CONGRESS ON MUNITIONS SUPPLY CHAIN DIVERSITY.

It is the sense of Congress that—

(1) a viable and diverse United States manufacturing base for development and production is vitally important;

(2) the military success of the United States and United States allies relies on the ability of United States manufacturers to produce bunker buster bombs; and

(3) as the Air Force develops and procures the next generation of munitions, the Secretary of the Air Force should ensure adequate capacity and a diverse supply chain for the current and future development of and manufacturing capability for these important munitions.

SA 509. Mr. TOOMEY (for himself, Mr. BRUNT, Mrs. CAPITO, Mr. CORNYN, and 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 appropriate place, insert the following:

Subtitle—Funding Limitations for Sanctuary Jurisdictions

SEC. 01. SHORT TITLE. This subtitle may be cited as the “Stop Dangerous Sanctuary Cities Act.”

SEC. 02. ENHANCING TRUST, LOCAL AND FEDERAL LAW ENFORCEMENT OFFICERS MAY COOPERATE TO SAFEGUARD INTERSTATE INTERDICTS.

(a) AUTHORITY TO COOPERATE WITH FEDERAL OFFICIALS.—A State, a political subdivision of a State, or an officer, employee, or agent of such State or political subdivision that complies with a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357)—

(1) shall be deemed to be acting as an agent of the Department of Homeland Security; and

(2) with regard to actions taken to comply with the detainer, shall have all authority available to officers and employees of the Department of Homeland Security.

(b) Limitation.—Any legal proceeding brought against a State, a political subdivision of a State, or an officer, employee, or agent of such State or political subdivision, which challenges the legality of the seizure or detention of an individual pursuant to a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357)—

(1) no liability shall lie against the State on any such subdivision, or against any officer, employee, or agent of the State or political subdivision in any such proceeding taken in compliance with the detainer; and

(2) if the actions of the officer, employee, or agent of the State or political subdivision were taken in compliance with the detainer—

(A) the officer, employee, or agent shall be deemed—

(i) to be an employee of the Federal Government and an investigative or law enforcement officer; and

(ii) to have been acting within the scope of his or her employment under section 1516(b) and chapter 171 of title 28, United States Code;

(B) grants for planning and administrative expenses.—Section 203(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 4102(a)) is amended by adding at the end the following: “A sanctuary jurisdiction (as defined in section 03 of the

S3515

June 13, 2019

CONGRESSIONAL RECORD — SENATE

ARMS CONTROL ACT

S0007

Mr. TOOMEY submitted an amendment 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 XXVIII, add the following:

SEC. 400. SUPPLY CHAIN DIVERSITY.

It is the sense of Congress that—

(1) a viable and diverse United States manufacturing base for development and production is vitally important;

(2) the military success of the United States and United States allies relies on the ability of United States manufacturers to produce bunker buster bombs; and

(3) as the Air Force develops and procures the next generation of munitions, the Secretary of the Air Force should ensure adequate capacity and a diverse supply chain for the current and future development of and manufacturing capability for these important munitions.

S3515

June 13, 2019

CONGRESSIONAL RECORD — SENATE

ARMS CONTROL ACT

S0007

Mr. TOOMEY submitted an amendment 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 XXVIII, add the following:

SEC. 400. SUPPLY CHAIN DIVERSITY.

It is the sense of Congress that—

(1) a viable and diverse United States manufacturing base for development and production is vitally important;

(2) the military success of the United States and United States allies relies on the ability of United States manufacturers to produce bunker buster bombs; and

(3) as the Air Force develops and procures the next generation of munitions, the Secretary of the Air Force should ensure adequate capacity and a diverse supply chain for the current and future development of and manufacturing capability for these important munitions.

S3515
Stop Dangerous Sanctuary Cities Act) may not be deemed an eligible recipient under this subsection.

(3) **SUPPLEMENTARY GRANTS.**—Section 205(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3145(a)) is amended—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3)(B), by striking the period at the end and inserting “and”;

and

(C) by adding at the end the following:

“(4) **G RANTS FOR TRAINING, RESEARCH, AND TECHNICAL ASSISTANCE.**—Section 207 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3147) is amended by adding at the end the following:

“(c) **INeligibility of Sanctuary Jurisdictions.**—Grant funds authorized under this section may not be used to provide assistance to a sanctuary jurisdiction (as defined in section 3 of the Stop Dangerous Sanctuary Cities Act).”;

(b) **COMMUNITY DEVELOPMENT BLOCK GRANTS.**—Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) is amended—

(1) in section 102(a) (42 U.S.C. 5302(a)), by adding at the end the following:

“(25) The term ‘sanctuary jurisdiction’ means an entity that—

(i) does not contain a sanctuary jurisdiction (as defined in section 3 of the Stop Dangerous Sanctuary Cities Act); and

(ii) is not in a nonentitlement period for which it received amounts under this title; and

(iii) shall reallocate amounts returned to the grantee in accordance with paragraph (3) of this subsection.”;

(2) **Supplementary Grants.**—Section 805(a) of the Consolidated Appropriations Act, 2020, and the Defense Appropriations Act, 2020, which was amended—

(A) in subsection (a), by adding at the end the following:

“(2) **RETURNED AMOUNTS.**—

(A) The Secretary of Defense shall—

(iii) by striking the phrase ‘‘and 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)’’ and inserting—

‘‘(iii) by striking the phrase ‘‘and the Secretary of Defense shall ensure that any construction or renovation of a privatized military housing unit—

(A) the Department of Defense shall ensure that any construction or renovation of a privatized military housing unit—

(ii) in paragraph (5), by striking “and” at the end;

(iii) by redesigning paragraph (6) as paragraph (7); and

(iv) by inserting after paragraph (5) the following:

‘‘(6) the grantee is not a sanctuary jurisdiction and will not become a sanctuary jurisdiction during the period for which the grantee receives a grant under this title; and

Southern States and the Defense Logistics Agency.

The Secretary of Defense procurement officials on requirements related to the Buy American Act provisions and clauses in applicable solicitations and contracts; and

(B) in paragraph (6), by striking “and” at the end:

(b) **BERRY AMENDMENT AND SPECIALTY METALS CLAUSE GUIDANCE.**—

(1) **IN GENERAL.**—Chapter 139 of title 10, United States Code (commonly referred to as the ‘‘Berry Amendment’’), and section 2533a of title 10, United States Code (commonly referred to as the ‘‘specialty metals clause’’).”;

(2) **ELEMENTS.**—The guidance issued under paragraph (1) shall—

(A) the requirement to incorporate and enforce the Berry Amendment and specialty metals clause provisions and clauses in applicable solicitations and contracts; and

(B) the requirement of the Berry Amendment, such as inclusion of clauses, into the electronic contract writing systems used by the military departments and the Defense Logistics Agency.

(b) **Energy Efficiency Measures Described.**—The energy efficiency measures described in this section are those developed by the Secretary, in consultation with the Administrator of the General Services Administration 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) Insulation.

(4) Electric fixtures and appliances that reduce energy usage.

(c) **certification.**—Before using any energy efficiency measure under this section, the Secretary of Defense shall certify to the Congress that the measure has an available lifecycle cost, the measure will have the same lifecycle cost or a lower lifecycle cost as compared to traditional measures; or

(2) if the measure does not have an available lifecycle cost, the measure will have the same upfront or a lower upfront cost as compared to traditional measures.

SA 512. Mr. HEINRICH 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 XXX, add the following:

**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—

(1) in paragraph (3), by striking “and” at the end;

(ii) in paragraph (4), by striking “and” at the end;

(iii) by redesigning paragraph (6) as paragraph (7); and

(iv) by inserting after paragraph (5) the following:

(A) the requirement to incorporate and enforce the Berry Amendment and specialty metals clause provisions and clauses in applicable solicitations and contracts; and

(B) the requirement of the Berry Amendment, such as inclusion of clauses, into the electronic contract writing systems used by the military departments and the Defense Logistics Agency.

(b) **Energy Efficiency Measures Described.**—The energy efficiency measures described in this section are those developed by the Secretary, in consultation with the Administrator of the General Services Administration 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) Insulation.

(4) Electric fixtures and appliances that reduce energy usage.

(c) **certification.**—Before using any energy efficiency measure under this section, the Secretary of Defense shall certify to the Congress that the measure has an available lifecycle cost, the measure will have the same lifecycle cost or a lower lifecycle cost as compared to traditional measures; or

(2) if the measure does not have an available lifecycle cost, the measure will have the same upfront or a lower upfront cost as compared to traditional measures.

SA 513. Mr. DURBIN 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. 811. Analysis of Alternatives Pursuant to Material Development Decision.**

(a) **In General.**—Chapter 139 of title 10, United States Code, is amended by inserting after section 2366c the following new section:
SA 515. 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, and for other purposes; which was ordered to lie on the table; as follows: Strike section 1616 and insert the following:

SEC. 1616. REQUIREMENTS FOR PHASE 2 OF ACQUISITION STRATEGY FOR NATIONAL SECURITY SPACE LAUNCH PROGRAM.

(a) IN GENERAL.—In carrying out phase 2 of the acquisition strategy for the National Security Space Launch program, the date on which the initial report required by subsection (b) is submitted, the Secretary of the Air Force—

(1) may—

(A) modify the acquisition schedule or mission performance requirements; or

(B) award missions to more than two launch service providers; and

(2) shall ensure that launch services are procured only from launch service providers that use launch vehicles meeting each Government requirement with respect to required payloads to reference orbits.

(b) REPORT AND BRIEFING.—

(1) IN GENERAL.—Not later than June 30, 2021, and annually thereafter for the duration of this section, the Secretary shall submit to the congressional defense committees a report and briefing that includes—

(A) an analysis of the commercial market for space launch, including whether commercial launch providers are able to meet the required reference orbits for national security launch;

(B) a description of the total costs of launches procured under phase 2, including launch service support;

(C) a plan to increase competition in the National Security Space Launch program to more than two launch service providers; and

(D) a plan to ensure an open and transparent process for assignments at the Eastern and Western Ranges.

(c) COMPTROLLER GENERAL REVIEW.—Not later than 90 days after the date on which the Secretary submits a report under paragraph (1), the Comptroller General shall submit to Congress a report on the initial report.

SEC. 1618. DEPARTMENT OF DEFENSE REQUIREMENT FOR LAUNCH SERVICES AND RELATED TECHNOLOGIES.

(a) REQUIREMENT FOR A LICENSE TO EXPORT SUBSYSTEMS RELATING TO BIOMETRIC INFORMATION SYSTEMS.—

(1) IN GENERAL.—Beginning on the date that is 180 days after the date of the enactment of this Act, the President shall require a license for the export of any training, advice, or installation, integration, support, or other services related to a system—

(A) designed to identify, or verify the identity of, an individual using biometric information; or

(B) used to collect, store, search, or operate on biometric information.

(2) LIST REQUIRED.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a list of all licenses granted pursuant to paragraph (1) during the year preceding the submission of the report.

(b) PROHIBITION ON EXPORT OF SURVEILLANCE TECHNOLOGY TO CHINA.—Digital surveillance equipment, technology, or services may not be exported to the People’s Republic of China unless, not later than 90 days before the export to the People’s Republic of China of any such equipment, technology, or service, the President determines and certifies to the appropriate congressional committees that—

(1) the export of the equipment, technology, or service is not detrimental to United States national security;

(2) the export of the equipment, technology, or service, including any indirect benefit that could be derived from the export of the equipment, technology, or service, will not measurably improve the digital surveillance capabilities of the Government of the People’s Republic of China; and

(3) the export of the equipment, technology, or service does not negatively affect the security of the United States.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

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

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

(2) UNITED STATES PERSON.—The term ‘United States person’ means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any political subdivision or agency of the United States, including a foreign branch of such an entity.

SEC. 1265. INVENTORY OF DEFENSE COMMODITIES EXPORTED TO CHINA.

(a) INVENTORY.—Beginning on the date that is 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall—

(1) maintain an inventory of all defense commodities exported to the People’s Republic of China; and

(2) determine which of the items identified in paragraph (1) are and are not controlled under the Arms Export Control Act.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the inventory maintained under subsection (a).
SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSIFIED INFORMATION.

(a) Definition of terms—

(1) AGENCY.—The term ‘agency’ has the meaning given the term ‘Executive agency’ in section 105 of title 5, United States Code.

(2) CLASSIFIED INFORMATION.—The term ‘classified information’ includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—

(A) The Secretary of Defense shall, consistent with the interests of national security and as permitted by other applicable provisions of law, and in the Department of Defense, make a determination regarding eligibility for access to classified information that was denied or revoked by the agency.

(B) If the determination is made, the head of the agency shall, consistent with the interests of national security and as permitted by other applicable provisions of law, notify the person in writing of the denial or revocation as the head of the agency.

(4) SECURITY EXECUTIVE AGENT.—The term ‘Security Executive Agent’ means the officer serving as the Security Executive Agent pursuant to section 803.

(b) Right to Appeal—

(1) IN GENERAL.—The term ‘right to appeal’ has the meaning given the term in section 801B of such title. The President may define in the procedures established pursuant to section 801A the term ‘right to appeal’.

(2) ELECTION OF REVIEW.—The term ‘right to appeal’ has the meaning given the term in section 801B of such title. The President may define in the procedures established pursuant to section 801A the term ‘right to appeal’.

(c) Definitions.—In this section:

(A) AGENCY.—The term ‘agency’ means the meaning given the term ‘Executive agency’ in section 105 of title 5, United States Code.

(B) A civilian.

(C) An expert or consultant with a contractual or personnel obligation to an agency.

(D) A covered person means a person, other than the President and Vice President, currently employed in, detailed to, assigned to, or formerly employed in, detailed to, assigned to, or formerly employed in, a position that requires access to classified information by an agency, including the following:

(i) A member of the Armed Forces.

(ii) A civilian.

(iii) An expert or consultant with a contractual or personnel obligation to an agency.

(iv) Any other category of person who acts for or on behalf of an agency as determined by the head of the agency.

(E) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term ‘eligibility for access to classified information’ has the meaning given such term in the procedures established pursuant to section 801A.

(F) NEED FOR ACCESS.—The term ‘need for access’ has the meaning given in the procedures established pursuant to section 801A.

(G) SECURITY EXECUTIVE AGENT.—The term ‘Security Executive Agent’ means the officer serving as the Security Executive Agent pursuant to section 803.

(h) Agency Review—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Defense Bill, the President shall—

(ii) comply with the requirements of subsections (c) and (d).
system
of the reasons for the decision, consistent with the interests of national security and applicable provisions of law.

(4) REPRESENTATION BY COUNSEL.

(A) The Security Executive Agent shall ensure that, under this subsection, a covered person appealing a decision under subsection (b) has an opportunity to retain counsel or other representation at the covered person’s expense.

(B) ACCESS TO CLASSIFIED INFORMATION.

(i) In general.—Upon the request of the covered person and a showing that the ability to review classified information is essential to the resolution of an appeal under this subsection, the Security Executive Agent shall afford access to the information to the covered person, such access not later than not to exceed 30 days after the date on which the head makes such determination, to the extent consistent with the interests of national security.

(ii) Extent of access.—Counsel or another representative who is cleared for access under this subparagraph may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

(iii) Access to Documents and Employment.

(A) Affording Access to Members of Panel.—The Security Executive Agent shall afford access to classified information to the members of the panel established under paragraph (1) of this subsection, the Security Executive Agent determines—

(1) necessary for the panel to review a decision described in such paragraph; and

(2) consistent with the interests of national security.

(B) Agency Compliance with Requests of Panel.—Each head of an agency shall comply with each request by the panel for a document and each request by the panel for access to employees of the agency necessary for the review of an appeal under this subsection, if the head determines that doing so is consistent with the interests of national security and permitted by applicable provisions of law, consistent with the interests of national security.

(6) PUBLICATION OF DECISIONS.

(A) In general.—For each final decision on an appeal under this subsection, the head of the agency with respect to which the appeal pertains and the Security Executive Agent shall publish the decision, consistent with the interests of national security.

(B) REQUIREMENTS.—In order to ensure transparency, oversight by Congress, and meaningful information for those who need to understand the clearance process works, each publication under paragraph (A) shall be—

(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–203);

(ii) published to explain the facts of the case, redacting personally identifiable information for those who need meaningful information for those who need to understand the clearance process works, each publication under subparagraph (A) may be submitted in classified form as necessary;

(iii) made available on a website that is accessible to the public.

(d) Period of Time for the Right to Appeal.

(i) In general.—Except as provided in paragraph (2), any covered person who has been the subject of a decision made by the head of an agency to deny or revoke eligibility for access to classified information shall retain all rights to appeal under this section until the conclusion of the appeal process under this section.

(ii) Appeal to the Security Executive Agent.

(A) Persons.—Any covered person may voluntarily waive the covered person’s right to appeal under this section and such waiver shall be conclusive.

(B) Agencies.—The head of an agency may not require a covered person to waive the covered person’s right to appeal under this section for any reason.


(i) In general.—If the head of an agency determines that a procedure established under this section cannot be made available to a covered person in an exceptional case without damaging a national security interest of the United States by revealing classified information shall not be made available to such covered person.

(ii) Finality.—A determination under paragraph (1) shall be final and conclusive and may not be reviewed by any other official or by any court.

(8) REPORTING.

(A) Case-by-case.—In each case in which the head of an agency determines under paragraph (1) that a procedure established under this section cannot be made available to a covered person not later than 30 days after the date on which the head makes such determination, to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

(B) Annual Reports.

(i) In general.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (1) during the previous fiscal year.

(ii) Contents.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

(1) The number of cases and reasons for determinations made under paragraph (1), disaggregated by agency.

(2) Such other matters as the Security Executive Agent considers appropriate.

(3) DENIALS AND REVOCATIONS UNDER OTHER PROVISIONS OF LAW.

(i) Rule of Construction.—Nothing in this section shall be construed to limit or affect the procedures in effect on the day before the date of the enactment of this Act for denial and revocation procedures provided to individuals by Executive Order 12865 (50 U.S.C. 3161 note; relating to classified information within industry), or successor order, including those administered through the Defense Office of Hearings and Appeals of the Department of Defense under Department of Defense Directive 5220.6, or successor directive.

(ii) Rule of Construction Relating to Clearance Other than National Security. This section and the processes and procedures established under this section shall not be construed to apply to (A) determinations made under section 3011 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341); and (B) clerical amendment.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002), as amended by subsection (c), is further amended by inserting after the item relating to section 3011 of such Act the following:

"Sec. 301B. Right to appeal."

SA 319. Mr. WARNER 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 XVI, add the following:

SEC. 109. REPORT ON THE EXPANDED PURVIEW OF THE DEFENSE COUNTERTELECOMMUNICATION AND SECURITY AGENCY.

(a) Reports Required.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the Defense Counterintelligence and Security Agency.

(b) Contents.—The report submitted under subsection (a) shall include the following:

(1) Identification of the resources and authorities appropriate for the expanded purview of the Defense Counterintelligence and Security Agency.
(2) Identification of the resources and authorities needed to perform the civil liberties and privacy officer function of the Defense Counterintelligence and Security Agency.

(3) An assessment of the security protocols in effect for personally identifiable information held by the Defense Counterintelligence and Security Agency.

(4) An assessment of the governance structure of the Defense Counterintelligence and Security Agency as it relates to the Department of Defense, including with respect to status, authorities, and leadership.

(5) An assessment of the governance structure of the Defense Counterintelligence and Security Agency as it relates to interagency partners, including the Office of Management and Budget, the Office of the Director of National Intelligence, and the Office of Personnel Management.

(6) The methodology the Defense Counterintelligence and Security Agency will prioritize requests for background investigation requests from government agencies and industry.

SA 520. Mr. WARNER (for himself, Mrs. FEINSTEIN, 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 end of subtitle C of title XXX, add the following:

SEC. 3040. IMPROVEMENTS TO PRIVATIZED MILITARY HOUSING.

(a) MOLD ASSESSMENT AND REMEDIATION.—The Secretary concerned shall establish standard mold assessment and mold remediation requirements and standard operating procedures for mold assessment and remediation in agreements entered into with landlords of privatized military housing under the jurisdiction of the Secretary concerned based on Federal Government guidelines and industry standards.

(b) ADVISORY GROUP ON PRIVATIZED MILITARY HOUSING AGREEMENTS.—

(1) IN GENERAL.—The Secretary of Defense shall establish a temporary and independent advisory group to assist the Department of Defense in the renegotiation of agreements with landlords of privatized military housing.

(2) MEMBERS.—The Secretary shall appoint to the advisory group under paragraph (1) subject matter experts—

(A) from Federal agencies other than the Department of Defense; and

(B) from outside the Federal Government.

(3) ADVISORY GROUP UNDER PARAGRAPH (1) shall ensure that agreements with landlords of privatized military housing require the following:

(A) guaranteed access of privatized military housing by independent, credentialed, and high-quality housing inspectors.

(B) the adherence of landlords to Federal, State, and local laws related to environmental and safety hazards.

(C) the use of appropriately credentialed and skilled contractors for maintenance.

(D) the issuance by leases to a tenant a tenant housing advocacy certificate.

(E) the establishment of an independent third-party arbiter for dispute resolution.

(F) clear penalties for the landlord when the landlord does not meet its obligations under the agreement.

SA 521. Mr. WARNER (for himself and Mr. CORNYN) 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 E of title XII, add the following:

SEC. 1262. ELIGIBILITY FOR FOREIGN MILITARY SALE INDIVIDUALS RECEIVE STATUS UNDER ARMS EXPORT CONTROL ACT.

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in section 3(d)(2)(B), 3(d)(3)(A)(i), 3(d)(5), 21(e)(2)(A), 36(b)(1), 36(b)(2), 36(b)(6), 36(c)(2)(A), 36(c)(5), 36(d)(2)(A), 62(c)(1), and 63(a)(2), by inserting "India," before "or New Zealand" each place it appears;

(2) in section 3(b)(2), by inserting "the Government of India," before "or the Government of New Zealand"; and

(3) in section 21(h)(2), by inserting "India," before "or Israel" each place it appears.

SA 522. Mr. WARNER 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 XXXI, insert the following:

SEC. REPORT REGARDING GOVERNMENT NUCLEAR TESTING AND COMPENSATION FOR RADIATION EXPOSURE.

By not later than 90 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Attorney General, shall prepare and submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that—

(1) assesses the extent to which individuals affected by Federal Government nuclear testing are prevented from receiving compensation under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note); and

(2) describes the difficulties in completing an estimate of the number of people in each group, who are affected by Federal Government nuclear testing but are not covered under such Act, and the performance of the United States who live in close proximity to where such testing occurred.

SA 524. 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 DEFENSE ORGANIZATION RESEARCH RELATING TO HUMANITARIAN DEMINING EFFORTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall complete a review of the research of the Joint Improvised-Threat Defense 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) REPORT TO CONGRESS.—The Secretary shall submit a report to the congressional defense committees detailing the research identified under subsection (a).

SEC. 1532. ELIMINATION OF DUOMONIUM REQUIREMENTS.

The Secretary of Defense shall not require that any weapon system required under this title be tested to determine the effects of an explosive weapon system on the species or population of any marine mammal, or the effects of any such weapon system on any marine mammal, in the areas where such weapon systems are likely to be used.

SEC. 1533. RESEARCH AND DEVELOPMENT OF NON-LETHAL WEAPONS.

The Secretary of Defense shall ensure that the Defense Advanced Research Projects Agency—Department of Defense, the Air Force Research Laboratory, the Army Research, Development, and Acquisition Command, the Naval Research Laboratory, and the Defense Threat Reduction Agency carry out research and development under this title of non-lethal weapons designed to incapacitate the physical capabilities of an adversary in a manner that avoids the use of lethal weapons.

SEC. 1534. GUIDANCE ON WEAPONS DEVELOPMENT.

The Secretary of Defense shall issue guidance to the military departments and the Coast Guard to ensure that the development of any weapon system acquired through the acquisition programs provided in this title complies with the non-lethality policy in section 1533.

SEC. 1535. SYSTEMATIC TESTING OF WEAPONS.

The Secretary of Defense shall ensure that the Defense's Acquisition Systems Program Office, in coordination with the military departments and the Coast Guard, establishes and implements a systematic testing plan for the acquisition of any system provided in this title.

SEC. 1536. MAINTENANCE OF TWIN TOWED ARRAY.

The Secretary of Defense shall ensure that the maintenance of a twin towed array at the Naval Base Guam is provided for in appropriate defense appropriation acts for each fiscal year, as necessary.

SEC. 1537. ACQUISITION AND PROCUREMENT OF MATERIEL.

The Secretary of Defense shall ensure that the acquisition of any materiel provided in this title is consistent with the strategy of the United States with respect to the strategic defense of the United States.
(b) AMENDMENTS TO DEFINITIONS IN NORTH KOREA SANCTIONS AND POLICY ENHANCEMENT ACT OF 2016.—Section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 is amended—

(1) in paragraph (1)(A), in the matter preceding clause (i), by striking “Executive Order No. 13694” and all that follows through “Executive Order 13722 (50 U.S.C. 1701 note); relating to blocking the property of the Government of North Korea and the Workers’ Party of Korea or certain transactions with respect to North Korea),” to extend the matter to—

(2) in paragraph (2)(A), by striking “or 2321” (2016)” and inserting “2321 (2016), 2356 (2017), 2571 (2017), 2575 (2017), or 2397 (2017)”.

PART I—EXPANSION OF SANCTIONS AND RELATED MATTERS

SEC. 1721. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT PROVIDE FINANCIAL SERVICES TO CERTAIN SANCTIONED PERSONS.

(a) In General.—Title II of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9221 et seq.) is amended by inserting after the item relating to section 210 the following:

“SEC. 210A. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT PROVIDE FINANCIAL SERVICES TO CERTAIN SANCTIONED PERSONS.

“(a) In General.—The Secretary of the Treasury shall impose one or more of the sanctions described in subsection (b) with respect to a foreign financial institution that the Secretary determines, on or after the date that is 90 days after the date of the enactment of the Otto Warmbier Banking Restrictions Involving North Korea Act of 2019, knowingly provides significant financial services to any person designated for the imposition of sanctions under—

“(1) subsection (a) or (b) of section 194;

“(2) an applicable Executive order; or

“(3) an applicable United Nations Security Council resolution.

“(b) SANCTIONS DESCRIBED.—The sanctions that may be imposed under subsection (a) shall be one or more of the following:

“(1) ASSET BLOCKING.—The Secretary may block or cause to be blocked all property and interests in property of the foreign financial institution if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

“(2) RESTRICTIONS ON CORRESPONDENT AND PAYABLE-THROUGH ACCOUNTS.—The Secretary may prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account or a payable-through account by the foreign financial institution.

“(3) 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, attempts to violate, conspires to violate, or causes another person to violate this section or any regulation, license, or order issued to carry out this section 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.

“(d) REGULATIONS.—Not later than 180 days after the date of the enactment of the Otto Warmbier Banking Restrictions Involving North Korea Act of 2019, the President shall, as appropriate, prescribe regulations to carry out this section.

“(e) DEFINITIONS.—In this section:

“(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ‘account’, ‘correspondent account’, and ‘payable-through account’ mean the terms given those terms in section 5318A of title 31, United States Code.

“(2) FINANCIAL INSTITUTION.—The term ‘financial institution’ means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Y) of section 5312(a)(2) of title 31, United States Code.

“(3) FOREIGN FINANCIAL INSTITUTION.—The term ‘foreign financial institution’ shall have the meaning of that term as determined by the Secretary of the Treasury.

“(4) KNOWINGLY.—The term ‘knowingly’, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or has reason to know, of the conduct, the circumstance, or the result.”.

(b) CONFORMING AMENDMENT.—Section 210 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9230) is amended—

(1) in paragraph (1)(A), by striking “or” at the end;

(2) by redesigning paragraph (15) as paragraph (24); and

(3) by inserting after paragraph (14) the following:

“(15) knowingly, directly or indirectly, purchases or otherwise acquires textiles from the Government of North Korea, except as specifically approved by the United Nations Security Council;

“(16) knowingly, directly or indirectly, provides to North Korea coal, iron, or iron ore;

“(17) knowingly, directly or indirectly, purchases or otherwise acquires types or amounts of seafood from North Korea, except as specifically approved by the United Nations Security Council;

“(18) knowingly facilitates a significant transfer of funds or property from the Government of North Korea that materially contributes to any violation of United Nations Security Council resolution;

“(19) knowingly, directly or indirectly, purchases or otherwise acquires significant types or amounts of seafood or other products in excess of the aggregate amounts established in applicable United Nations Security Council resolutions, except as specifically approved by the United Nations Security Council;

“(20) knowingly, directly or indirectly, engages in, facilitates, or is responsible for the exportation of workers from North Korea;

“(21) knowingly, directly or indirectly, sells or transfers vessels to North Korea, except as specifically approved by the United Nations Security Council;

“(22) knowingly, directly or indirectly, supplies, sells, or transfers to North Korea crude oil, refined products, or other products in excess of the aggregate amounts established in applicable United Nations Security Council resolutions, except as specifically approved by the United Nations Security Council;

“(23) knowingly contributes to—

“(A) the bribery of an official of the Government of North Korea or any person acting for or on behalf of that official;

“(B) the misappropriation, theft, or embezzlement of public funds by, or for the benefit of, an official of the Government of North Korea or any person acting for or on behalf of that official; or

“(C) the use of any proceeds of any activity described in subparagraph (A) or (B)’;

and

(4) in paragraph (24), as redesignated by paragraph (2), by striking “through (14)” and inserting “through (23)”.

(b) CONFORMING AMENDMENTS.—The North Korea Sanctions and Policy Enhancement Act of 2016 is amended—

(1) in section 104(b)(1) (22 U.S.C. 9214(a))—

(A) by striking subparagraphs (B), (D), (E), (F), and (L); and

SEC. 1722. CODIFICATION OF EXECUTIVE ORDERS RELATING TO SANCTIONS WITH RESPECT TO NORTH KOREA.

(a) IN GENERAL.—Section 210 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9230) is amended—

(1) in section 104(b)(1) (22 U.S.C. 9214(a))—

(A) by striking subparagraphs (B), (D), (E), (F), and (L); and

(2) by striking “(c) as defined” in paragraph (24).
“(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the majority and minority leaders of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Speaker, the majority leader, and the minority leader of the House of Representatives.”

“(2) APPLICABLE UNITED NATIONS SECURITY COUNCIL RESOLUTION; NORTH KOREAN FINANCIAL INSTITUTION; NORTH KOREAN PERSON.—The terms ‘United Nations Security Council resolution’, ‘North Korean financial institution’, and ‘North Korean person’ have the meanings given those terms in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202).”

SEC. 1727. REPORT TO BE MADE BY THE GOVERNMENT OF NORTH KOREA OF BENEFICIAL OWNERSHIP RULES TO ACCESS THE INTERNATIONAL FINANCIAL SYSTEMS.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the appropriate congressional committees a report setting forth the findings of the Secretary regarding how the Government of North Korea is exploiting laws with respect to the beneficial owner of an entity in order to access the international financial system.

(b) Contents.—The report required under subsection (a) shall include—

(1) descriptions of the laws, regulations, or policies of the Government of North Korea, including any executive order, to the extent of the information, regulations, and policies of the Government of North Korea, or any other entity, that prevent the Government of North Korea from acquiring or benefiting from United States property, including financial institutions, or the financial industry or financial institutions;

(2) the relationship between the North Korean financial industry or financial institutions, and other similar entities to avoid or evade sanctions.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form but may include a classified annex.

PART II.—CONGRESSIONAL REVIEW AND ENFORCEMENT OF SANCTIONS.

SEC. 1731. NOTIFICATION OF TERMINATION OR SUSPENSION OF SANCTIONS.

Not less than 15 days before taking any action to terminate or suspend the application of sanctions under this subtitle or an amendment made by this subtitle, the President shall notify the appropriate congressional committees of the President’s intent to take the action and the reasons for the action.

SEC. 1732. REPORTS ON CERTAIN LICENSING ACTIONS.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report on the operation of the system for issuing licenses for transactions under covered regulatory provisions during the preceding 180-day period that includes—

(1) the number and types of such licenses applied for during that period; and

(2) the number and types of such licenses issued during that period.

(b) COVERED REGULATORY PROVISION DEFINITION.—The term “covered regulatory provision” means any of the following provisions, as in effect on the day before the date of the enactment of this Act and as such provisions may be amended by the date of the enactment of this Act:


(3) Any other provision of title 31, Code of Federal Regulations.

(c) Format.—Each report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. 1733. BRIEFINGS ON IMPLEMENTATION AND ENFORCEMENT OF SANCTIONS.

Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall provide to the appropriate congressional committees a briefing on efforts relating to the implementation and enforcement of United States sanctions with respect to North Korea, including appropriate updates on the efforts of the Department of the Treasury to address compliance with such sanctions by foreign persons.

SEC. 1734. REPORT ON FINANCIAL NETWORKS AND METHODICAL MEANS OF THE GOVERNMENT OF NORTH KOREA.

(a) Report 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 report on sources of external support for the Government of North Korea that includes—

(A) a description of the methods used by the Government of North Korea to deal in, transact in, or conceal the ownership, control, or origin of goods and services exported by North Korea;

(B) an assessment of the relationship between the proliferation of weapons of mass destruction by the Government of North Korea and the financial industry or financial institutions;

(C) an assessment of the relationship between the acquisition of special items and technologies by the Government of North Korea of military expertise, equipment, and technology and the financial industry or financial institutions;

(D) a description of the methods used by any person to the United States of goods, services, or technology that are made with significant amounts of North Korean labor, material, or components, including minerals, including mining, fishing, seafood, overseas labor, or other exports from North Korea;

(E) an assessment of the involvement of any transaction in human trafficking involving citizens or nationals of North Korea;

(F) a description of how the President plans to address the flow of funds generated by activities described in subparagraphs (A) through (E), including through the use of sanctions or other means;

(G) an assessment of the extent to which the Government of North Korea engages in criminal activities, including money laundering, to support that Government;

(H) information relating to the identification, blocking, and blacklisting described in section 201(b)(2) of the North Korea Sanctions and Policy Enhancement Act of 2016, as added by section 1721;

(2) In general.—Not later than 180 days after the date of the enactment of this Act, the President shall ensure that any information collected pursuant to subsection (a) is shared among the Federal departments and agencies involved in law enforcement and other related enforcement in the United States, including the Department of Justice, the Department of Homeland Security, and other authorities to the extent of the information, regulations, and policies of the Government of North Korea to deal in, transact in, or conceal the ownership, control, or origin of goods and services exported by North Korea and the financial industry or financial institutions;

(J) an assessment of the effectiveness of programs within the financial industry to ensure compliance with United States sanctions, applicable United Nations Security Council resolutions, and applicable Executive orders

(2) FORM.—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(3) Timeframe.—The President shall ensure that any information collected pursuant to subsection (a) is shared among the Federal departments and agencies involved in law enforcement and other related enforcement in the United States, including the Department of Justice, the Department of Homeland Security, and other authorities to the extent of the information, regulations, and policies of the Government of North Korea to deal in, transact in, or conceal the ownership, control, or origin of goods and services exported by North Korea and the financial industry or financial institutions;

(S) an assessment of the effectiveness of programs within the financial industry to ensure compliance with United States sanctions, applicable United Nations Security Council resolutions, and applicable Executive orders.
and annually thereafter through 2023, the Di-
rector of National Intelligence shall submit to
the President, the Secretary of Defense, the
Secretary of Commerce, the Secretary of State,
and the Director of the Treasury, and the appro-
priate congressional committees a re-
port that identifies all countries that the Di-
rector determines are of concern with re-
spect to enrichment, reprocessing, or di-
version of items subject to the provisions of the
Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, to an entity owned
or controlled by the Government of North
Korea.
(b) FORM.—Each report required by sub-
section (a) shall be submitted in unclassified
form but may include a classified annex.

PART III—GENERAL MATTERS

SEC. 1741. RULEMAKING.
The President shall prescribe such rules and
regulations as may be necessary to carry out
this subtitle and amendments made by this
subtitle.

SEC. 1742. AUTHORITY TO CONSOLIDATE RE-
PORTS.
(a) IN GENERAL.—Any and all reports re-
quired to be submitted to the appropriate
congressional committees under this subtitle or an amendment made by this subtitle are subject to a deadline for submission con-
sisting of the same unit of time may be con-
solidated into a single report that is sub-
mited by that deadline.
(b) CONTENTS.—Any reports consolidated
under subsection (a) shall contain all infor-
mation required under this subtitle or an amend-
ment made by this subtitle and any other
information that may be required by ex-
listing law.

SEC. 1743. WAIVERS, EXEMPTIONS, AND TERM-
INATION.
(a) APPLICATION AND MODIFICATION OF EX-
CEPTIONS AND WAIVERS FROM NORTH KOREA
SANCTIONS AND POLICY ENHANCEMENT ACT OF
2016.—Section 236 of the North Korea Sanca-
sions and Policy Enhancement Act of 2016
(22 U.S.C. 9228) is amended—
(1) by inserting ‘‘201B,’’ after ‘‘201A,’’ each
place it appears; and
(2) in subsection (c), by inserting ‘‘, not
less than 15 days before the waiver takes ef-
fec,’’ after ‘‘the President’’;
(b) EXCEPTION RELATING TO IMPORTATION
OF GOODS.—
(1) IN GENERAL.—No provision affecting
sanctions under this subtitle or any amend-
ment made by this subtitle shall apply to sanctions on the importation of goods.
(2) GOOD DEFINED.—In this subsection, the
term ‘‘good’’ means any article, natural or
man-made substance, material, supply, or
manufactured product, including inspection
test equipment, and excluding technical
data.
(c) SUSPENSION.—
(1) IN GENERAL.—Subject to section 1731,
any requirement to impose sanctions under this
subtitle or any amendment made by this subtitle shall apply to sanctions on the importation of goods.
(2) GOOD DEFINED.—In this subsection, the
term ‘‘good’’ means any article, natural or
man-made substance, material, supply, or
manufactured product, including inspection
test equipment, and excluding technical
data.
(d) RENEWAL.—A suspension under para-
geraph (1) may be renewed in accordance with
section 401(b) of the North Korea Sanctions
and Policy Enhancement Act of 2016 (22 U.S.C. 9251(b)).
(e) TERMINATION.—Subject to section 1731,
any requirement to impose sanctions under this
subtitle or any amendment made by this subtitle, and any sanctions imposed pur-
suant to this subtitle or any such amend-
ment, shall terminate on the date on which the
President makes the certification de-
scribed in section 402 of the North Korea
Sanctions and Policy Enhancement Act of

SEC. 1744. PROCEDURES FOR REVIEW OF CLASSI-
FiED INFORMATION.
(a) IN GENERAL.—If a finding under this
subsection or any amendment made by this sub-
title, a prohibition, condition, or penalty im-
posed as a result of any such finding, or a penalty imposed under this subtitle or an amendment made by this subtitle, is based on classified information (as defined in sec-
section 1a(1) of the Classified Information Proce-
dures Act (18 U.S.C. App.) and a court re-
solution of the finding of the existence of the
prohibition, condition, or penalty, the Sec-
retary of the Treasury may submit such infor-
mation to the court ex parte and in cam-
era.
(b) RULE OF CONSTRUCTION.—Nothing in
this section shall be construed to confer or
imply any right to judicial review of any
finding under this subtitle or an amendment
made by this subtitle, any prohibition, con-
dition, or penalty imposed as a result of any
such finding, or any penalty imposed under this
subtitle or an amendment made by this
subtitle.

SEC. 1745. BRIEFING ON RESOURCING OF SANC-
CTIONS PROGRAMS.
Not later than 45 days after the date of the
enactment of this Act, the Secretary of the
Treasury shall provide to the appropriate congres-
sional committees a briefing on—
(1) the resources allocated by the Depart-
ment of the Treasury to support each sanc-
tion program administered by the Depart-
ment; and
(2) recommendations for additional au-
thorities or resources necessary to expand
the capacity or capability of the Department
related to implementation and enforcement
of such program.

SEC. 1746. BRIEFING ON PROLIFERATION FI-
NANCING.
(a) IN GENERAL.—Not later than 80 days
after the date of the enactment of this Act, the Secretary of the Treasury shall provide to the appropriate congressional committees a briefing on addressing proliferation fi-
nancing.
(b) ELEMENTS.—The briefing required by
subsection (a) shall include the following:
(1) The Department of the Treasury’s defi-
nition of or appropriate risk-based approach
to combating financing of the proliferation of weapons of mass destruc-
tion.
(2) An assessment of—
(A) Federal financial regulatory agency
oversight, including by the Financial Crimes
Enforcement Network, of United States fi-
nancial institutions and the adoption by
their foreign subsidiaries, branches, and cor-
respondent institutions of a risk-based ap-
proach to proliferation financing; and
(B) whether United States financial insti-
tutions in foreign jurisdictions known by the
United States intelligence and law enforce-
ment communities to be jurisdictions through
which North Korea moves substantial sums of licit and illicit finance are applying a
risk-based approach to proliferation financ-
ing, and if that approach is comparable to
the approach required by United States fi-
nancial institution supervisors.
(3) A survey of the technical assistance the
Office of Technical Assistance of the Depart-
ment of the Treasury to appropriate
Executive branch offices, currently provide foreign institutions on implementing counter-proliferation financing best prac-
tices.
(4) An assessment of the ability of foreign
subsidiaries, branches, and correspondent in-
stitutions of United States financial institu-
tions to implement a risk-based approach to
proliferation financing.

Subtitle B—Divestment From North Korea

SEC. 1751. AUTHORITY OF STATE AND LOCAL GOVERN-
MENTS TO DIVEST FROM COMPANIES THAT INVEST IN NORTH KOREA.
(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should sup-
port the decision of any State or local gov-
ernment made for moral, prudential, or
reputational reasons, to divest from, or pro-
hibit investment of assets of the State or local
government in, a person that engages in
investment activities described in subsec-
tion (c) if North Korea is subject to the eco-
nomic sanctions imposed by the United States or the United Nations Security Counci-

(b) AUTHORITY TO DIVEST.—Notwith-
standing any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of sub-
section (d) to divest the assets of the State or local government from, or prohibit invest-
ment of the assets of the State or local
government in, any person that the State or local government determines, using credible information available to the public, engages in investment activities described in subsec-
tion (c).
(c) INVESTMENT ACTIVITIES DESCRIBED.—In-
vestment activities described in this subsec-
tion are activities of a value of more than
$10,000 relating to an investment in North
Korea or in goods or services originating in
North Korea that are not conducted pursuant
to a license issued by the Department of the
Treasury.
(d) REQUIREMENTS.—Any measure taken by
a State or local government under sub-
section (b) shall meet the following require-
ments:
(1) NOTICE.—The State or local government
shall provide written notice to each person with respect to which a measure under this
section is to be applied.
(2) TIMING.—The measure applied under
this section shall apply to a person not ear-
lier than the date that is 90 days after the
date on which written notice under para-
graph (1) is provided to the person.
(3) OPPORTUNITY TO DEMONSTRATE COMPLI-
ANCE.—
(A) IN GENERAL.—The State or local gov-
ernment shall provide with written notice
with respect to which a measure is to be applied under this section an opportunity to
demonstrate to the State or local government that the person does not engage in invest-
ment activities described in subsection (c).
(B) NONAPPLICATION.—If a person with
respect to which a measure is to be applied under this section demonstrates to the State
or local government under subparagraph (A)
that the person does not engage in invest-
ment activities described in subsection (c),
then there shall not apply to that person.
(4) SENSE OF CONGRESS ON AVOIDING ERO-
NIOUS TARGETING.—It is the sense of Con-
gress that a State or local government should not adopt a measure under subsection
(b) with respect to a person unless the State
or local government has—
(A) made every effort to avoid erroneously
targeting an appropriate
(b) verified that the person engages in
investment activities described in subsection
(c).

NOTICE TO DEPARTMENT OF JUSTICE.—Not later than 30 days before a State or local
government applies a measure under this
section, the State or local government shall notify the Attorney General of that measure.

(f) AUTHORIZATION FOR PRIOR APPLIED MEASURES.—
(1) In general.—Notwithstanding any other provision of this section or any other provision of law, a State or local government may enforce a measure (without regard to the requirements of paragraphs (d), (e), and (f)) as provided in paragraph (2) applied by the State or local government before the date of the enactment of this Act that provides for the divestment of the assets of the State or local government from, or prohibits the investment of the assets of the State or local government in, any person that the State or local government determines, using credible information available to the public, engages in investment activities described in subsection (c) that are identified in that measure.

(2) Application of notice requirements.—A measure described in paragraph (1) shall be subject to the requirements of paragraphs (1), (2), and (3)(A) of subsection (d) on and after the date that is 2 years after the date of the enactment of this Act.

(b) Prohibition.—A measure applied by a State or local government that is consistent with subsection (b) or (f) is not preempted by any Federal law.

(2) Definitions.—In this section:

(A) Asset.—(A) In general.—Except as provided in subparagraph (B), the term ‘asset’ means any person, including the United States Government, that is controlled by a State or local government.

(B) Exception.—The term ‘asset’ does not include employee benefit plans covered by title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

(B) Investment.—The term ‘investment’ includes—

(A) a commitment or contribution of funds or property;

(B) a loan or other extension of credit; and

(C) the entry into or renewal of a contract for goods or services.

(1) Effective date.—

(1) In general.—Except as provided in paragraph (2) and subsection (f), this section applies to measures applied by a State or local government before, on, or after the date of the enactment of this Act.

(2) Notice requirements.—Except as provided in subsection (f), subsections (d) and (e) apply to measures applied by a State or local government on or after the date of the enactment of this Act.

SEC. 1752. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.

Section 105(a) of the Investment Company Act of 1940 (15 U.S.C. 80a-13(c)(1)) is amended—

(1) in subparagraph (A), by striking ‘or’ at the end;

(2) in subparagraph (B), by striking the period and inserting ‘; or’; and

(3) by adding at the end the following:

‘(C) exemption in investment activities described in section 1751(c) of the Otto Warthmber Bank Restrictions Involving North Korea Act’;

SEC. 1753. SENSE OF CONGRESS REGARDING CERTAIN IRA PLAN INVESTMENTS.

It is the sense of Congress that—

(1) a fiduciary of an employee benefit plan, as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(3)), may divest plan assets from, or avoid investing plan assets in, any person the fiduciary determines engages in investment activities described in section 1751(c), if—

(A) the fiduciary makes that determination using credible information that is available to the fiduciary;

(B) the fiduciary prudently determines that the result of that divestment or avoidance of investment would not be expected to provide the employee benefit plan with—

(i) a lower rate of return than alternative investments with commensurate degrees of risk; or

(ii) a higher degree of risk than alternative investments with commensurate rates of return; and

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(2) by divesting assets or avoiding the investment of assets as described in paragraph (1), the fiduciary is not breaching the responsibilities, obligations, or duties imposed on fiduciaries by subparagraph (A) or subparagraph (B) of section 404(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104(a)(1)).

SEC. 1764. RULE OF CONSTRUCTION.

Nothing in this subtitle, an amendment made by this subtitle, or any other provision of law authorizing sanctions with respect to North Korea shall be construed to affect or displace—

(1) the authority of a State or local government to regulate, epoxy, or divest assets of the State or local government;

(2) the regulation and taxation by the several States of the business of insurance, pursuant to the Act of March 9, 1945 (59 Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.), commonly known as the ‘McCarran-Ferguson Act’; and

(3) any other provision of law applicable to the public; and

SEC. 1751. SHORT TITLE.

This subtitle may be cited as the ‘Financial Industry Guidance to Halt Trafficking’ or the ‘FIGHT Act’.

SEC. 1752. FINDINGS.

Congress finds the following:

(1) The terms ‘human trafficking’ and ‘trafficking in persons’ are used interchangeably to describe crimes involving the exploitation of a person for the purposes of compelled labor or commercial sex through the use of force, fraud, or coercion.

(2) According to the International Labour Organization, there are an estimated 24,900,000 people worldwide who are victims of forced labor, including human trafficking victims in the United States.

(3) Human trafficking is perpetrated for financial gain.

(4) According to the International Labour Organization, of the estimated $150,000,000,000 or more in global profits generated annually from human trafficking—

(A) approximately ⅛ are generated by commercial sexual exploitation, exacted by fraud or by force; and

(B) approximately ⅓ are generated by forced labor.

(5) Most purchases of commercial sex acts are paid for with cash, making trafficking proceeds difficult to identify in the financial system. Nonetheless, traffickers rely heavily on access to financial institutions as desaturation points for trafficking proceeds and as conduits to finance every step of the trafficking process.

(6) Under section 1966 of title 18, United States Code (relating to money laundering), human trafficking is a ‘specified unlawful activity’ and transactions conducted with proceeds earned from trafficking people, or used to further trafficking operations, can be prosecuted as money laundering offenses.

(7) In deliberations between the United States Government and any foreign country, including through participation in the Egmont Group of Financial Intelligence Units, regarding money laundering, corruption, and transnational crimes, the United States Government should—

(A) encourage cooperation by foreign government and relevant international fora in identifying the extent to which the proceeds from human trafficking are being used to facilitate terrorist financing, corruption, or other illicit financial crimes;

(B) encourage cooperation by foreign governments and relevant international fora in identifying the need to strengthen human trafficking and money laundering; and

(C) advance policies that promote the cooperation of foreign governments, through international sharing of training, or other measures, in the enforcement of this subtitle;
(D) encourage the Financial Action Task Force to update its July 2011 typology reports entitled, “Laundering the Proceeds of Corruption” and “Money Laundering Risks Arising from Trafficking in Human Beings and Smuggling of Migrants”, to identify the money laundering risk arising from the trafficking of human beings; and
(E) encourage the Egmont Group of Financial Intelligence Units to study the extent to which human trafficking operations are being used for money laundering; terrorist financing; and illicit financial purposes.

SEC. 1764. COORDINATION OF HUMAN TRAFFICKING ISSUES BY THE OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE.

(a) FUNCTIONS.—Section 312(a)(4) of title 31, United States Code, is amended—
(1) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively; and
(2) by inserting after subparagraph (D) the following:
"((E) combating illicit financing relating to human trafficking;"

(b) INTERAGENCY COORDINATION.—Section 312(a) of such title is amended by adding at the end the following:
"(8) INTERAGENCY COORDINATION.—The Secretary of the Treasury, after consultation with the Undersecretary for Terrorism and Financial Crimes, shall designate an office within the OTFI that shall coordinate efforts to combat the illicit financing of human trafficking with—
(A) the Department of State;
(B) the Department of Homeland Security;
(C) the Department of Justice;
(D) the Department of Defense;
(E) the United States Department of Agriculture; and
(F) appropriate Federal agencies.

(c) RELATED REQUIREMENTS.—
(1) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively; and
(2) by inserting after subparagraph (D) the following:
"((D) foreign governments.")

SEC. 1765. STRENGTHENING THE ROLE OF ANTI-MONEY LAUNDERING AND OTHER FINANCIAL TOOLS IN COMBATING HUMAN TRAFFICKING.

(a) INTERAGENCY TASK FORCE RECOMMENDATIONS TARGETING MONEY LAUNDERING RELATED TO HUMAN TRAFFICKING.—
(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Interagency Task Force to Monitor and Combat Trafficking shall submit to the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on the Judiciary of the Senate, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives, the Secretary of the Treasury, and each appropriate Federal banking agency—
(A) an analysis of anti-money laundering efforts of the United States Government, United States financial institutions, and international financial institutions that are suitable for broader adoption;
(B) appropriate legislative, administrative, and regulatory recommendations to strengthen efforts against money laundering relating to human trafficking;
(2) REQUIRED RECOMMENDATIONS.—The recommendations under paragraph (1) shall include—
(A) best practices based on successful anti-human trafficking programs currently in place at domestic and international financial institutions that are suitable for broader adoption;
(B) feedback from stakeholders, including victims of trafficking, experts, and advocates of persons at risk of becoming victims of severe forms of trafficking in persons, the United States Advisory Council on Human Trafficking, civil society organizations, and financial institutions on policy proposals derived from the analysis conducted under paragraph (1) that would enhance the efforts and programs of financial institutions to detect and deter money laundering related to human trafficking; including recommendations to internal policies, procedures, and controls related to human trafficking;
(C) any recommended changes to training programs at financial institutions to better equip employees to deter and detect money laundering related to human trafficking; and
(D) an analysis of anti-money laundering related to human trafficking networks under section 111 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—
(1) in the matter preceding subparagraph (A)—
"(A) by inserting "the Committee on Financial Services," after "the Committee on Foreign Affairs;" and
(B) by inserting "the Committee on Bank-
ing, Housing, and Urban Affairs, after "the Committee on Foreign Relations,;"
(2) in subparagraph (Q)(vii), by striking ";" and inserting "; and"
(3) in subparagraph (R), by striking the period at the end and inserting "; and"
(4) by adding at the end the following:
"(S) the efforts of the United States to eliminate money laundering related to human trafficking and the number of investigations, arrests, indictments, and convictions in monetary terrorist financing-related cases with a nexus to human trafficking.

(c) REQUIRED REVIEW OF PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Financial Federal Institutions Examination Council, in consultation with the Secretary of the Treasury, victims of severe forms of trafficking in persons, advocates of persons at risk of becoming victims of severe forms of trafficking in persons, the United States Advisory Council on Foreign Affairs, and the Department of the Treasury, shall submit to the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives, the Secretary of the Treasury, and each appropriate Federal banking agency—
(1) an analysis of anti-money laundering efforts of the United States Government, United States financial institutions, and multilateral development banks related to human trafficking; and
(2) appropriate legislative, administrative, and other recommendations to strengthen efforts against money laundering relating to human trafficking.

(d) LIMITATIONS.—Nothing in this section shall be construed to—
(1) grant rulemaking authority to the Interagency Task Force to Monitor and Combat Trafficking; or
(2) authorize financial institutions to deny accounts to or close accounts of financial institutions; or
(3) require financial institutions to be in compliance with State or local laws or regulations.

SEC. 1766. SENSE OF CONGRESS ON RESOURCES TO COMBAT HUMAN TRAFFICKING.

It is the sense of Congress that—
(1) the financial resources provided for critical Federal efforts to combat human trafficking;
granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

"(A) by amendment of the self-assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education’s National Advisory Committee on Institutional Quality and Integrity; and

"(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

"(2) Upon any modification or redesignation of the granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing a rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

"(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report concerning the modification or redesignation and any subsequent recommendation of the Secretary of Education requested by the Senate and the House of Representatives.

"SEC. 1712. USE OF EXISTING AUTHORITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Transportation should use existing authorities, including waivers and safety approvals, as appropriate, to protect the public, make more efficient use of resources, reduce the regulatory burden for an applicant for a commercial space launch or reentry license or experimental permit, and promote commercial space launch and reentry.

(b) LICENSE APPLICATIONS AND REQUIREMENTS.—Section 50905 of title 51, United States Code, is amended—

"(1) in subsection (a)—

"(A) by amending paragraph (1) to read as follows:

"(1) IN GENERAL.—''Such a person may apply to the Secretary of Transportation for a license or transfer of a license under this chapter in the form and way the Secretary prescribes.

"(B) DECISIONS.—Consistent with the public health and safety, safety of property, and national security and foreign policy interests of the United States, the Secretary shall make decisions not later than—

"(i) by inserting ''PROCEDURES FOR SAFETY APPROVALS;'' and

"(ii) by adding at the end the following:

"(D) establishes clear, high-level performance requirements established under subparagraph (D); and

"(iii) by adding at the end the following:

"Such safety approvals may be issued simultaneously with a license under this chapter.

"(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.

"(c) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES.—Section 50904 of title 51, United States Code, is amended by adding at the end the following:

"(D) MULTIPLE SITES.—The Secretary may issue a single license or permit for an operator to conduct launch services and reentry services at multiple launch sites or reentry sites.

"SEC. 1713. EXPERIMENTAL PERMITS.

Section 50906 of title 51, United States Code, is amended by adding at the end the following:

"(b) USE OF EXISTING AUTHORITIES.—

"(1) IN GENERAL.—The Secretary shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources, reduce the regulatory burden for an applicant under this section, and promote commercial space launch and reentry.

"(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.

"SEC. 1714. GOVERNMENT-DEVELOPED SPACE TRANSPORTATION.

Section 50901(b)(2)(B) of title 51, United States Code, is amended by striking ‘‘and encouraging’’.

" SEC. 1715. REGULATORY REFORM.

(a) DEFINITIONS.—The definitions set forth in section 50902 of title 51, United States Code, shall apply to this section.

(b) FINDINGS.—Congress finds that the commercial space launch regulatory environment has at times impeded the United States commercial space launch sector from innovation of launch technologies, reusable launch and reentry vehicles, and other areas related to commercial launches and reentries.

"(c) REGULATORY IMPROVEMENTS FOR COMMERCIAL SPACE LAUNCH ACTIVITIES.—

"(1) IN GENERAL.—Not later than February 1, 2020, the Secretary of Transportation shall issue a final rule to revise any regulations under chapter 509, United States Code, as the Secretary considers necessary to meet the objective of this section.

"(2) OBJECTIVE.—The objective of this section is to establish, consistent with the purpose described in section 50901(b) of title 51, United States Code, a regulatory regime for commercial space launch activities under chapter 509 that:

(A) creates, to the extent practicable, requirements applicable both to expendable launch and reentry vehicles and to reusable launch and reentry vehicles;

(B) is neutral with regard to the specific technology utilized in a launch, a reentry, or an associated safety system;

(C) protects the health and safety of the public;

(D) establishes clear, high-level performance requirements;

(E) encourages voluntary industry technical standards that meet or exceed the high-level performance requirements established under subparagraph (D); and

(F) is consistent with safety, health, and environmental protection requirements.

"(3) REVIEW.—Not later than 2 years after the date of the issuance of a final rule under this section, the Secretary shall review the rule and, at such time, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representa-
(F) facilitates and encourages appropriate collaboration between the commercial space launch and reentry sector and the Department of Transportation with respect to the requirements under subparagraph (D) and the standards under subparagraph (E). 

(d) Consultation.—In revising the regulations under subsection (c), the Secretary of Transportation shall consult with the following:

(1) The Secretary of Defense.
(2) The Administrator of NASA.
(3) Such members of the commercial space launch and reentry sector as the Secretary of Transportation considers appropriate to ensure adequate representation across industry.

(e) Report.—

(1) In general.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the persons described in subsection (d), shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology the report on the progress in carrying out this section.

(2) Contents.—The report shall include:

(A) a schedule to meet the objective of this section;
(B) a description of any Federal agency resources necessary to meet the objective of this section;
(C) recommendations for legislation that would expedite or improve the outcomes under subsection (c); and
(D) a plan for ongoing consultation with the persons described in subsection (d).

SEC. 1716. SECRETARY OF TRANSPORTATION OVERSIGHT AND COORDINATION OF COMMERCIAL LAUNCH AND REENTRY OPERATIONS.

(a) Oversight and Coordination.—

(1) In general.—The Secretary of Transportation, in accordance with the findings under section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note) and subject to section 50905(b)(2)(C) of title 51, United States Code, shall (as may be necessary) consolidate or modify the requirements across Federal agencies identified in section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note) and the item relating to that section in the table of contents under section 1(c) of that Act.

(b) Technical Amendment; Repeal Redundant Law.—Section 113 of the U.S. Commercial Space Competitiveness Act of 2004 (Public Law 114–90; 129 Stat. 704; 51 U.S.C. 50918 note) and the item relating to that section in the table of contents under section 1 of that Act are repealed.

SEC. 1717. STUDY ON JOINT USE OF SPACEPORTS.

(a) In general.—Not later than 180 days after the date of the enactment of this Act—

(1) the Secretary of Transportation, in consultation with the Secretary of Defense, conduct a study on the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers; and

(2) submit the results of the study to the Committee on Commerce, Science, and Technology and the Committee on Armed Services of the Senate and the Committee on Science, Space, and Technology the Committee on Armed Services of the House of Representatives.

(b) Considerations.—In conducting the study required by subsection (a), the Secretary of Transportation shall consider the following:

(1) Improvements that could be made to the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(2) Means to facilitate the ability for a military installation to request that the Secretary of Transportation consider the military installation as a site to provide or permit the licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(3) The feasibility of increasing the number of military installations that provide or are permitted to be utilized for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(4) The importance of the use of safety approvals of launch vehicles, reentry vehicles, space transportation vehicles, safety systems, processes, services, or personnel (including installation of a site to provide or permit the purpose of protecting the health and safety of crew, Government astronauts, and space flight participants), to the extent permitted that may be used in conducting licensed commercial space launch, reentry activities, and space transportation services at installations.

SEC. 1718. AIRSPACE INTEGRATION REPORT.

(a) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation andNASA shall:

(1) identify all launch vehicles, reentry vehicles, space transportation vehicles, safety systems, processes, services, or personnel (including installation of a site to provide or permit the purpose of protecting the health and safety of crew, Government astronauts, and space flight participants), to the extent permitted that may be used in conducting licensed commercial space launch, reentry activities, and space transportation services at installations;

(2) consider whether the policies and tools identified in paragraph (1) need to be updated to more efficiently and safely manage the national airspace system; and

(b) submit to the appropriate committees of Congress a report on the findings under paragraph (1) and any necessary recommendations for how to more efficiently and safely manage the national airspace system.

(c) Consultation.—In conducting the review under subsection (a), the Secretary shall consult with such members of the commercial space launch and reentry sector and commercial aviation sector as the Secretary considers appropriate to ensure adequate representation across those industries.

(d) Subtitle B—Streamlining Oversight of Non-governmental Earth Observation Activities

Subtitle B—Streamlining Oversight of Non-governmental Earth Observation Activities

SEC. 1721. NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.

(a) Licensing of Non-governmental Earth Observation Activities.—Chapter 601 of title 51, United States Code, is amended—

(1) in section 60101—

(A) by adding paragraph (12) to read as follows:—

``(12) Unenhanced Data.—The term ‘unenhanced data’ means signals or imagery products from Earth observation activities that are unprocessed or subject only to data preprocessing.’’;

(B) by redesignating paragraphs (11), (12), and (13) as paragraphs (15), (16), and (17), respectively, and moving the paragraphs so as to appear in numerical order;

(C) by redesigning paragraphs (4) through (10) as paragraphs (5) through (11), respectively;

(D) by inserting after paragraph (3), the following:

‘‘(4) Earth Observation Activity.—The term ‘Earth observation activity’ means a space activity the primary purpose of which is to collect data that can be processed into imagery of the Earth or of man-made objects orbiting the Earth.’’;

(E) by inserting after paragraph (11), as redesignated, the following:

‘‘(12) Nongovernmental Earth Observation Activity.—The term ‘nongovernmental Earth observation activity’ means an Earth observation space activity of a person other than—

(A) the United States Government;

(B) a Government contractor or subcontractor if the Government contractor or subcontractor is performing the activity for the Government.

‘‘(13) Orbital Debris.—The term ‘orbital debris’ means any space object that is placed in the Earth’s orbit or derives therefrom and space object that is placed in space by a person, remains in orbit, and no longer serves any useful function or purpose.

‘‘(14) Person.—The term ‘person’ means a person (as defined in section 1 of title 1) subject to the jurisdiction or control of the United States.’’;

and

(F) by inserting after paragraph (15), as redesignated, the following:

‘‘(16) Space Activity.—

(A) In general.—The term ‘space activity’ means any activity that is conducted in space.

(B) Inclusions.—The term ‘space activity’ includes any activity conducted on a celestial body, including—

(i) Galilean Moons of Jupiter;

(ii) Moons of Saturn;

(iii) Europe (Moon);

(iv) Ceres;

(v) Pluto; and

(vi) Enceladus.

(C) Exclusions.—The term ‘space activity’ does not include any activity that is conducted in space on a celestial body that has no natural satellite;’’.

(B) Repeal of Act.—Public Law 114–90; 129 Stat. 704; 51 U.S.C. 50918 note) is repealed.
conducted entirely on board or within a space object and does not affect another space object.

(17) SPACE OBJECT.—The term ‘space object’ means any object, including any component of that object, that is launched into space or constructed in space, including any object landed or constructed on a celestial body, including the Moon.”;

(2) by amending subchapter III to read as follows:

“SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

§ 60121. General authority

(a) General.—In general.—The Secretary shall carry out this subchapter.

(b) Waivers.—

(1) IN GENERAL.—The Secretary may grant, condition, or transfer licenses or regulations or national security concerns of the United States;

(2) seek an order of injunction or similar action; or

(3) compromise, modify, or remit any civil penalty;

(4) to promote the leadership, industrial innovation, and international competitiveness of the United States.

§ 60122. General authority

(a) IN GENERAL.—The Secretary shall carry out this subchapter.

(b) Rules and regulations;—

(1) the Secretary of Defense;

(2) the Director of National Intelligence; and

(3) the head of such other Federal department or agency as the Secretary considers necessary.

§ 60123. Administrative authority of Secretary

(a) Functions.—In order to carry out the responsibilities specified in this subchapter, the Secretary may—

(1) grant, condition, or transfer licenses under this chapter;

(2) seek an order of injunction or similar judicial determination from a district court of the United States with personal jurisdiction over the licensee to terminate, modify, or suspend licenses under this subchapter and to prohibit conduct in violation of such licenses or with any terms, conditions, or restrictions of such license, or with any international obligations or national security concerns of the United States;

(3) impose penalties for noncompliance with the requirements of licenses or regulations issued under this subchapter, including civil penalties not to exceed $10,000 (each day of operation in violation of such licenses or regulations constituting a separate violation);

(4) compromise, modify, or remit any such civil penalty;

(5) issue subpoenas for any materials, documents, or records, or for the attendance and testimony of witnesses for the purpose of conducting an investigation under this section;

(6) seize any object, record, or report pursuant to a warrant from a magistrate based on a showing of probable cause to believe that such object, record, or report was used, is being used, or is likely to be used in violation of this chapter or the requirements of a license or regulation issued thereunder; and

(7) investigate violations and inquiries and administer to or take from any person an oath, affirmation, or affidavit concerning any matter relating to the enforcement of this chapter.

(b) Review of Agency Action.—Any applicant or licensee that makes a timely request for review of an adverse action pursuant to paragraph (1), (3), (5), or (6) of this section (a) shall be entitled to adjudication by the Secretary on the record after an opportunity for oral argument, and shall have the right to make a written submission on the record after an opportunity for oral argument.

(2) APPEALS.—The Secretary shall approve an application under this subchapter in the event that the Secretary determines that—

(a) the Earth observation activity is consistent with the purposes described in section 60121; and

(b) the applicant is in compliance, and will continue to comply, with this subchapter, including regulations.

(c) Denials.—

(A) IN GENERAL.—If an application under this subsection is denied, the Secretary—

(i) shall include in the notification under paragraph (1) of such application a reason for the denial; and

(ii) may not delegate the duty under this clause (i).

(B) Interagency Review.—Not later than 3 days after the date on which the Secretary makes a determination under subsection (d)(3) that an application is complete, the Secretary shall consult with the head of the Federal department and agency described in section 60122(b) and if any head of such Federal department or agency does not support approving the application—

(i) that head of another Federal department or agency—

(ii) not later than 60 days after the date on which such consultation occurs, shall notify the Secretary, in writing, of the reason for withholding support, including a description of the reasons for and guidance on how to correct the deficiency;

(II) shall sign the notification under subclause (i) and

(iii) may not delegate the duty under this clause (ii).

(C) Interagency Dissents.—If the head of another Federal department or agency does not support approving the application under clause (iii) of subparagraph (B) within the time specified in such subparagraph, that head of another Federal department or agency shall be deemed to have consented to the application.

(D) Interagency Discons.—If, during the review of an application under paragraph (1), a head of a Federal department or agency described in such subparagraph (B) disagrees with the Secretary or the head of another Federal department or agency described in subparagraph (B) with respect to a deficiency under the application, the Secretary shall submit the matter to the President, who shall resolve the dispute before the applicable deadline under paragraph (1).

(2) Deficiencies.—The Secretary shall—

(i) provide each applicant under this paragraph with a reasonable opportunity—
“(1) to correct each deficiency identified under subparagraph (A)(i)(II); and

“(2) to resubmit a corrected application for reconsideration; and

“(3) not later than 30 days after the date of on which a corrected application under clause (i)(II) is received, make a determination whether to approve the application or not. In making this determination, the Secretary—

“(I) each head of another Federal department or agency that submitted a notification under subparagraph (B); and

“(II) the head of such other Federal department or agency as the Secretary considers necessary.

“(F) PROPER BASIS FOR DENIAL.—

“(1) COMPETITION.—The Secretary shall not deny an application under this subsection in order to protect any existing Earth observation activity.

“(II) CAPABILITIES.—The Secretary shall not, to the maximum extent practicable, deny an application under this subsection based solely on the capabilities of the Earth observation activity if those capabilities—

“(I) are commercially available; or

“(II) are reasonably expected to be made commercially available not later than 3 years after the date of the application, in the international or domestic marketplace.

“(III) APPLICABILITY.—The prohibition under subparagraph (A) shall apply whether the marketplace products and services originate from the operation of aircraft, uncrewed aircraft, or other platforms or technical means or are assimilated from a variety of data sources.

“(4) DEADLINE.—If the Secretary does not notify an applicant in writing before the applicable deadline under paragraph (1), the Secretary shall, not later than 1 business day after the date of the applicable deadline, notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives of the status of the application, including the reason the deadline was not met.

“(5) EXPEDITED REVIEW PROCESS.—Subject to paragraph (2) and section 60122(b), the Secretary may modify the requirements under this subsection, as the Secretary considers appropriate, to expedite the review of an application that seeks to conduct an Earth observation activity that is substantially similar to an Earth observation activity already licensed under this subchapter.

“(F) ADDITIONAL REQUIREMENTS.—An authorization under this subchapter shall require the authorized person—

“(1) to be in compliance with this subchapter;

“(2) to notify the Secretary of any significant change in the information contained in the application; and

“(3) that is available to the government of any country, including the United States, unenhanced data collected by the Earth observation system concerning the territory under the jurisdiction of that government as soon as such data are available and subject to reasonable commercial terms and conditions.

“(g) PROHIBITION ON RETROACTIVE CONDITIONS.—

“(1) IN GENERAL.—Except as provided in paragraph (3), the Secretary may not modify any condition on, or add any condition to, an authorization under this subchapter after the date of the authorization.

“(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Secretary from removing or adding a condition on an authorization under this subchapter.

“(3) INTERAGENCY REVIEW.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall—

“(i) if the Secretary grants a license, approval, waiver, or exemption to conduct a nongovernmental Earth observation activity, propose the modification or addition of a condition to an authorization under this subchapter after the date of the authorization.

“(B) CONSULTATION REQUIREMENT.—Prior to making a modification or addition under subparagraph (A), the Secretary or the applicable head of the Federal department or agency shall consult with the head of each of the other Federal departments and agencies described in section 60122(b) and if any head of such Federal department or agency does not support such modification or addition that head of another Federal department or agency—

“(i) not later than 60 days after the date on which the consultation occurs, notify the Secretary in writing of the reason for withholding support;

“(ii) shall sign the notification under clause (i); and

“(iii) may not delegate the duty under clause (ii).

“(C) INTERAGENCY ASSESSMENTS.—If the head of another Federal department or agency does not notify the Secretary under subparagraph (B)(i) within the time specified in that subparagraph, that head of another Federal department or agency shall be deemed to have assented to the modification or addition under subparagraph (A).

“(D) INTERAGENCY DISSENTS.—If the head of a Federal department or agency described in subparagraph (B)(i) or subparagraph (A) with respect to such modification or addition under this paragraph, the Secretary shall submit the matter to the President, who shall resolve the dispute.

“(E) NOTICE.—Prior to making a modification or addition under subparagraph (A), the Secretary or the head of the Federal department or agency, as applicable, shall—

“(i) provide written notice of the reason for the proposed modification or addition, including, if applicable, a description of any deficiency and guidance on how to correct the deficiency; and

“(ii) provide the licensee a reasonable opportunity to correct a deficiency identified in clause (i).

§ 60125. Annual reports

“(a) In general.—Not later than 180 days after the date of the enactment of the Space Frontier Act of 2019, and annually thereafter, the Secretary 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 the progress of this chapter, including—

“(1) a list of all applications received or pending in the previous calendar year and the status of each such application;

“(2) notwithstanding paragraph (4) of section 60124(e), a list of all applications, in the previous calendar year, for which the Secretary granted the deadline under paragraph (1) of that section, including the reasons the deadline was not met; and

“(3) a description of all actions taken by the Secretary under the administrative authority granted under section 60123.

“(b) CLASSIFIED ANNEXES.—Each report under subsection (a) may include a classified annex or annexes to the extent disclosure of such annexes may be necessary to preserve the national security.

“(c) CESSATION OF EFFECTIVENESS.—This section ceases to be effective September 30, 2021.

§ 60126. Regulations

“The Secretary may promulgate regulations to implement this subchapter.

§ 60127. Relationship to other executive agencies

“(a) EXECUTIVE AGENCIES.—Except as provided in this subchapter or chapter 509, or any activity regulated by the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.), a person is not required to obtain from an executive agency a license, approval, waiver, or exemption to conduct a nongovernmental Earth observation activity.

“(b) RULE OF CONSTRUCTION.—This subchapter does not affect the authority of—

“(1) the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.); and

“(2) the Secretary of Transportation under chapter 509.

“(c) NONAPPLICATION.—This subchapter does not apply to any activity by the United States Government carried out for the Government.”; and

“(3) by amending section 60147 to read as follows:

§ 60147. Consultation

“(a) CONSULTATION WITH SECRETARY OF DEFENSE.—The Landsat Program Management shall consult with the Secretary of Defense on all matters relating to the Landsat Program under this chapter that affect national security. The Secretary of Defense shall be responsible for determining those conditions, consistent with this chapter, necessary to meet national security concerns of the United States and for notifying the Landsat Program Management of such conditions.

“(b) CONSULTATION WITH SECRETARY OF STATE.—

“(1) IN GENERAL.—The Landsat Program Management shall consult with the Secretary of State on all matters relating to the Landsat Program under this chapter that affect international obligations. The Secretary of State shall be responsible for determining those conditions, consistent with this chapter, necessary to meet international obligations and policies of the United States and for notifying the Landsat Program Management of such conditions.

“(2) INTERNATIONAL AID.—Appropriate United States Government agencies are authorized and encouraged to provide remote sensing data, technology, and training to developing nations as a component of programs of international aid.

“(3) REPORTING DISCRIMINATORY DISTRIBUTION.—The Secretary of State shall promptly report to the Landsat Program Management any instances outside the United States of discriminatory distribution of Landsat data.

“(c) STATUS REPORT.—The Landsat Program Management shall, as often as necessary, provide to Congress complete and updated information on all congoing operations of the Landsat system, including timely notification of decisions made with respect to the Landsat system in order to meet national security concerns and international obligations and policies of the United States Government.

“(d) TABLE OF CONTENTS. The table of contents of chapter 601 of title 51, United States Code, is amended by striking the items relating to subchapter III and inserting the following:

“SUBCHAPTER III—AUTHORIZATION OF NON-GOVERNMENTAL EARTH OBSERVATION ACTIVITIES

“§ 60121. Purpose.

“§ 60122 General authority.

“§ 60123. Administrative authority of Secretary.

“§ 60124. Authorization to conduct nongovernmental Earth observation activities.

“§ 60125. Annual reports.

“§ 60126. Regulations.

“§ 60127. Relationship to other executive agencies and laws.”.

“(e) RULES OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall affect any
license, or application for a license, to operate a private remote sensing space system that was made under subchapter III of chapter 601 of title 51, United States Code (as in effect on the date of the enactment of this Act), before the date of the enactment of this Act. Such license shall continue to be subject to the requirements to which such license was subject under that chapter as in effect on the day before the date of the enactment of this Act.

(2) Nothing in this section or the amendments made by this section shall affect the prohibition on the collection and release of detailed satellite imagery relating to Israel under section 1064 of the National Defense Authorization Act for Fiscal Year 1997 (51 U.S.C. 60612 note).

SEC. 1722. RADIO-FREQUENCY-MAPPING REPORT.
(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, shall complete and submit a report on space-based radio-frequency mapping to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Select Committee on Intelligence of the Senate;

(3) the Committee on Armed Services of the Senate;

(4) the Committee on Science, Space, and Technology of the House of Representatives;

(5) the Permanent Select Committee on Intelligence of the House of Representatives; and

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

(b) CONTENTS.—The report under subsection (a) shall include—

(1) a discussion of whether a need exists to regulate space-based radio-frequency mapping;

(2) a description of any inimigable impacts of space-based radio-frequency mapping on national security, United States competitiveness and space leadership, or Constitutional rights;

(3) any recommendations for additional regulatory action regarding space-based radio-frequency mapping;

(4) a detailed description of the costs and benefits of the recommendations described in paragraph (3); and

(5) an evaluation of—

(A) whether the development of voluntary consensus industry standards in coordination with the Department of Defense is more appropriate than issuing regulations with respect to space-based radio-frequency mapping; and

(B) whether existing law, including regulations and policies, could be applied in a manner that prevents the need for additional regulation of space-based radio-frequency mapping;

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

Subtitle C—Miscellaneous

SEC. 1731. PROMOTING FAIRNESS AND COMPETITIVENESS FOR NASA PARTNERSHIP OPPORTUNITIES.
(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States national laboratory in space, which currently consists of the United States segment of the ISS (designated a national laboratory under section 70905 of title 51, United States Code)—

(A) benefits the community and promotes commerce in space;

(B) fosters stronger relationships among NASA and other Federal agencies, the private sector, and research groups and universities;

(C) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(D) advances human knowledge and international cooperation;

(2) after the ISS is decommissioned, the United States should maintain a national microgravity laboratory in space;

(3) in maintaining a national microgravity laboratory described in paragraph (2), the United States should make appropriate accommodations for different types of ownership and operational structures for the ISS and future space stations; and

(4) the national microgravity laboratory described in paragraph (2) should be maintained beyond the date on which the ISS is decommissioned, in cooperation with international space partners to the extent practicable; and

(5) NASA should continue to support fundamental research on future platforms in low-Earth orbit and cis-lunar space, short duration suborbital flights, drop tower experiments, and other microgravity testing environments.

(b) REPORT.—The Administrator of NASA shall, in coordination with the National Space Council and other Federal agencies as the Administrator considers relevant, report detailing the feasibility of establishing a microgravity national laboratory funded by the Federal Government.

SEC. 1732. MAINTAINING A NATIONAL LABORATORY IN SPACE.
(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit; and

(2) low-Earth orbit should be utilized as a testbed to advance human space exploration, scientific discoveries, and United States economic competitiveness and commercial participation.

(b) HUMAN PRESENCE REQUIREMENT.—NASA shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the ISS.

SEC. 1734. CONTINUATION OF THE ISS.
(a) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking "2024" and inserting "2030".

(b) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503(d)(4) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking "2024" each place it appears and inserting "2030".

(c) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18355(d)) is amended by striking "2024" each place it appears and inserting "2030".

SEC. 1735. UNITED STATES POLICY ON ORBITAL DEBRIS.
(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) existing guidelines for the mitigation of orbital debris may not be adequate to ensure long-term usability of the space environment for all users; and

(2) the United States should continue to exercise a leadership role in developing orbital debris prevention standards that may be used by all space-faring nations.

(b) POLICY OF THE UNITED STATES.—It is the policy of the United States to have consistent standards across Federal agencies that minimize the risks from orbital debris in order to protect—

(1) the public health and safety;

(2) humans in space;

(3) the national security interests of the United States;

(4) the safety of property;

(5) space objects from interference; and

(6) the foreign policy interests of the United States.

SEC. 1736. LOW-EARTH ORBIT COMMERCIALIZATION PROGRAM.
(a) PROGRAM AUTHORIZATION.—The Administrator of NASA may establish a low-Earth orbit...
orbit commercialization program to encourage the fullest commercial use and development of space by the private sector of the United States.

(b)kovatives.—The program under subsection (a) may include—
(1) activities to stimulate demand for human space flight products and services in low-Earth orbit;
(2) activities to improve the capability of the ISB to accommodate commercial users; and
(3) subject to subsection (c), activities to accelerate the development of commercial space stations or commercial space habitats.

(2) COMMERCIAL SPACE HABITAT.—The Administration may not engage in an activity under subsection (b)(3) until after the date on which the Administrator of NASA awards a contract for the use of a docking port on the ISS.

(d) REPORTS.—Not later than 30 days after the date on which an award or agreement is made under subsection (b)(3), the Administrator of NASA 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 the development of the commercial space station or commercial space habitat, as applicable, including a business plan for how the activity will—
(1) meet NASA’s future requirements for low-Earth orbit human space flight services; and
(2) satisfy the non-Federal funding requirement under subsection (c)(1).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator of NASA to carry out a low-Earth orbit commercialization program under this section $150,000,000 for each of fiscal years 2020 through 2024.

(f) TECHNICAL AND CONFORMING AMENDMENTS.—
(1) TABLE OF CONTENTS.—The table of contents of chapter 507 of title 51, United States Code, is amended—
(A) in the matter preceding paragraph (1)—
(1) by striking “Director” and inserting “Assistant Secretary”;
and
(ii) by striking “Office” and inserting “Bureau”;
(2) by adding after the item relating to “Bureau” the following:
“§ 50701. Definition of Bureau
“In this chapter, the term ‘Bureau’ means the Bureau of Science and Commerce established in section 50702 of this title.”;
(3) in section 50702,
(A) by amending subsection (a) to read as follows:
“(a) IN GENERAL.—Chapter 507 of title 51, United States Code, is amended—
(1) in the heading, by striking “OFFICE” and inserting “BUREAU”;
(2) by amending section 50701 to read as follows:
“§ 50701. Definition of Bureau
“In this chapter, the term ‘Bureau’ means the Bureau of Science and Commerce established in section 50702 of this title.”;
(3) in section 50702,
(A) by amending subsection (a) to read as follows:
“(a) IN GENERAL.—There is established within the Department of Commerce a Bureau of Space Commerce.
(B) by amending subsection (b) to read as follows:
“(b) ASSISTANT SECRETARY.—The Bureau shall be headed by an Assistant Secretary for Space Commerce, to be appointed by the President with the advice and consent of the Senate and compensated at level II or III of the Executive Schedule, as determined by the Secretary of Commerce. The Assistant Secretary shall report directly to the Secretary of Commerce.”;
(C) in subsection (c),
(i) in the matter preceding paragraph (1)—
(1) by striking “Office” and inserting “Bureau”;
and
(ii) in paragraph (2), by inserting “, including activities licensed under chapter 601 of this title before the semicolon; and
(iii) in paragraph (5), by striking “Position,” and inserting “Positioning,”;
and
(D) in subsection (d),
(i) in the heading, by striking “DIRECTOR” and inserting “ASSISTANT SECRETARY”;
(ii) in the matter preceding paragraph (1)—
(1) by striking “Director” and inserting “Assistant Secretary”;
and
(2) by striking “Office shall” and inserting “Bureau shall”; and
(iii) by redesigning paragraphs (1) through (7) as paragraphs (3) through (9), respectively; and
(iv) by inserting before paragraph (3), as redesignated, the following:
“(1) to overlap the issuing of licenses under chapter 601 of this title;
“(2) coordinating Department policy impacting commercial space activities and working with other Federal agencies to promote policies that advance commercial space activities;”;
and
(v) in paragraph (8), as redesignated, by inserting “and Technology”;
and
“(2) matters to be included.—The reports under subsection (a) shall include, with respect to the Russian Federation or the People’s Republic of China, as applicable, the following:
(1) A description of military activities of such country in the Arctic region, including—
(A) the emplacement of military infrastructure, equipment, or forces; and
(B) any exercises or other military activities;
(C) activities that are non-military in nature but are judged to have military implications;
(2) An assessment of—
(A) the intentions of such activities;
(B) the extent to which such activities affect or threaten the interests of the United States and allies in the Arctic region; and
(C) any response to such activities by the United States or allies.
(d) Authorization of 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 V, add the following:

SEC. 354. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE, VETERANS, THEIR SPOUSES AND DEPENDENTS, SPOUSES AND DEPENDENTS OF REGULAR MEMBERS, AND MEMBERS OF GOLD STAR FAMILIES.

(a) IN GENERAL.—The Secretary of Defense shall carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to the following:
(1) Members of the National Guard and Reserve in reserve activities and programs;
(2) Veterans of the Armed Forces;
(3) Spouses and other dependents of individuals referred to in paragraphs (1) and (2);
(4) Spouses and other dependents of regular members of the Armed Forces;
(5) Members of Gold Star Families;
(b) ADMINISTRATION.—The pilot program shall be offered to, and administered by, the adjutants general appointed under section 314 of title 32, United States Code, or other officials in the States concerned designated by the Secretary for purposes of the pilot program.
(c) FUNDING.—
(1) COST-SHARING REQUIREMENT.—As a condition on the provisions of this section to a State to support the operation of the pilot program in the State, the State must agree to contribute an amount, derived from non-Federal sources, equal to at least 50 percent of the funds provided by the Secretary to the State under this section.
(2) FEDERAL FUNDS.—Amounts for programs or the pilot program by the Secretary shall be derived from the Beyond the Yellow Ribbon Program administered by the Department of Defense.

SEC. 12.—REPORT ON MILITARY ACTIVITIES OF THE RUSSIAN FEDERATION AND THE PEOPLE’S REPUBLIC OF CHINA IN THE ARCTIC REGION.

(a) IN GENERAL.—Not later than 180 days after enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the congressional defense committees a report on military activities of the Russian Federation in the Arctic region.
(b) FORM.—The report shall include a description of military activities of the People’s Republic of China in the Arctic region.
Forces, including the best practices developed by the Department of Defense and Department of Veterans Affairs.

(b) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Armed Forces, submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan to provide for the standardization among the military departments in the collection and presentation of race, ethnicity, and gender information within their investigative, forensic justice, and personnel databases for the purposes of identifying disparities in the military justice system.

SA 531. Mr. PETERS (for himself and Mr. LANKFORD) 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 E of title V, add the following:

SEC. 564. PLAN FOR STANDARDIZATION AMONG THE MILITARY DEPARTMENTS IN COLLECTION AND PRESENTATION OF RACE, ETHNICITY, AND GENDER INFORMATION IN PERSONNEL DATABASES WITHIN THE MILITARY JUSTICE SYSTEM.

(a) FINDINGS.—According to a report of the Government Accountability Office dated May 30, 2019 (GAO-19-344), the military departments do not collect and maintain consistent, comprehensive, and quality information in their investigations, military justice, and personnel databases, which “limits their ability to collectively or comparatively assess these data to identify any disparities in the military justice system within and across the services.”

(b) PLAN REQUIRED.—Not later than March 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report describing the results of the pilot program. The Secretary shall prepare the report in coordination with the Secretary of Labor and the Chief of the National Guard Bureau.

SA 550. Ms. HARRIS 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 V, add the following:

SEC. 569. FINAL PAY AND CERTIFICATE OF DISCHARGE OR RELEASE FOR RESERVE MEMBERS OF THE ARMED FORCES UPON DISCHARGE OR RELEASE FROM ACTIVE STATUS.

(a) IN GENERAL.—Section 1188(a) of title 10, United States Code, is amended—

(1) in subsection (c)(3), in the first sentence, by striking “the armed forces (including the reserve components and veterans of the Armed Forces),” and inserting “the armed forces, and the cost of replacement of participating members and veterans;”

(b) An assessment of the impact of the pilot program and increased reserve component employment levels on the readiness of members of the reserve components and on the retention of members of the Armed Forces.

(c) A comparison of the pilot program to other programs conducted by the Department of Defense and Department of Veterans Affairs to provide unemployment and underemployment support to members of the reserve components and veterans of the Armed Forces, including the best practices developed through and used in such programs.

(d) Any other matters considered appropriate by the Secretary of Defense.

(b) PROCEDURAL AUTHORITY.—The authority to carry out the pilot program expires on September 30, 2023, except that the Secretary, at the Secretary’s discretion, extend the pilot program for not more than two additional fiscal years.

SA 532. Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mrs. CAPITO, Mr. CARPER, Mr. CRAMER, Mr. SMITH, Mr. ROUNDS, Mr. COONS, and 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 H of title X, add the following:

SEC. 1168. DISCHARGE OR RELEASE FROM ACTIVE DUTY OR ACTIVE STATUS: LIMITATIONS.

(a) SHORT TITLE.—This section may be cited as the “Utilizing Significant Emissions with Innovative Technologies Act.”

(b) RESEARCH, INVESTIGATION, TRAINING, AND OTHER ACTIVITIES.—Section 103 of the Clean Air Act (42 U.S.C. 7403) is amended—

(1) in subsection (c)(3), in the first sentence of the matter preceding subparagraph (A), by striking “‘percursors’ and inserting ‘‘precurors’’; and

(2) in subsection (g), by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting appropriately.

(c) Authorization of appropriations. The term ‘‘precurors’’ means that the facility, application, or system, means that the facility, process, technology, or system, when used in 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—

‘‘(AA) that is deliberately released from a naturally occurring surface spring; or

‘‘(BB) using natural photosynthesis.

‘‘(iv) Intellectual Property.—The term ‘intellectual property’ means—

‘‘(aa) an invention that is patentable under title 35, United States Code; and

‘‘(bb) any patent on an invention described in item (aa).

‘‘(v) 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—

‘‘(AA) the competition process; and

‘‘(BB) the demonstration of performance of approved projects;

‘‘(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) in a manner that would be commercially viable in the foreseeable future (as determined by the Board); and

‘‘(cc) 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.

‘‘(vi) Transfer of Title.—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.

‘‘(vii) FROM CAPTURE TECHNOLOGY ADVISORY BOARD.—

‘‘(I) Establishment.—There is established an advisory board to be known as the ‘Direct Air Capture Technology Advisory Board’.

‘‘(II) Composition.—The Board shall be composed of 9 members appointed by the Administrator, who shall provide expertise in—

‘‘(aa) climate science;

‘‘(bb) physics;

‘‘(cc) chemistry;

‘‘(dd) biology;

‘‘(ee) engineering;

‘‘(ff) economics;

‘‘(gg) business management; and

‘‘(hh) such other disciplines as the Administrator determined to be necessary to achieve the purposes of this subparagraph.

‘‘(III) Term; Vacancies.—

‘‘(aa) Term.—A member of the Board shall serve for a term of 6 years.

‘‘(bb) Vacancies.—A vacancy on the Board—

‘‘(I) shall not affect the powers of the Board; and

‘‘(II) shall be filled in the same manner as the original appointment was made.

‘‘(III) Termination of Authority.—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.

‘‘(IV) Initial Meeting.—The initial meeting 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) Committees.—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) FACA.—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 technology in 1 or more entities that are incorporated in the United States.

‘‘(II) Reservation of License.—The United States—

‘‘(aa) may reserve a nonexclusive, nontransferable, renewable, paid-up license, to have perpetual use of for any purpose, intellectual property developed with Federal funds under this subparagraph, in connection with any intellectual property described in subclause (I); but

‘‘(bb) shall not, in the exercise of a license reserved under item (aa), publicly disclose proprietary information relating to the license.

‘‘(III) Transfer of Title.—Title to any intellectual property described in subclause (I) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

‘‘(IV) Authorization of Appropriations.—

‘‘(I) in General.—There is authorized to be appropriated to carry out this subparagraph $35,000,000, to remain available until expended.

‘‘(II) Requirement.—Research carried out using amounts made available under subclause (I) may not duplicate research funded using amounts made available under this subparagraph.

‘‘(v) Authorization of Appropriations.—

‘‘(I) in General.—There is authorized to be appropriated to carry out this paragraph $50,000,000, to remain available until expended.

‘‘(II) Requirement.—Research carried out pursuant to this paragraph does not duplicate research funded by the Department of Energy.

‘‘(vii) Deep Saline Formation Report.—

‘‘(I) Definition of Deep Saline Formation.—

‘‘(I) in General.—In this subparagraph, the term ‘deep saline formation’ refers to subsurface geographically extensive sedimentary rock layers saturated with waters or brines that have a high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid.

‘‘(II) Clarification.—In this subparagraph, the term ‘deep saline formation’ does not include oil and gas reservoirs.

‘‘(III) Report.—In consultation with the Secretary of Energy, and, as appropriate, the head of any other relevant Federal agency and relevant stakeholders, not later than 1 year after the date of enactment of the USE IT Act, the Administrator shall prepare a report and submit to Congress, and make publicly available a report that includes—

‘‘(I) a comprehensive identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, using existing research;

‘‘(II) recommendations, if any, for managing the potential risks identified under subclause (I), including potential risks unique to public land; and

‘‘(III) any other recommendations, if any, for Federal legislation or other policy changes to mitigate any potential risks identified under subclause (I).
(1) The term "carbon capture and sequestration projects" includes projects for direct air capture (as defined in paragraph (6)(B)(1) of section 103(g) of the Clean Air Act (42 U.S.C. 7430(g)));

(2) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(3) The Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(4) The Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(5) The Clean Air Act (42 U.S.C. 7401 et seq.);


(A) of subtitle III of title 54, United States Code (formerly known as the "National Historic Preservation Act");

(VII) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(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;

(1) shall include directly air capture technologies that transform captured carbon dioxide into a product of commercial value, or as an injection to storage, including—

(A) carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, a process that is completed in an expeditious manner while maintaining environmental, health, and safety protections.

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Chair of the Committee on Energy and Commerce of the House of Representatives a report that describes—

(i) the methodology for evaluating and ranking technologies based on the ability of the technologies to cost effectively reduce carbon emissions or carbon dioxide levels in the air; and

(ii) a description of any non-air-related environmental or energy considerations regarding the technologies.

(F) GAO REPORT.—The Comptroller General of the United States shall submit to Congress a report that—

(i) contains all Federal grant programs in which a purpose of a grant under the program is to perform research on carbon capture and utilization technologies, including direct air capture technologies; and

(ii) examines the extent to which the Federal grant programs identified pursuant to clause (i) are duplicative.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the "Administrator") shall submit to Congress a report describing how funds appropriated to the Administrator during the 5 most recent fiscal years were used to carry out section 103 of the Clean Air Act (42 U.S.C. 7403), including a description of—

(i) the amount of funds used to carry out specific provisions of that section; and

(ii) 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.

(d) INCLUSION OF CARBON CAPTURE INFRASTRUCTURE PROJECTS.—Section 41001(6) of the FAST Act (42 U.S.C. 4370m(6)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting "carbon capture," after "manufacturing;"

(B) in clause (i)(III), by striking "or" at the end;

(C) by redesignating clause (ii) as clause (iii); and

(D) by inserting after clause (i) the following:

(ii) inventories current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(iii) inventories existing initiatives and recent publications that analyze or identify priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(iv) identifies gaps in the current Federal regulatory framework for the deployment of new carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(v) identifies Federal financing mechanisms available to project developers.

(B) SUBMISSION.—The Chair shall submit the report under subparagraph (A) to the Committees on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(C) AS SOON AS PRACTICABLE, MAKE THE REPORT PUBLICLY AVAILABLE.

(e) DEVELOPMENT OF CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION GUIDANCE.—The term "carbon capture, utilization, and sequestration projects."
other Federal authorizations required under
in efficient, orderly, and responsible issuance
the other task forces a report that includes—
(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 ex-
tent 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 cap-
ture, utilization, and sequestration projects and carbon dioxide pipelines, includ-
ing best practices that—
(A) avoid duplicative reviews;
(B) engage stakeholders early in the per-
mitting process; and
(C) make the permitting process efficient,
orderly, and reasonable;
(d) develop common models for State-level
carbon dioxide pipeline regulation and over-
sight guidelines that can be shared with
States in the geographical area covered by the
task force;
(ii) provide technical assistance to States
in the geographical area covered by the task
force for implementing regulatory require-
ments and any models developed under clause (i);
(iii) inventory current or emerging activi-
ties that transform captured carbon dioxide
into a product of commercial value, or as an
input to products of commercial value;
(iv) identify any priority carbon dioxide
pipelines needed to enable efficient, orderly,
and responsible development of carbon cap-
ture, utilization, and sequestration projects at increased scale;
(v) identify gaps in the current Federal
and State regulatory framework and in ex-
sting data for the deployment of carbon cap-
ture, utilization, and sequestration projects and
carbon dioxide pipelines;
(vi) identify Federal and State financing
mechanisms available to project developers; and
(vii) develop recommendations for rele-
vant Federal agencies on how to develop
and research technologies that—
(A) can capture carbon dioxide; and
(B) would be able to be deployed within the
region covered by the task force, including
any projects that have received technical or
financial assistance for research under para-
graph (6) of section 103(g) of the Clean Air
Act (42 U.S.C. 7409(g)).

(E) REPORT.—Each year, each task force
shall prepare and submit to the Chair and to
the other task forces a report that includes—
(i) any recommendations for improvements
in efficient, orderly, and responsible issuance
or administration of Federal permits and
other Federal authorizations required under
a law described in paragraph (3)(B)(i) and
(ii) any other nationally relevant informa-
tion that the task force has collected in car-
rying out the duties under subparagraph (D).

(F) EVALUATION.—Not later than 5 years
after the date of enactment of this Act, the Chair shall—
(i) reevaluate the need for the task forces; and
(ii) submit to Congress a recommendation as to whether the task forces should con-
line.

SA 533. Mr. LANKFORD (for himself and
Mrs. SHAHEEN) submitted an amend-
ment intended to be proposed by him to
the bill S. 1790, to authorize appro-
priations for fiscal year 2020 for military
construction, and for defense activities of the
Department of Energy, for military construc-
tion, and for defense activities of the De-
partment of Energy, to prescribe mili-
tary personnel strengths for such fiscal
year, and for other purposes; which was
ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the fol-
lowing:

SEC. 1247. SENSE OF CONGRESS ON ACQUISITION
BY TURKEY OF S-400 AIR DEFENSE SYSTEM.

It is the sense of Congress that—
(1) Turkey is an important North Atlantic Treaty Organization ally and military part-
ner;
(2) the acquisition by the Government of
Turkey of the S-400 air defense system from
the Russian Federation—
(A) undermines—
(i) the security interests of the United
States; and
(ii) the air defense of Turkey;
(B) weakens the interoperability of the
North Atlantic Treaty Organization; and
(C) is incompatible with the plan of the
Government of Turkey to—
(i) accept delivery of and operate the F-
35 aircraft; and
(ii) to continue to participate in F-35 air-
craft production and maintenance;
(3) the United States and other member
countries of the North Atlantic Treaty Orga-
nization have put forth several viable and
competitive proposals to protect the vulner-
able airspace of Turkey and to ensure the se-
curity and integrity of Turkey as a North
Atlantic Treaty Organization ally;
(4) Russian Federation aggression on the
periphery of Turkey, including in Georgia,
Ukraine, the Black Sea, and Syria, and es-
specially the indiscriminate bombing by the
Russian Principality of the Idlib province of
Syria on the border of Turkey and the incur-
sions of Russian Federation warplanes into
the airspace of Turkey on November 24, 2015,
and other occasions, endangers the security
of Turkey;
(5) the termination of the participation of
Turkey in the F-35 program and supply
chain, which would still be avoided if the Gov-
ernment of Turkey abandons its planned ac-
quisition of the S-400 air defense system,
would cause significant harm to the growing
defense industry and economy of Turkey; and
(6) if the Governor of Turkey accepts
delivery of the S-400 air defense system—

(A) such acceptance would—
(i) constitute a significant transaction
within the meaning of section 231(a) of the
Countering Russian Influence in Europe and
Eurasia Act of 2017 (22 U.S.C. 9525(a));
(ii) endanger the integrity of the North At-
lantic Treaty Organization Alliance and pose
a significant threat to Turkey; and
(iii) adversely affect ongoing operations of
the United States Armed Forces, including
coalition operations in which the United
States Armed Forces participate;
(iv) result in a significant impact to de-
fense cooperation between the United
States and Turkey; and

(v) significantly increase the risk of com-
promising United States defense systems and
operational capabilities; and
(B) the President should fully implement
the Countering Russian Influence in Europe
and Eurasia Act of 2017 (Public Law 115–44;
131 Stat. 886) by imposing and applying sanc-
tions under section 235 of that Act (22 U.S.C.
9529) with respect to any individual or entity
determined to have engaged in such signifi-
cant transaction as if such person were a
sanctioned person for purposes of such sec-
tion.

SA 534. Mr. PORTMAN (for himself and
Mr. BROWN) submitted an amend-
ment intended to be proposed by him to
the bill S. 1790, to authorize appro-
priations for fiscal year 2020 for mili-
tary activities of the Department of
Defense, for military construction, 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
ordered to lie on the table; as follows:
In the table in section 4601, in the item
relating to Wright-Patterson AFB, strike the
amount in the Senate Authorized column
and insert “120,000”.
In the table in section 4601, in the item
relating to Subtotal Air Force, strike the
amount in the Senate Authorized column
and insert “1,765,730”.
In the table in section 4601, in the item
relating to Subtotal Air Force, strike the
amount in the Senate Authorized column
and insert “9,262,609”.

SA 535. Mr. PORTMAN (for himself and
Mr. BROWN) submitted an amend-
ment intended to be proposed by him to
the bill S. 1790, to authorize appro-
priations for fiscal year 2020 for mili-
tary activities of the Department of
Defense, for military construction, 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
ordered to lie on the table; as follows:
In the table in section 4601, insert after the
item relating to Rosecrans Memorial Airport
the following new item:

Ohio ....... Rickenbacker International Airport $8,000,000

In the table in section 4601, insert after the
item relating to Rosecrans Memorial Airport
the following new item:

Ohio Air National Guard Rickenbacker International Airport
Small area range ................................................................. 0 8,000

In the table in section 4601, in the item rele-
ating to Subtotal Air National Guard,
SA 536. Mr. PORTMAN (for himself and Mr. DURBIN) 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:

SEC. 1294. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.


(1) in subsection (a), in the matter preceding paragraph (1), by striking “in coordination with the Secretary of State” and inserting “with the concurrence of the Secretary of State”;

(2) in subsection (b)—

(A) by amending paragraph (11) to read as follows:

“(1) Air defense and coastal defense radars, and systems to support effective command and control and integration of air defense and coastal defense capabilities.”;

(B) by redesigning paragraphs (14) and (15) as paragraphs (15) and (16), respectively;

(C) in paragraph (15), as so redesignated, by redesigning paragraph (5) to read as follows:

“(5) Lethal Assistance.—Of the funds available for fiscal year 2020 pursuant to subsection (ii), $100,000,000 shall be available only for lethal assistance described in paragraphs (2), (3), (11), (12), and (14) of subsection (b);”;

(3) in subsection (c), by amending paragraph (5) to read as follows:

“(5) Construction Authority.—For fiscal year 2020, $300,000,000.”;

(4) in subsection (f), by adding at the end the following new paragraph:

“(1) For fiscal year 2020, $300,000,000.”;

(5) in subsection (h), by striking “December 31, 2021” and inserting “December 31, 2022”;

(6) by redesignating the second subsection (d) as subsection (e); and

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

“(j) REPORT ON CAPABILITY AND CAPACITY REQUIREMENTS.—

“(1) IN GENERAL.—Not later than 180 days after the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the Congress a report on the congressional defense committees on the capability and capacity requirements of the military forces of Ukraine.

“(2) MATTERS TO BE INCLUDED.—The report shall include:

“(A) An identification of the capability gaps and capacity shortfalls of the military of Ukraine;

“(B) An assessment of the relative priority assigned by the Government of Ukraine to addressing such capability gaps and capacity shortfalls.

“(C) An assessment of the capability gaps and capacity shortfalls that—

“(1) may be addressed in a timely and efficient manner by unilateral efforts of the Government of Ukraine; and

“(2) are unlikely to be sufficiently addressed solely through unilateral efforts.

“(D) An assessment of the capability gaps and capacity shortfalls that may be addressed by the Ukraine Security Assistance Initiative for fiscal years 2021 through 2025 to meet the most critical capability gaps and capacity shortfalls of the military forces of Ukraine.”;

SA 537. Mr. PORTMAN 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:

SEC. 1293. EXTENSION AND MODIFICATION OF UKRANIAN SECURITY ASSISTANCE INITIATIVE.

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 128 Stat. 4368), as most recently amended by section 1247 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), is further amended—

(1) in the matter preceding paragraph (1), by striking “fiscal year 2017, 2018, or 2019” and inserting “fiscal year 2017, 2018, 2019, or 2020”;

(2) in paragraph (1) by striking “; and”;

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

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

“(5) The Russian Federation has released the 24 Ukrainian sailors captured in the Kerch Strait on November 25, 2018.”;

SA 539. Mr. ROUNDS 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:

SEC. 2806. REPORT ON UNFUNDED REQUIREMENTS FOR PRIORITY MILITARY CONSTRUCTION PROJECTS FOR CHILD DEVELOPMENT CENTERS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Under Secretary of Defense for Personnel and Readiness, in coordination with the Assistant Secretary for Energy, Installations, and Environment for each military department, shall submit to the congressional defense committees each fiscal year, at the time the budget of the President for the fiscal year beginning in such year is submitted to Congress under section 1105(a) of title 31, United States Code, a report, in priority order, listing unfunded requirements for major and minor military construction projects for child development centers of the Department of Defense in a declaration of a national emergency.

(b) INCLUSION OF FORM.—Each report submitted under subsection (a) shall include a Department of Defense Form DD8691 for each major and minor military construction project included in the report.

SA 540. Mr. SCHATZ (for himself, Mr. DURBIN, Mr. LEAHY, and Mr. Tester) 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:

SEC. 2806. MODIFICATION AND CLARIFICATION OF AUTHORITY IN TITLE XXVIII ON LIMITATION ON FUNDING OF DEPARTMENT OF DEFENSE FOR PERSONNEL STRENGTHS.

(a) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—Section 2806(a) of title 10, United States Code, is amended—

(1) by redesigning subsections (b) and (c) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (a) the following new subsection:

“(e) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—(1) Except as provided in paragraph (2), in the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used to authorize the construction projects undertaken using that authority during the national emergency may not exceed $500,000,000.

“(2) In the event of a national emergency declaration in which the construction authority described in subsection (a) will be used to authorize the construction projects undertaken using that authority during the national emergency may not exceed $100,000,000.

(b) ADDITIONAL CONDITION ON SOURCE OF FUNDS.—Section 2806(a) of title 10, United States Code, is amended—

(1) in the second sentence—

(A) by striking “Such projects may” and inserting the following:

“(B) CONDITIONS ON SOURCE OF FUNDS.—(1) Military construction projects to be undertaken using the construction authority described in subsection (a) may”;

and
(b) by inserting before the period at the end of the sentence the following: “and that the Secretary of Defense determines are otherwise unexecutable;” and

(2) by adding after the second sentence the following:

“(2) For purposes of paragraph (1), the Secretary may determine that funds appropriated for military construction are unexecutable if—

(A) a military construction project for which unexecutable means by which compliance with the requirements of the law may be waived, provide a means by which compliance with the construction authority described in subsection (a) is used, a construction project to be undertaken using such construction authority may be carried out only after the end of the five-day period beginning on the date the notification required by paragraph (1) is received by the appropriate committees of Congress.”

(c) CLERICAL AMENDMENTS.—Section 2008 of title 10, United States Code, is further amended—

(1) in subsection (a), by inserting “Construction Authorized.—” after “(a)”;

(2) in subsection (e), redesignated by subsection (a)(1), by striking “Notification Requirement.—(1)” after “(e)”; and

(3) in subsection (f), redesignated by subsection (a)(1), by inserting “Termination of Authority.—” after “(f)”.

SA 541. Mr. Blumenthal submitted an amendment intended to be sponsored by him and the gentleman from Connecticut, 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. 10. REVISION OF FEDERAL CHARTER RESTRICTIONS ON GOLD STAR WIVES OF AMERICA.

Section 8067(b) of title 36, United States Code, is amended—

(1) by striking of the decision and all that follows through the period at the end and inserting the following: “of the following:

(A) The reasons for the decision to use the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, an explanation of how each project directly supports the immediate security, logistical, or short-term housing and ancillary supporting facility needs of the members of the armed forces used in the national emergency.

(B) The construction projects to be undertaken using the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, an explanation of how each project directly supports the immediate security, logistical, or short-term housing and ancillary supporting facility needs of the members of the armed forces used in the national emergency.

(C) The estimated cost of the construction projects to be undertaken using the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, an explanation of how each project directly supports the immediate security, logistical, or short-term housing and ancillary supporting facility needs of the members of the armed forces used in the national emergency.

(D) Any determination made pursuant to subsection (d)(2) to waive or disregard another provision of law to undertake any construction project using the construction authority described in subsection (a).

(E) The military construction projects, including any military family housing and ancillary facility projects, to be canceled or deferred in order to provide funds to undertake construction projects using the construction authority described in subsection (a) and the possible impact of the cancellation or deferment of such military construction projects on military readiness and the quality of life of members of the armed forces and their dependents.”; and

(2) by adding a period at the end of the following: “; and

(3) by amending paragraph (2) of subsection (b) of section 34 of the National Institutes of Health, and the National Science Foundation after “manufacturing’’.

SA 542. Mr. Coons (for himself, Mr. Gardner, Ms. Gillibrand, Mr. Tillis, Ms. Hassan, Mr. Peters, Mr. Moran, Mr. Rubio, and Ms. Klobuchar) submitted an amendment intended to be sponsored by him and the gentleman from Delaware, 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. 10. IMPROVEMENTS TO NETWORK FOR MANUFACTURING INNOVATION PROGRAM.

(a) ALTERNATE PROGRAM NAME.—Subsection (a) of section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278a) is amended by inserting “and as Manufacturing USA’’ after “as the ‘Network for Manufacturing Innovation Program’’.

(b) CENTERS FOR MANUFACTURING INNOVATION.—Subsection (c) of such section is amended—

(1) in subparagraphs (B) and (C) of paragraph (1), by striking “and tool development for microelectronics” both places it appears and inserting “tool development for microelectronics, food manufacturing, superconductors, advanced battery technologies, robotics, advanced sensors, quantum informatics, supply chain optimization, aeronautics and advanced materials, and graphene and graphene commercialization’’.

(c) FINANCIAL ASSISTANCE TO ESTABLISH AND SUPPORT CENTERS FOR MANUFACTURING INNOVATION.—Subsection (d) of such section is amended—

(1) in paragraph (1) is amended to read as follows:

“(1) IN GENERAL.—In carrying out the Program, the Secretary shall award financial assistance to the following:

(A) To a person or group of persons to assist the person or group of persons in planning, establishing, or supporting a center for manufacturing innovation.

(B) To a center for manufacturing innovation, including a center that was not established using Federal funds, to support work-force development, cross-center projects, and other efforts which support the purposes of the Program.

(2) in paragraphs (2), (3), and (4), by striking ‘‘under paragraph (1)’’ each place it appears and inserting ‘‘under paragraph (1)(A)’’;

(d) in paragraph (4)—

(A) in subparagraph (C)—

(i) in clause (i), by striking ‘‘;’’ and inserting a semicolon;

(ii) in clause (ii), by striking ‘‘;’’ and inserting ‘‘; and’’;

(iii) in clause (iii), by striking ‘‘significant’’;

(iv) in clause (iv), by striking ‘‘industrial,’’;

(B) in subparagraph (D), by inserting ‘‘; and’’.

SA 543. Mr. King submitted an amendment intended to be sponsored by him, to authorize appropriations for fiscal year 2020 for activities of the Department of Energy, to support activities funded by Federal funds, to support work force development, cross-center projects, and other efforts which support the purposes of the Program.

SA 544. Mr. Johnson submitted an amendment intended to be sponsored by him, to authorize appropriations for fiscal year 2020 for activities of the Department of Energy, to support activities funded by Federal funds, to support work force development, cross-center projects, and other efforts which support the purposes of the Program.

SA 545. Mr. Merkley submitted an amendment intended to be sponsored by him, to authorize appropriations for fiscal year 2020 for activities of the Department of Energy, to support activities funded by Federal funds, to support work force development, cross-center projects, and other efforts which support the purposes of the Program.

SA 546. Mr. Wicker submitted an amendment intended to be sponsored by him, to authorize appropriations for fiscal year 2020 for activities of the Department of Energy, to support activities funded by Federal funds, to support work force development, cross-center projects, and other efforts which support the purposes of the Program.
(a) striking paragraph (a) and inserting the following:

"‘(A) PERFORMANCE DEFICIENCY.—

‘‘(i) NOTICE OF DEFICIENCY.—If the Secretary finds that a center for manufacturing innovation does not meet the standards for performance established under clause (ii) of paragraph (4) during an assessment pursuant to such paragraph, the Secretary shall notify the center of any deficiencies in the performance of the center and provide the center one year to remedy such deficiencies.

‘‘(ii) FAILURE TO REMEDY.—If a center for manufacturing innovation fails to remedy a deficiency identified under clause (i), then the Secretary shall notify the center that the center is ineligible for further financial assistance awarded under paragraph (1).

(b) in subparagraph (B), in the first sentence, by striking "large capital facilities or equipment purchases" and inserting "satellite centers, large capital facilities, equipment purchases, workforce development, or general operations.

(c) by striking subparagraph (C); and

(d) by adding at the end the following:

"‘(6) USE OF FINANCIAL ASSISTANCE.—Financial assistance awarded under paragraph (1)(B) may be used to carry out Program-wide activities directed by the Secretary, such as activities targeting workforce development.

(d) FUNDING.—Subsection (e) of such section is amended—

(i) in amending subparagraph (A) to read as follows:

"‘(A) NIST INDUSTRIAL TECHNICAL SERVICES ACCOUNT.—To the extent provided for in advance of appropriations Acts, the Secretary may use amounts appropriated to the Institute for Industrial Technical Services account to carry out this section as follows:

‘‘(1) For each of the fiscal years 2015 through 2019, such amounts as may be necessary to carry out this section.

‘‘(2) NATIONAL PROGRAM OFFICE.—Subsection (f) of such section is amended—

‘‘(i) in paragraph (2)—

‘‘(A) striking (B); and

‘‘(ii) by inserting ‘coordinate with and, as appropriate,’ before ‘center’; and

‘‘(ii) by inserting ‘including the Department of Defense, the Department of Education, the Department of Energy, the Department of Labor, the Food and Drug Administration, the National Aeronautics and Space Administration, the National Institutes of Health, and the National Science Foundation,’ after ‘manufacturing’.

(e) by redesignating subparagraph (F) as subparagraph (J); and

(d) by inserting after subparagraph (E) the following:

‘‘(F) to carry out pilot programs in collaboration with the centers for manufacturing innovation such as a laboratory-embodied entrepreneurship program;

‘‘(G) to provide support services and funding as necessary to promote workforce development.

‘‘(H) to coordinate with centers for manufacturing innovation to develop best practices for the membership agreements and coordinated project solicitation process;

‘‘(I) to collaborate with the Department of Labor, the Department of Education, industries, career and technical education schools, local community colleges, universities, and labor organizations to provide input for the development of national certifications for advanced manufacturing; and

‘‘(J) to provide technical assistance to the technology areas of the centers for manufacturing innovation; and

‘‘(2) in paragraph (3), by inserting ‘State, Tribal, and local governments,’ after ‘community colleges,’; and

(3) in paragraph (5)—

‘‘(A) by striking ‘The Secretary’ and inserting the following:

‘‘(A) IN GENERAL.—The Secretary; and

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

‘‘(i) IN GENERAL.—The Secretary may provide financial assistance to a manufacturing extension center established as part of the Hollings Manufacturing Extension Partnership to support the purposes of the Program by providing services in one or more of the following areas:

‘‘(II) Assistance with workforce development.

‘‘(III) Technology transfer for small- and medium-sized manufacturers.

‘‘(IV) Such other areas as the Secretary determines appropriate to support the purposes of the Program.

‘‘(ii) SUPPORT.—Support under clause (i) may include the designation of a liaison.

‘‘(I) REPORTING AND AUDITING.—Subsection (g) of such section is amended—

‘‘(i) in paragraph (1) and (2), by striking ‘under subsection (d)(1)(A)’ and inserting ‘under subsection (d)(1)(A)’;

‘‘(ii) by striking ‘December 31, 2024’ and inserting ‘December 31, 2030’; and

‘‘(iii) in paragraph (3)—

‘‘(A) in subparagraph (A)—

‘‘(I) by striking ‘2 years’ and inserting ‘3 years’; and

‘‘(ii) by striking ‘2-year’ and inserting ‘3-year’;

‘‘(B) in subparagraph (B), by striking ‘December 31, 2024’ and inserting ‘December 31, 2030’.

(f) EXPANSION.—Subject to the availability of appropriations, the Secretary of Commerce shall award grants to the following:

‘‘(1) AUTHORIZATION OF GRANTS.—As part of the program established pursuant to subsection (b), the Secretary may award grants, on a competitive basis, to eligible recipients for activities designed to develop and support regional innovation initiatives.

‘‘(2) PERMISSIBLE ACTIVITIES.—A grant awarded under this subsection shall be used for multiple activities determined appropriate by the Secretary, including—

‘‘(i) improving the connectedness and strategic orientation of the region through planning, technical assistance, and communication among participants of a regional innovation initiative;

‘‘(ii) procuring additional participants to a regional innovation initiative;

‘‘(iii) increasing the availability and investment of private and philanthropic financing that supports innovation-based business ventures;

‘‘(iv) completing the research, development and introduction of new products, processes, and services into the commercial marketplace;

‘‘(v) increasing the number of full-time equivalent employment opportunities within innovation-based business ventures in the geographic region; and

‘‘(vi) achieving quantifiable, positive benefits to or, measurable enhancements for, the economic performance of the geographic region.

‘‘(3) RESTRICTED ACTIVITIES.—Grants awarded under this subsection may not be used for—

‘‘(i) activities related to the recruitment, inducement, or associated financial or tangible incentives that might be offered to relocate an existing business from a geographic area to another geographic area; or

‘‘(ii) costs associated with offsetting revenues foregone by one or more taxing authorities through tax incentives, tax increment financing, special improvement districts, tax abatements for private development within designated zones or geographic areas, or

‘‘(iii) efforts to leverage the region’s unique competitive strengths to stimulate innovation and to create jobs.

(2) STATE.—The term ‘State’ means one of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States.

(3) VENTURE DEVELOPMENT ORGANIZATION.—The term ‘venture development organization’ means a State or nonprofit organization that supports innovation-based business ventures.

(g) EXPANSION.—The term ‘manufacturing extension program’ means a program established pursuant to this subsection.

(h) AUTHORITY.—Subject to the availability of appropriations, the Secretary of Commerce shall—

‘‘(1) authorize the appropriation of such sums as may be necessary to carry out this section; and

‘‘(2) publish a report within 12 months of the date of enactment of this Act that includes—

‘‘(A) a description of the purposes and activities of the program established pursuant to this section; and

‘‘(B) a description of the nature, scope, and scale of the manufacturing extension programs established under this section, including the number of manufacturing extension programs established under this section and the number of centers for manufacturing innovation awarded under this section.
other reduction in revenues resulting from tax credits affecting the geographic region of the eligible recipients.

(4) APPLICATIONS—

"(A) IN GENERAL.—An eligible recipient shall submit an application to the Secretary at such time, in such manner, and with such content as the Secretary may require.

"(B) COMPONENTS.—Each application submitted under subparagraph (A) shall—

"(i) describe the regional innovation initiative and how the eligible recipient will measure progress toward those outcomes;

"(ii) indicate whether the participation in the regional innovation initiative have access to, or contribute to, a well-trained workforce and other innovation assets that are critical to the successful outcomes specified in the application;

"(iii) indicate what activities the regional innovation initiative will undertake;

"(iv) describe the expected outcomes of the regional innovation initiative and how the eligible recipient will measure progress toward those outcomes;

"(v) indicate whether the participants in the regional innovation initiative have access to, or contribute to, a well-trained workforce and other innovation assets that are critical to the successful outcomes specified in the application; and

"(vi) identify whether the participants in the regional innovation initiative are capable of attracting additional funds from non-Federal sources.

"(vii) if appropriate for the activities proposed in the application, analyze the likelihood that the participants in the regional innovation initiative will be able to sustain activities after grant funds received under this subsection have been expended.

(C) FEEDBACK.—The Secretary shall provide feedback to program applicants that are not awarded grants to help them improve future applications.

"(D) POLICY CONSIDERATIONS.—The Secretary shall give special consideration to—

"(i) applications proposing to include workforce or training related activities in their regional innovation initiative from eligible recipients who agree to collaborate with local workforce investment area boards; and

"(ii) applications from regions that contain communities negatively impacted by trade.

(5) COST SHARE.—The Secretary may not provide more than 50 percent of the total cost of any activity funded under this subsection.

(6) OUTREACH TO RURAL COMMUNITIES.—

"(A) IN GENERAL.—The Secretary shall conduct outreach to public and private sector entities in rural communities to encourage those entities to participate in regional innovation initiatives under this subsection.

"(B) JUSTIFICATION.—As part of the program established pursuant to subsection (b), the Secretary, through the Economic Development Administration, shall submit an annual report to Congress that explains the balance in the allocation of grants to eligible recipients under this subsection between rural and urban areas.

"(C) FUNDING.—The Secretary may accept funds from other Federal agencies to support grants and activities under this subsection.

(d) REGIONAL INNOVATION RESEARCH AND INFORMATION INITIATIVES—

"(1) IN GENERAL.—As part of the program established pursuant to subsection (b), the Secretary shall establish a regional innovation research and information initiative, including information relating to innovation, productivity, and economic development can be maximized through such strategies;

"(B) to provide technical assistance, including through the development of technical assistance guides, for the development and implementation of regional innovation initiatives;

"(C) to support the development of relevant metrics and measurement standards to evaluate regional innovation initiatives, including the extent to which such strategies stimulate innovation, productivity, and economic development; and

"(D) to collect and make available data on regional innovation initiatives in the United States, including data on—

"(i) the size, specialization, and competitiveness of regional innovation initiatives;

"(ii) the regional product contribution, total jobs and earnings by key occupations, establishment size, nature of specialization, patents, Federal research and development spending, and other relevant information for regional innovation initiatives; and

"(iii) supply chain product and service flows within and between regional innovation initiatives.

(2) RESEARCH GRANTS.—The Secretary may award research grants on a competitive basis to support and further the goals of the program established under this section.

(3) DISSEMINATION OF INFORMATION.—Data and analysis compiled by the Secretary under the program established in this subsection shall be made available to other Federal agencies, State and local governments, and nonprofit and for-profit entities.

(4) REGIONAL INNOVATION GRANT PROGRAM.—The Secretary shall incorporate data and analysis relating to any grant awarded under subsection (c) into the program established under this subsection.

(5) INTERAGENCY COORDINATION.—

"(A) IN GENERAL.—To the maximum extent practicable, the Secretary shall ensure that the activities carried out under this section are coordinated with, and do not duplicate the efforts of, other programs at the Department of Commerce or at other Federal agencies.

"(B) COLLABORATION.—

"(i) In general.—The Secretary shall explore and pursue collaboration with other Federal agencies, including through multiagency funding opportunities, on regional innovation strategies.

"(ii) SMALL BUSINESSES.—The Secretary shall ensure that such collaboration with Federal agencies prioritizes the needs and challenges of small businesses.

"(C) IN GENERAL.—Not later than 5 years after Congress first appropriates funds to carry out this section, the Secretary shall—

"(1) evaluate the effectiveness of the program established under this section;

"(2) require the evaluation conducted under paragraph (1) shall include—

"(A) an assessment of whether the program is achieving its goals;

"(B) the program's efficacy in providing awards to geographically diverse entities;

"(C) any recommendations for how the program may be improved; and

"(D) a recommendation as to whether the program should be continued or terminated.

"(2) REPORTING REQUIREMENT.—Not later than 5 years after the first grant is awarded under subsection (c), and every 3 years thereafter until 5 years after the last grant recipient completes the regional innovation initiative for which such grant was awarded, the Secretary shall submit a report to Congress that describes the outcome of each regional innovation initiative that was completed during the previous 5 years.

"(B) FUNDING.—From amounts appropriated by Congress for economic development assistance authorized under section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), the Secretary may use up to $50,000,000 in each of the fiscal years 2019 through 2024 to carry out this section.

SA 543. Mr. TOOMEY (for himself, Mr. JONES, Mrs. CAPITTO, and Mr. CASEY) 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. 101. BLOCKING FENTANYL IMPORTS.

(a) SHORT TITLE.—This section may be cited as the "Blocking Deadly Fentanyl Imports Act".

(b) AMENDMENT TO DEFINITION OF MAJOR ILICIT DRUG PRODUCING COUNTRY.—Section 481(e)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(2)) is amended—

"(1) by striking paragraph (8)(A) and (B) and inserting "or" after the semicolon;

"(2) in subparagraph (A), by inserting "in which" before "1,000";

"(3) in subparagraph (B), by inserting "in which" before "5,000";

"(4) by striking "or" at the end; and

"(5) by adding at the end the following:

"(D) that is a significant source of illicit fentanyl, fentanyl analogues, or the precursors of fentanyl and fentanyl analogues;"

(e) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(a)) is amended by adding at the end the following:

"(9) A separate section that contains the following:

"(A) An identification of the countries that are the most significant sources of diversion or chemically described in subparagraph (A) for illicit uses, to the extent feasible.

"(B) An identification of the countries to which each country identified pursuant to subparagraphs (A) and (B) has cooperated with the United States to prevent the chemicals described in subparagraph (A) from being exported from such country to the United States.

(d) WITHHOLDING OF BILATERAL AND MULTILATERAL ASSISTANCE.—In general.—Section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(a)) is amended—

"(A) by inserting "in which" before "1,000";

"(B) by striking "or" at the end; and

"(C) by inserting "in which" before "5,000";

"(D) by striking paragraph (8)(A) and (B) and inserting "or" after the semicolon;

"(E) by inserting "in which" before "1,000";

"(F) by striking "or" at the end; and

"(G) by adding at the end the following:

"(D) that is a significant source of illicit fentanyl, fentanyl analogues, or the precursors of fentanyl and fentanyl analogues;"
SA 545. Mr. BOOKER 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. 10 .—STATE REVOLVING FUND TRANSFER AUTHORITY.

(a) DEFINITIONS.—In this section:

(1) CLEAN WATER REVOLVING FUND.—The term ‘‘clean water revolving fund’’ means a State water pollution control revolving fund established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

(2) DRINKING WATER REVOLVING FUND.—The term ‘‘drinking water revolving fund’’ means a State drinking water revolving fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(b) AUTHORITY.—In addition to the transfer authority in section 302(a) of the Safe Drinking Water Act Amendments of 1996 (42 U.S.C. 300j–12 note; Public Law 104–182), and notwithstanding section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)), during the 1-year period beginning on the date of enactment of this Act, if a State, in consultation with the Administrator of the Environmental Protection Agency, determines that available funds in the clean water revolving fund of the State are necessary to address a threat to public health as a result of heightened exposure to lead in drinking water, the State may transfer an amount equal to not more than 15 percent of the cumulative clean water revolving fund Federal grant dollars to the State to the drinking water revolving fund of the State. Funds transferred pursuant to this subsection shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these).

SA 546. Mr. BOOKER 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:


(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall authorize the inclusion on the Vietnam Veterans Memorial Wall in the District of Columbia of the names of the 74 crew members of the U.S.S. Frank E. Evans killed on June 3, 1969.

(b) FACILITATION OF INCLUSION OF NAMES.—The National Park Service, the National Historic Preservation Commission, and the Smithsonian Institution shall cooperate with the Secretary of Defense in facilitating the inclusion of names pursuant to subsection (a) to address any space limitations on the placement of additional names on the Vietnam Veterans Memorial Wall.
TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified schedule of authorizations.
Sec. 103. Intelligence community management account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters
Sec. 301. Restriction on conduct of intelligence activities.
Sec. 302. Increase in employee compensation and benefits authorized by law.
Sec. 303. Improving the onboarding methodology for certain intelligence personnel.
Sec. 304. Intelligence community public-private talent exchange.
Sec. 305. Expansion of scope of protections for identities of covert agents.
Sec. 306. Inclusion of security risks in program management plans required for acquisition of major systems in National Intelligence Program.
Sec. 307. Paid parental leave.

Subtitle B—Office of the Director of National Intelligence
Sec. 311. Exclusivity, consistency, and transparency in security clearance procedures and right to appeal.
Sec. 312. Limitation on transfer of National Intelligence University.
Sec. 313. Improving visibility into the security clearance process.
Sec. 314. Making certain policies and execution plans relating to personnel clearances available to industry partners.

Subtitle C—Inspector General of the Intelligence Community
Sec. 321. Definitions.
Sec. 322. Inspector General external review panel.
Sec. 323. Harmonization of whistleblower processes and procedures.
Sec. 324. Intelligence community oversight of agency whistleblower activities.
Sec. 325. Report on cleared whistleblower attorneys.

TITLE IV—REPORTS AND OTHER MATTERS

Sec. 401. Study on foreign employment of former personnel of intelligence community.
Sec. 402. Comprehensive economic assessment of investment in key United States technologies by companies or organizations doing business in China.
Sec. 403. Analysis of and periodic briefings on major initiatives of intelligence community in artificial intelligence and machine learning.
Sec. 404. Encouraging cooperative actions to detect and counter foreign intelligence operations.
Sec. 405. Oversight of foreign influence in academia.
Sec. 406. Director of National Intelligence report on fifth-generation wireless network technology.
Sec. 407. Annual report by Comptroller General of United States on cybersecurity and surveillance threats to Congress.
Sec. 408. Director of National Intelligence assessments of foreign interference in elections.
Sec. 409. Study on feasibility and advisability of creating a National Geospatial-Spatial Intelligence Museum and learning center.

SEC. 2. DEFINITIONS.
In this division:
(1) CONGRESSIONAL INTELLIGENCE COMMITTEE.—The term ‘‘congressional intelligence committees’’ has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).
(2) INTELLIGENCE COMMUNITY.—The term ‘‘intelligence community’’ has the meaning given such term in section 4.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.
Funds are hereby authorized to be appropriated for fiscal year 2020 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:
(1) The Office of the Director of National Intelligence.
(2) The Central Intelligence Agency.
(3) The Department of Justice.
(4) The Defense Intelligence Agency.
(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(7) The Coast Guard.
(8) The Department of State.
(9) The Department of the Treasury.
(10) The Department of Energy.
(11) The Department of Justice.
(13) The Drug Enforcement Administration.
(14) The National Reconnaissance Office.
(15) The National Geospatial-Intelligence Agency.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.
(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division.
(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.
(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.
(3) LIMITS OR DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—
(A) as provided in section 601(a) of the implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));
(B) to the extent necessary to implement the budget; or
(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.
(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2020 the sum of $558,000,000.
(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to appropriations authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2020 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS. There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2020.

SEC. 202. MODIFICATION OF AMOUNT OF CENTRAL INTELLIGENCE AGENCY VOLUNTARY SEPARATION PAY.
Section 2 of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 3519a(e)(2)) is amended—
(1) in subsection (e)(2)(B), by striking ‘‘$25,000’’ and inserting ‘‘$40,000 (as adjusted from time to time under subsection (f))’’;
(2) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively, and inserting after subsection (e) the following:
‘‘(c) ADJUSTMENTS.—
‘‘(1) IN GENERAL.—On March 1 of each year, the Director shall provide a percentage increase (rounded in accordance with paragraph (2)) in the amount specified in subsection (e)(2)(B), equal to the percentage by which—
‘‘(A) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the December 31 immediately preceding the date on which the increase is made, exceeds
‘‘(B) the Consumer Price Index for the 12-month period preceding the 12-month period described in subparagraph (A),
‘‘(2) ROUNDING.—A percentage increase under paragraph (1) shall be adjusted to the nearest one-tenth of one percent, and an amount determined under paragraph (1) shall be rounded to the nearest multiple of $1,000 (or, if midway between multiples of $1,000, to the next higher multiple of $1,000).’’.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters
SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.
The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.
Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation based on increases in law.

SEC. 303. IMPROVING THE ONBOARDING METHODOLOGY FOR CERTAIN INTELLIGENCE PERSONNEL.
(a) DEFINITIONS.—In this section:
(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘‘appropriate committees of Congress’’ means—
(A) the Select Committee on Intelligence and the Committee on Armed Services of the Senate; and

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

(2) COVERED ELEMENTS OF THE INTELLIGENCE COMMUNITY.—The term “covered elements of the intelligence community” means the elements of the intelligence community that are within the following:

(A) the Department of Energy.

(B) The Department of Homeland Security.

(C) The Department of Justice.

(D) The Department of State.

(E) The Department of the Treasury.

(b) IN GENERAL.—The Secretary of Defense and the Director of National Intelligence shall, consistent with Department of Defense Instruction 1566.01, in effect on the day before the date of the enactment of this Act—

(1) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report that outlines a common methodology for measuring onboarding in covered elements of the intelligence community, including human resources and security processes;

(2) not later than 1 year after the date of the enactment of this Act, issue metrics for assessing key phases in the onboarding described in paragraph (1) for which results will be reported by the day that is 90 days after the date of such issue;

(3) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report on collaboration among covered elements of the intelligence community on their onboarding processes;

(4) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report on employment of automated mechanisms in covered elements of the intelligence community, including for tracking personnel as they pass through each phase of the onboarding process;

(5) not later than December 31, 2020, distribute surveys to human resources offices and applicants about their experiences with the onboarding process in covered elements of the intelligence community.

SEC. 304. INTELLIGENCE COMMUNITY PUBLIC-PRIVATE TALENT EXCHANGE

(a) POLICIES, PROCESSES, AND PROCEDURES REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Director of National Intelligence shall develop policies, processes, and procedures to facilitate the rotation of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community.

(b) DETAIL AUTHORITY.—Under policies developed by the Director pursuant to subsection (a), with the agreement of a private-sector organization, and with the consent of the employee, a head of an element of the intelligence community may arrange for the employee, a head of an element of the intelligence community who is detailed to a private-sector organization, the head of the element of the intelligence community to a private-sector organization, or from such private-sector organization to such element under this section.

(c) AGREEMENTS.—

(1) IN GENERAL.—A head of an element of the intelligence community exercising the authority of the head under subsection (a) shall provide for a written agreement among the element of the intelligence community, the private-sector organization, and the employee concerned regarding the terms and conditions of the employee’s detail under this section.

(A) shall require that the employee of the element, upon completion of the detail, serve in the element, or elsewhere in the civil service, as the head of the element, for a period of at least equal to the length of the detail;

(B) shall provide that if the employee of the element fails to carry out the agreement, such employee shall be liable to the United States for payment of all non-salary and non-benefits that such employee is required to have paid by reason of the failure for good and sufficient reason, as determined by the head of the element;

(C) shall contain language informing such employee of the risks of sharing or using non-public information that such employee may be privy to or aware of related to element programming, budgeting, resourcing, acquisition, or procurement for the benefit or advantage of the private-sector organization; and

(D) shall contain language requiring the employee to acknowledge the obligations of the employee under section 1905 of title 18, United States Code (relating to trade secrets).

(2) AMOUNT OF LIABILITY.—An amount for which an employee is liable under paragraph (1) shall be treated as a debt due the United States.

(3) WAIVER.—The head of an element of the intelligence community may waive, in whole or in part, collection of a debt described in paragraph (2) based on a determination that the collection would be against equity and good conscience and not in the best interests of the United States, after taking into account and/or ma representation, fault, or lack of good faith on the part of the employee.

(d) TERMINATION.—A detail under this section may be terminated for any reason, be terminated by the head of the element of the intelligence community concerned or the private-sector organization concerned.

(e) DURATIONS.—

(1) IN GENERAL.—A detail under this section shall be for a period of not less than 3 months and not more than 2 years, renewable up to a total of 3 years.

(2) LONGER PERIODS.—A detail under this section may be for a period in excess of 2 years, but not more than 3 years, if the head of the element making the detail determines that such detail is necessary to meet critical mission or program requirements.

(f) LIMITATION.—No employee of an element of the intelligence community may be detailed under this section for more than a total of 5 years, inclusive of all such details.

(g) STATE EMPLOYEES DETAI LLED TO PRIVATE-SECTOR ORGANIZATIONS.—

(1) IN GENERAL.—An employee of an element of the intelligence community who is detailed to a private-sector organization under this section shall be considered, during the period of detail, to be on a regular work assignment in the element for all purposes.

(2) REQUIREMENTS FOR TEMPORARY DETAILED ASSIGNMENTS.—The written agreement established under subsection (c)(1) shall address the specific terms and conditions related to the employee’s continued status as a Federal employee.

(3) MAINTENANCE OF SECURITY CLEARANCE.—The written agreement established under subsection (c)(1) shall include provisions for maintaining the security clearance of the employee of the element of the intelligence community exercising the authority under subsection (a).

(h) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO THE FEDERAL GOVERNMENT.—A private-sector organization may not charge an element of the intelligence community or any other agency of the Federal Government, as direct costs under a Federal contract, the costs of pay or benefits paid by the organization to an employee detailed to an element of the intelligence community under this section for the period of the detail and any subsequent renewal periods.

(i) ADDITIONAL ADMINISTRATIVE MATTERS.—

(1) shall, to the degree practicable, ensure that small business concerns are represented with respect to details authorized by this section;

(2) may, notwithstanding any other provision of law, establish criteria for elements of the intelligence community to use appropriated funds to reimburse small business concerns for the salaries and benefits of its employees during the periods when the small business concern agrees to detail its employees to the intelligence community under this section;

(3) shall take into consideration the question of how details under this section might best be used to help meet the needs of the intelligence community, including with respect to training;

(4) shall take into consideration areas of private-sector expertise that are critical to the intelligence community; and

(5) shall establish oversight mechanisms to determine whether the public-private exchange authorized by this section improves the efficiency and effectiveness of the intelligence community.

(j) DEFINITIONS.—

(1) DETAIL.—The term “detail” means, as appropriate in the context in which such term is used—

(A) the assignment or loan of an employee of an element of the intelligence community...
to a private-sector organization without a change of position from the intelligence community element that employs the individual; or

(b) the assignment or loan of an employee of a private-sector organization to an element of the intelligence community without a change of position from the private-sector organization to the individual in

(2) PRIVATE-SECTOR ORGANIZATION.—The term ‘private-sector organization’ means—

(A) a for-profit organization; or

(B) a not-for-profit organization.

(3) SMALL BUSINESS CONCERN.—The term ‘small business concern’ has the meaning given such term in section 3703(e)(2) of title 5, United States Code.

SEC. 305. EXPANSION OF SCOPE OF PROTECTIONS FOR IDENTITIES OF COVERT AGENTS

Section 606(4) of the National Security Act of 1947 (50 U.S.C. 3126(4)) is amended—

(1) in subparagraph (A)—

(A) by striking clause (ii); and

(B) in clause (i), by striking ‘‘, and’’ and inserting ‘‘; or’’; and

(C) by striking ‘‘agency’’— and all that follows through ‘‘whose identity’’ and inserting ‘‘agency whose identity’’; and

(2) in subparagraph (B)(i), by striking ‘‘re- sides and acts outside the United States’’ and inserting ‘‘acts outside the United States’’.

SEC. 306. INCLUSION OF SECURITY RISKS IN PROGRAM MANAGEMENT PLANS REQUIRED FOR ACQUISITION OF MAJOR SYSTEMS IN NATIONAL INTELLIGENCE PROGRAM

Section 102A(q)(1)(A) of the National Security Act of 1947 (50 U.S.C. 3024(q)(1)(A)) is amended by inserting ‘‘security risks,’’ after ‘‘schedule,’’. 

SEC. 307. PAID PARENTAL LEAVE.

(a) PURPOSE.—The purpose of this section is to—

(1) help the intelligence community recruit and retain a dynamic, multi-talented, and diverse workforce capable of meeting the security goals of the United States; and

(2) establish best practices and processes for other elements of the Federal Government seeking to pursue similar policies.

(b) AUTHORIZATION OF PAID PARENTAL LEAVE FOR INTELLIGENCE COMMUNITY EMPLOYEES.—

(1) IN GENERAL.—Title III of the National Security Act of 1947 (50 U.S.C. 3071 et seq.) is amended by inserting after section 304 the following:

"SEC. 305. PAID PARENTAL LEAVE.

(a) PAID PARENTAL LEAVE.—Notwithstanding any other provision of law, a civilian employee of an element of the intelligence community shall have available a total of 12 administrative workweeks of paid parental leave in the event of the birth of a son or daughter to the employee, or placement of a son or daughter with the employee for adoption or foster care, and in order to care for a sick child, to be used during the 12-month period beginning on the date of the birth or placement.

(b) TREATMENT OF PARENTAL LEAVE REQUEST.—Notwithstanding any other provision of law—

(1) an element of the intelligence community shall accommodate an employee’s leave schedule request under subsection (a), including a request to use such leave intermittently or on a reduced leave schedule, to the extent that the requested leave schedule does not unduly disrupt agency operations; and

(2) to the extent that an employee’s requested leave schedule as described in paragraph (1) is not consistent with the treatment of employees who are using leave under subparagraph (C) or (D) of subsection (a)(1) of title 5, United States Code.

(c) RULES RELATING TO PAID LEAVE.—Notwithstanding any other provision of law—

(1) an employee may be required to first use all or any portion of any unpaid leave available to the employee before being allowed to use the paid parental leave described in subsection (a)(1); and

(2) paid parental leave under subsection (a)—

(A) shall be payable from any appropriation or fund of an agency or for expenses for positions within the employing element;

(B) may not be considered to be annual or vacation leave for purposes of section 5561 or 5552 of title 5, United States Code, or for any other purpose;

(C) if not used by the employee before the end of the 12-month period described in subsection (a) to which the leave relates, may not be available for any subsequent use and may not be converted into a cash payment;

(D) an employee must use all or any portion of paid parental leave in any 12-month period beginning on the date of a birth or placement;

(E) may not be granted—

(i) in excess of a lifetime aggregate total of 30 administrative workweeks based on placements of foster child for any individual employee; or

(ii) in connection with temporary foster care placements expected to last less than 1 year;

(F) may not be granted for a child being placed for foster care or adoption if such leave was previously granted to the same employee to place the child with the employee for foster care in the past;

(G) shall be used in increments of hours (or fractions thereof), with 12 administrative workweeks equal to 480 hours for employees with a regular full-time work schedule and converted to a proportional number of hours for employees with part-time, seasonal, or uncommon tours of duty;

(H) may not be used during off-season (nonpay status) periods for employees with seasonal work;

(2) IMPLEMENTATION PLAN.—Not later than 1 year after the date of enactment of this section, the Director of National Intelligence shall issue a written directive to implement this section, which directive shall take effect on the date of issuance.

(3) SMALL BUSINESS CONCERN.—The term ‘small business concern’ has the meaning given the term ‘Executive agency’ in section 105 of title 5, United States Code.

(4) all costs or operational expenses associated with the implementation of subsections (a) through (c).

(5) if more than 90 days after the Director of National Intelligence submits the implementation plan under subsection (d), the Director of National Intelligence issues the written directive under subsection (e) of such section 305.

Subtitle B—Office of the Director of National Intelligence

SEC. 311. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES AND RIGHT TO ACCESS TO CLASSIFIED INFORMATION

(a) EXCLUSIVITY OF PROCEDURES.—Section 801 of the National Security Act of 1947 (50 U.S.C. 3161) is amended by adding at the end the following:

"(c) EXCLUSIVITY.—Except as provided in subsection (b) and subject to sections 801A and 801B, the procedures established pursuant to subsection (a) are exclusive procedures by which decisions about eligibility for access to classified information are governed."

(b) TRANSPARENCY.—Such section is further amended by adding at the end the following:

"(d) PUBLICATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the President shall publish in the Federal Register the procedures established pursuant to subsection (a); or

(2) SUBMIT TO CONGRESS A CERTIFICATION THAT THE PROCEDURES OPERATE EFFECTIVELY THAT GIVE ACCESS TO CLASSIFIED INFORMATION AS DESCRIBED IN SUBSECTION (a)—

(i) are published in the Federal Register; and

(ii) comply with the requirements of subsection (a).

(2) UPDATES.—Whenever the President makes any revision to a procedure established pursuant to subsection (a), the President shall publish such revision in the Federal Register not later than 30 days before the date on which the revision becomes effective."

(c) CONSISTENCY.—

(1) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended by inserting after section 801 the following:

"SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSIFIED INFORMATION.

"(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ‘agency’ has the meaning given the term ‘Executive agency’ in section 105 of title 5, United States Code.

(2) CLASSIFIED INFORMATION.—The term ‘classified information’ includes sensitive compartmented information, compartmented data, restricted handling information, and other compartmented information."
"(3) Eligibility for Access to Classified Information.—The term ‘eligibility for access to classified information’ has the meaning given such term in the procedures established pursuant to section 801(a).

"(b) In General.—Each head of an agency that makes a determination regarding eligibility for access to classified information shall ensure that in making the determination, the head of the agency or any person acting on behalf of the agency—

(1) does not violate any right or protection enshrined in the Constitution of the United States, including rights articulated in the First, Fifth, and Fourteenth Amendments;

(2) does not discriminate for or against an individual on the basis of race, color, religion, sex, national origin, age, or handicap;

(3) is not carried out—

(A) retaliation for political activities or beliefs; or

(B) a coercion or reprisal described in section 2020(b)(3) of title 5, United States Code; and

(4) does not violate section 3001(c)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 33131(c)(1)).

(2) Clerical Amendment.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 801 the following: ‘Sec. 801A. Decisions relating to access to classified information.’.

(d) Right to Appeal.—

(1) In General.—Such title, as amended by subsection (c), is further amended by inserting after section 801A the following:

‘Sec. 801B. RIGHT TO APPEAL.

(a) Definitions.—In this section:

(1) AGENCY.—The term ‘agency’ has the meaning given the term ‘Executive agency’ in section 701(a) of title 5, United States Code.

(2) COVERED PERSON.—The term ‘covered person’ means a person, other than the President and Vice President, currently or formerly employed in, detailed to, assigned to, or formerly employed in, or employed, to, or issued an authorized conditional offer of employment for a position that requires access to classified information by an agency, including the following:

(A) A member of the Armed Forces.

(B) A civilian.

(C) An expert or consultant or a contract or personnel obligation to an agency.

(D) Any other category of person who acts for or on behalf of an agency as determined by the head of the agency.

(2) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term ‘eligibility for access to classified information’ has the meaning given such term in the procedures established pursuant to section 801(a).

(3) Need for Access.—The term ‘need for access’ means the need for access as determined by the President.

(4) SECURITY EXECUTIVE AGENT.—The term ‘Security Executive Agent’ means the officer serving as the Security Executive Agent pursuant to section 803.

(5) Application.—Sec. 801B. Right to appeal.

(1) In General.—Not later than 180 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Year 2020, each head of an agency shall, consistent with the interest of national security, establish and publish in the Federal Register a process by which a covered person to whom eligibility for access to classified information was denied or revoked by the agency can appeal that denial or revocation within 60 days.

(2) ELEMENTS.—The process required by paragraph (1) shall include the following:

(A) In the case of a covered person to whom eligibility for access to classified information is denied or revoked by an agency, the following:

(1) The head of the agency shall provide the covered person with a written—

(I) detailed explanation of the basis for the denial or revocation as the head of the agency or a panel established by the head of the agency under subparagraph (A) shall provide to the covered person copies of such documents as—

(I) the head of the agency determines is consistent with the interests of national security; and

(II) permitted by other applicable provisions of law, including—

(aa) section 532 of title 5, United States Code (commonly known as the ‘Freedom of Information Act’);

(bb) section 552a of such title (commonly known as the ‘Privacy Act of 1974’); and

(cc) such other provisions of law relating to the protection of confidential sources and privacy of individuals.

(ii) The covered person shall have the opportunity to retain counsel or other representation at the covered person’s expense.

(iii) Upon the request of the covered person, and a showing that the ability to review classified information is essential to the resolution of an appeal under this subsection, the head of the agency shall sponsor an application by the covered person for the limited purposes of such appeal.

(iv) The head of the agency shall provide the covered person an opportunity to retain counsel or other representation at the covered person’s expense.

(B) Accessibility to classified information.—

(1) IN GENERAL.—If, in the course of proceedings under this subsection, the head of an agency or a panel established by the head of an agency under 180 days after the date on which a hearing is requested under subparagraph (A)(v)

(2) Agency Review Panels.—

(A) In General.—Each head of an agency under subparagraph (A) shall establish a panel to hear and review appeals under this subsection.

(B) Membership.—Each panel established by the head of an agency under subparagraph (A) shall be composed of at least three employees of the agency selected by the head, two of whom shall not be members of the security field.

(C) Decisions.—

(1) Written.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

(2) Consistency.—Each head of an agency that establishes a panel under subparagraph (A) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

(D) Access to Classified Information.—The head of an agency that establishes a panel under subparagraph (A) shall afford access to classified information to the members of the panel as the head determines.

(i) necessary for the panel to hear and review appeals under this subsection and

(ii) consistent with the interests of national security.

(E) Representation by Counsel.—

(A) In General.—Each head of an agency shall ensure that, under this subsection, a covered person appealing a decision of the head of an agency under this subsection has an opportunity to retain counsel or other representation at the covered person’s expense.

(B) Access to Classified Information.—

(i) IN GENERAL.—Upon the request of a covered person appealing a decision of an agency under this subsection and a showing that the ability to review classified information is essential to the resolution of the appeal under this subsection, the head of the agency shall sponsor an application by the counsel or other representation retained by the covered person for the limited purposes of such appeal.

(ii) Extent of Access.—Counsel or another representative who is cleared for access under this paragraph may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

(F) Corrective Action.—

(A) In General.—If, in the course of proceedings under this subsection, the head of an agency or a panel established by the head of an agency under paragraph (3) decides that a covered person’s eligibility for access to classified information was improperly denied or revoked by the agency, the agency shall take corrective action to return the covered person, as nearly as practicable and reasonable, to the position such covered person would have held if the improper denial or revocation had not occurred.

(B) Compensation.—Corrective action under subparagraph (A) may include compensation, in an amount not to exceed $300,000, for any loss of wages or benefits suffered, or expenses otherwise incurred, by a covered person as a result of such improper denial or revocation.

(G) Publication of Decisions.—

(A) In General.—Each head of an agency shall publish each final decision on an appeal under this subsection.

(B) Requirements.—In order to ensure transparency, oversight by Congress, and
meaningful information for those who need to understand how the clearance process works, each publication under subparagraph (A) shall be—

(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231); and

(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

(iii) made available on a website that is searchable by members of the public.

(1) PANEL.—

(A) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of the Duncan Hunter and Matthew Young Powell Intelligence Authorization Act for Fiscal Year 2020, the Security Executive Agent shall establish a panel to review decisions made on appeals pursuant to the processes established under subsection (b).

(B) SCOPE OF REVIEW AND JURISDICTION.—After initial review to verify grounds for appeal, if the Security Executive Agent determines that an appeal has not been properly conducted a review of an appeal under subsection (b) shall review such decisions only—

(i) as they relate to violations of section 801A(b)(1); and

(ii) to the extent to which an agency properly conducted a review of an appeal under subsection (b).

(C) REQUIREMENTS.—The panel established pursuant to subparagraph (A) shall be composed of three individuals selected by the Security Executive Agent for purposes of the panel, of whom at least one shall be an attorney.

(2) APPEALS AND TIMELINESS.—

(A) APPEAL.—On or before the date that is 30 days after the date on which a covered person receives a written decision on an appeal under subsection (b), the covered person may initiate oversight of that decision by filing a written appeal with the Security Executive Agent.

(B) FILING.—A written appeal filed under clause (i) relating to a decision of an agency shall be filed in such form, in such manner, and containing such information as the Security Executive Agent may require, including—

(I) a description of—

(aa) any alleged violations of section 801A(b)(1); (bb) any allegations of how the decision may have been the result of the agency failing to properly conduct a review under subsection (b); and

(II) supporting materials and information for the allegations described under subclause (I).

(B) TIMELINESS.—The Security Executive Agent shall ensure that, on average, review of each appeal under this subsection is completed not later than 180 days after the date on which the appeal is filed.

(3) DECISIONS AND REMANDS.—

(A) IN GENERAL.—If, in the course of reviewing under this subsection a decision of an agency under subsection (b), the panel shall vacate the decision made under subsection (b) and remand to the agency by which the covered person shall be eligible for a new appeal under subsection (b).

(B) WRITTEN DECISIONS.—Each decision of the panel established under paragraph (1) shall be in writing and contain a justification of the decision.

(C) CONSISTENCY.—The panel under paragraph (1) shall ensure that each decision of the panel established under paragraph (1) shall be—

(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231);

(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

(iii) made available on a website that is searchable by members of the public.

(D) FINALITY.—Except as provided in clause (i), each decision of the panel established under paragraph (1) shall be final.

(E) REPRESENTATION BY COUNSEL.—(A) IN GENERAL.—The Security Executive Agent may require, to the extent consistent with the interests of national security and applicable provisions of law, that any covered person or other representative who is cleared for access to classified information be represented by an attorney.

(B) ACCESS TO CLASSIFIED INFORMATION.—(i) IN GENERAL.—Upon the request of the covered person and a showing that the ability to represent the covered person will enhance the fairness of the decision, the Security Executive Agent shall grant access to classified information to the covered person’s attorney.

(C) ACCESS TO DOCUMENTS AND EMPLOYEES.—(A) AFFORDING ACCESS TO MEMBERS OF PANEL.—The Security Executive Agent shall afford access to classified information to the members of the panel established under paragraph (1) as the Security Executive Agent determines—

(i) necessary for the panel to review a decision described in such paragraph; and

(ii) consistent with the interests of national security.

(B) AGENCY COMPLIANCE WITH REQUESTS OF PANEL.—Each head of an agency shall comply with requests of the panel for access to employees of the agency necessary for the review of an appeal under this subsection, to the extent that doing so is, as determined by the head of the agency and permitted by applicable provisions of law, consistent with the interests of national security.

(4) REPORTING.—(A) CASE-BY-CASE.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (1) during the previous fiscal year.

(B) ANNUAL REPORTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

(I) The number of cases and reasons for determinations made under paragraph (1), disaggregated by agency.

(II) Such other matters as the Security Executive Agent considers appropriate.

(D) DENIALS AND REVOCATIONS UNDER OTHER PROVISIONS OF LAW.—(i) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or affect the responsibility and power of the head of an agency to deny or revoke eligibility for access to classified information in the interests of national security.
(2) DENIALS AND REVOCATION.—The power and responsibility to deny or revoke eligibility for access to classified information pursuant to any other provision of law or Executive order are exercised only when the head of an agency determines that an applicable process established under this section cannot be invoked in a manner that is consistent with national security.

(3) FINALITY.—A determination under paragraph (2) shall be final and conclusive and may not be reviewed by any other official or by any commission.

(4) REPORTING.—

(A) CASE-BY-CASE.—

(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (2) that determination relating to a denial or revocation of eligibility for access to classified information could not be made pursuant to a process established under this section, the head shall, not later than 30 days after the date on which the head makes such determination under paragraph (2), submit to the congressional intelligence committees a report stating the reasons for the determination.

(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

(B) ANNUAL REPORTS.—

(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (2) during the previous fiscal year.

(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

(I) The number of cases and reasons for determinations made under paragraph (2), disaggregated by agency.

(II) Such other matters as the Security Executive Agent considers appropriate.

(g) RELATIONSHIP TO SUTITABILITY.—No person may use a determination of suitability under part 731 of title 5, Code of Federal Regulations, or successor regulation, for the purpose of denying a covered person the review proceedings of this section where there has been a denial or revocation of eligibility for access to classified information.

(b) PRESERVATION OF ROLES AND RESPONSIBILITIES UNDER EXECUTIVE ORDER 10865 AND OF THE DEFENSE OFFICE OF HEARINGS AND APPEALS.—Nothing in this section shall be construed to otherwise affect the procedures in effect on the day before the date of the enactment of this Act for denial and revocation procedures provided to individuals by Executive Order 10865 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry), or successor order, including those administered through the Defense Office of Hearings and Appeals of the Department of Defense under Department of Defense Directive 5220.6, or successor directive.

(i) RULE OF CONSTRUCTION RELATING TO CERTAIN OTHER PROVISIONS OF LAW.—This section and the processes and procedures established under this section shall not be construed to apply to paragraphs (6) and (7) of section 5301(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)).

(2) CERCLICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Defense Authorization Act of 1947 (50 U.S.C. 3002), as amended by subsection (c), is further amended by inserting after the item relating to section 801A the following:

"Sec. 801B. Right to appeal."
the Inspector General, convene an external review panel under this subsection to review the claim.

"(2) MEMBERSHIP.—

"(A) Under section 1105 .—An external review panel convened under this subsection shall be composed of three members as follows:

(i) The Inspector General of the Intelligence Community.

(ii) Except as provided in subparagraph (B), two members selected by the Inspector General as the Inspector General considers appropriate, each of whom is an individual who has served at least two years as an inspector general outside of the Intelligence Community.

(iii) The Department of State.

(iv) The Department of Energy.


(vi) The Department of Justice.

(vii) The Department of Veterans Affairs.

(viii) The Department of Agriculture.

(b) In any other case, such other action as the Inspector General may have with respect to providing access to cleared attorneys by whistleblowers in the intelligence community.

(c) PRIVACY PROTECTIONS.—In developing recommendations under subsection (a), the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a recommendation on how to ensure that—

(A) the determinations and recommendations made by the external review panels convened under this section.

(B) the responses of the heads of agencies that received recommendations from the external review panels.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following new item:

"Sec. 1105. Inspector General external review panel.

(b) RECOMMENDATION ON ADDRESSING WHISTLEBLOWER APPEALS RELATING TO REFUSAL OF AGENCY TO PROVIDE CLEARED ATTORNEYS .

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a recommendation on how to ensure that—

(A) a whistleblower in the intelligence community who has a complaint against an inspector general in the intelligence community who alleges a reprisal, has available an agency adjudication and appellate review process provided under section 1104 of the National Security Act of 1947 (50 U.S.C. 3234); and

(B) any such whistleblower who has exhausted the process may request an external review panel and receive one, at the discretion of the Inspector General of the Intelligence Community.

(2) CONTENTS.—The report submitted pursuant to paragraph (1) shall include the following:

(A) A discussion of whether and to what degree section 1105 of the National Security Act of 1947, as added by subsection (a)(1), provides appropriate authorities and mechanisms to provide an external review panel as described in subsection (a)(1) of this section and for the purposes described in such paragraph.

(B) Such recommendations for legislative or administrative action as the Inspector General may have with respect to providing an external review panel as described in paragraph (1) and for the purposes described in such paragraph.

(3) IMPLEMENTATION.—Before establishing the system required by subsection (b), the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on access to cleared attorneys by whistleblowers in the intelligence community.

SEC. 325. REPORT ON CLEARED WHISTLEBLOWER ATTORNEYS .

(a) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on access to cleared attorneys by whistleblowers in the intelligence community.

(b) CONTENTS.—The system established under subsection (b) shall provide whistleblowers the option of prohibiting distribution of their complaints to the Inspector General of the Intelligence Community.

SEC. 323. HARMONIZATION OF WHISTLEBLOWER PROCESSES AND PROCEDURES.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall submit to the congressional intelligence committees a report on access to cleared attorneys by whistleblowers in the intelligence community.

(b) CONTENTS.—The system established under subsection (b) shall include the following:

(1) The number of whistleblowers in the intelligence community who sought to retain a cleared attorney and at what stage they sought such an attorney.

(2) For the 3-year period preceding the report:

(A) The number of limited security agreements (LSAs).
SEC. 402. COMPREHENSIVE ECONOMIC ASSESS- 
MENT OF INVESTMENT IN KEY UNITED STATES 
TECHNOLOGIES BY NON-GOVERNMENTAL ORGANIZATIONS 
LINKED TO CHINA.

(a) ASSESSMENT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the National Counterintelligence and Security Center, the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, the Secretary of the Treasury, and the heads of such other Federal agencies as the Director of National Intelligence considers appropriate, shall submit to the congressional intelligence committees a comprehensive economic assessment of investment in key United States technologies, including emerging technologies, by companies or organizations linked to China, including the implications of these investments for the national security of the United States.

(b) FORM OF ASSESSMENT.—The assessment submitted pursuant to subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 403. ANALYSIS OF AND PERIODIC BRIEFINGS 
ON MAJOR INITIATIVES OF INTEL-
IGENCE COMMUNITY IN ARTIFICIAL INTELLIGENCE AND 
MACHINE LEARNING.

(a) ANALYSIS.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall, in coordination with the heads of such other Federal agencies as the Director considers appropriate—

(A) complete a comprehensive analysis of the major initiatives of the intelligence community in artificial intelligence and machine learning; and

(B) submit to the congressional intelligence committees a report on the findings of the Director, with respect to the analysis conducted pursuant to subparagraph (A).

(2) ELEMENTS.—The analysis conducted pursuant to paragraph (1)(A) shall include analyses of—

(A) how the initiatives described in such paragraph—

(1) correspond with the strategy of the intelligence community entitled "Augmenting Intelligence Using Machines''; and

(2) complement each other and avoid unnecessary duplication;

(B) are coordinated with the efforts of the Defense Department on artificial intelligence, including efforts at the Joint Artificial Intelligence Center (JAIIC) and Project Maven; and

(C) leverage advances in artificial intelligence and machine learning in the private sector.

(b) PERIODIC BRIEFINGS.—Not later than 30 days after the date of the enactment of this Act, not less frequently than twice each year thereafter until the date that is 2 years after the date of the enactment of this Act, and not less frequently than once each year thereafter until the date that is 7 years after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress—

(A) a report on the findings of the Director with respect to the study conducted pursuant to subsection (a); and

(B) a plan to carry out such administrative actions as the Director considers appropriate pursuant to the findings described in subparagraph (A).

SEC. 404. ENCOURAGING COOPERATIVE ACTIONS 
TO DETECT AND COUNTER FOREIGN 
INFLUENCE OPERATIONS.

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

(1) The Russian Federation, through military intelligence units, also known as the "GRU'', and Kremlin-linked troll organizations often referred to as the "Internet Research Agency'', engage in information warfare operations against the United States, its allies and partners, with the goal of advancing the strategic interests of the Russian Federation.

(2) One line of effort deployed as part of these information warfare operations is the weaponization of social media platforms with disinformation to sow division, fear, and confusion.

(3) These information warfare operations are a threat to the national security of the United States, and they have damaged America’s democracy.

(4) These information warfare operations continue to evolve and increase in sophistication.

(5) Other foreign adversaries and hostile non-state actors will increasingly adopt similar tactics of deploying information warfare operations against the United States.

(6) Technological advances, including artificial intelligence, will only make it more difficult in the future to detect and counter adversarial networks operating clandestinely on their platforms.

(7) The social media companies are inherently technologically sophisticated and adept at rapidly analyzing large amounts of data and developing software-based solutions to diverse and ever-changing challenges on their platforms, which makes them well-equipped to address the threat occurring on their platforms.

(8) Independent analyses confirmed Kremlin-linked threat networks, based on data provided by several social media companies to the Select Committee on Intelligence of the Senate, that it is possible to discern both broad patterns of cross-platform information warfare operations and specific fraudulent behavior on social media platforms.

(9) General Paul Nakasone, Director of the National Security Agency, emphasized the importance of these independent analyses to the planning and conduct of military cyber operations to frustrate Kremlin-linked information warfare operations against the United States during the 2018 mid-term elections.

(10) General Nakasone stated that the reports "were very, very helpful in terms of being able to understand exactly what our adversary was trying to do to build dissent within our nation.''.

(11) Institutionalizing ongoing robust, independent, and vigorous analysis of data related to foreign threat networks within and across social media platforms will help counter ongoing information warfare operations against the United States, its allies, and its partners.

(12) Archiving and disclosing to the public the results of these social media companies and trusted third-party experts in a transparent manner will serve to demonstrate that the social media companies are protecting and complying with non-malign activities from their platforms while protecting the privacy of the people of the United States, and it is in the national interest of the United States, the Western democracies and our other partners to continue to strengthen the resilience of our democratic systems and institutions defensively against foreign influence operations against the United States, its allies, and its partners.

(b) REPORT AND PLAN.—The Committee on Armed Services and the Committee on Foreign Relations of the Senate, and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives, shall, not later than 30 days after the date of the enactment of this Act, submit to the appropriate committees of Congress—

(A) a report on the findings of the Director with respect to the study conducted pursuant to subsection (a); and

(B) a plan to carry out such administrative actions as the Director considers appropriate pursuant to the findings described in subparagraph (A).
United States and will build public understanding of the scale and scope of these foreign threats to our democracy, since exposure is one of the most effective means to build resilience.

(2) these analytic efforts should be organized in such a fashion as to meet the highest standards of ethics, confidentiality, and privacy protection of the people of the United States;

(3) these analytic efforts should be undertaken to facilitate countering ongoing Kremlin, Kremlin-linked, and other foreign information warfare operations and to aid in preparations for the United States presidential and congressional elections in 2020 and beyond;

(4) the structure and operations of social media companies, other social media platforms and networks, and foreign threat networks operating within and across their platforms, and these efforts could be conducted without direct Government involvement, direction, or regulation; and

(5) if the social media industry fails to take sufficient action to address foreign adversary threats prioritized by the Secretary of Defense, may facilitate, by grant or subsidy, the establishment of the Center, the Director of the Center shall—

(a) Develop a searchable, public archive of public information related to foreign influence and disinformation operations. Funds under subsection (c)(1) shall be used for the purposes of—

(B) Developing and making public the ethical standards for investigation of foreign threat networks and related privacy protection of the consumers and users of the social media platforms and of the information of the social media companies.

(C) Developing processes to share information with the appropriate Government agencies regarding threats to national security from, or violations of the law involving, foreign activities on social media platforms.

(D) Developing a searchable, public archive aggregating information related to foreign influence and disinformation operations. Funds under subsection (c)(1) shall be used for the purposes of—

(1) the National Intelligence Program; or

(2) SENSITIVE RESEARCH SUBJECT.—The term ‘covered institution of higher education’ means an institution described in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002) that receives Federal funds in any amount for any purpose.

(3) A list of sensitive research subjects that could affect national security.

(4) A list of foreign entities, including governments, corporations, nonprofit organizations and for-profit organizations, and any subsidiary or affiliate of such an entity, that the Director deems a covered institution of higher education to have engaged in or attempted to engage in covered institutions of higher education with more complete information on these risks and to help ensure academic freedom.

(5) CONTENTS.—The report required by subsection (b) shall include the following:

(A) A list of sensitive research subjects that could affect national security.

(B) A list of foreign entities, including governments, corporations, nonprofit organizations and for-profit organizations, and any subsidiary or affiliate of such an entity, that the Director deems a covered institution of higher education to have engaged in or attempted to engage in covered institutions of higher education with more complete information on these risks and to help ensure academic freedom.

(6) RECOMMENDATIONS.—The report required by subsection (b) shall include the following:

(A) A list of sensitive research subjects that could affect national security.

(B) A list of foreign entities, including governments, corporations, nonprofit organizations and for-profit organizations, and any subsidiary or affiliate of such an entity, that the Director deems a covered institution of higher education to have engaged in or attempted to engage in covered institutions of higher education with more complete information on these risks and to help ensure academic freedom.

(7) Definitions.—In this section, the term ‘appropriately made available’ means—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on Foreign Relations of the Senate;

(4) the Committee on the Judiciary of the Senate;

(5) the Select Committee on Intelligence of the Senate;

(6) the Committee on Armed Services of the House of Representatives;

(7) the Committee on Homeland Security of the House of Representatives;

(8) the Committee on Foreign Affairs of the House of Representatives;

(9) the Committee on the Judiciary of the House of Representatives; and

(10) the Permanent Select Committee on Intelligence of the House of Representatives.
(1) or (2) of subsection (c), the Director shall notify the congressional intelligence committees of the change.

SEC. 406. DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON FIFTH-GENERATION WIRELESS NETWORK TECHNOLOGY.

(a) Report Required.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees on—

(1) the threat to United States national security posed by the global and regional adoption of fifth-generation (5G) wireless network technology built by foreign companies; and

(2) the effect of possible efforts to mitigate the threat.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) The timeline and scale of global and regional adoption of foreign fifth-generation wireless network technology.

(2) The implications of such global and regional adoption on the cyber and espionage threat to the United States and United States interests as well as to United States cyber and collection capabilities.

(3) The effect of possible mitigation efforts, including:

(A) United States Government policy promoting the use of strong, end-to-end encryption for data transmitted over fifth-generation wireless networks.

(B) Government policy promoting or funding free, open-source implementation of fifth-generation wireless network technology.

(C) United States Government subsidies or incentives that could be used to promote the adoption of secure fifth-generation wireless network technology developed by companies of the United States or companies of allies of the United States.

(D) United States Government strategy to reduce foreign influence and political pressures in international standard-setting bodies.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form to the greatest extent practicable, but may include a classified appendix if necessary.

SEC. 407. ANNUAL REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES ON CYBERSECURITY AND SURVEILLANCE THREATS TO CONGRESS.

(a) Annual Report Required.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Comptroller General of the United States shall submit to the congressional intelligence committees a report on cybersecurity and surveillance threats to Congress.

(b) Statistics.—Each report submitted under subsection (a) shall include statistics on cyber attacks and other incidents of espionage or surveillance targeted against Senators or the immediate families or staff of the Senators, in which the nonpublic communications and other private information of such targeted individuals were lost, stolen, or otherwise subject to unauthorized access by criminals or a foreign government.

(c) CONSULTATION.—In preparing a report to be submitted under subsection (a), the Comptroller General shall consult with the Director of National Intelligence, the Secretary of Homeland Security, and the Sergeant at Arms and Doorkeeper of the Senate.

SEC. 408. DIRECTOR OF NATIONAL INTELLIGENCE ASSESSMENTS OF FOREIGN INFRINGEMENT IN ELECTIONS.

(a) Assessment Required.—Not later than 45 days after the conclusion of a United States election, the Director of National Intelligence, in consultation with the heads of such other executive departments and agencies as the Director considers appropriate, shall—

(1) conduct an assessment of any information indicating that a foreign government, or any person acting as an agent of or on behalf of a foreign government, has acted with the intent or purpose of interfering in that election; and

(2) transmit the findings of the Director with respect to the assessment conducted pursuant to paragraph (1), including any reporting information as the Director considers appropriate, to the following:

(A) The President.

(B) The Secretary of State.

(C) The Secretary of the Treasury.

(D) The Secretary of Defense.

(E) The Attorney General.

(F) The Secretary of Homeland Security.

(G) Congress.

(b) ELEMENTS.—An assessment conducted under subsection (a)(1), with respect to an act described in such subsection, shall identify, to the maximum extent ascertainable, the following:

(1) The nature of any foreign interference and any methods employed to execute the act.

(2) The persons involved.

(3) The foreign government or governments that authorized, directed, sponsored, or supported the act.

(c) PUBLICATION.—In a case in which the Director assesses pursuant to subsection (a)(1) with respect to an act described in such subsection, shall identify, to the maximum extent ascertainable, the following:

(1) The timeline and scale of global and regional adoption of foreign fifth-generation wireless networks.

(2) The persons involved.

(3) The foreign government or governments that authorized, directed, sponsored, or supported the act.

(d) SUBMISSION.—The findings transmitted under subsection (a)(2).

SEC. 409. STUDY ON FEASIBILITY AND ADVISABILITY OF ESTABLISHING GEOGRAPHICAL-INTELLIGENCE MUSEUM AND LEARNING CENTER.

(a) Study Required.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Geospatial-Intelligence Agency shall complete a study on the feasibility and advisability of establishing a Geospatial-Intelligence Museum and learning center.

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

(1) Identifying the costs, opportunities, and challenges of establishing the museum and learning center as described in such subsection.

(2) Developing recommendations concerning such establishment.

(3) Identifying and reviewing lessons learned from the establishment of the Cyberspace Center for Education and Innovation-Home of the National Cryptologic Museum under section 7781(a) of title 10, United States Code.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees and the congressional defense committees (as defined in section 101 of title 10, United States Code) a report on the findings of the Director with respect to the study completed under subsection (a).

SEC. 410. REPORT ON DEATH OF JAMAL KHASHOGGI.

(a) In General.—Not later than 30 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 consistent with protecting sources and methods. 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.

(b) Format.—The report submitted under subsection (a) shall be submitted in unclassified form.
TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.

Sec. 402. Designation of the program manager—information sharing environment.

Sec. 403. Technical modification to the executive schedule.

Sec. 404. Chief Financial Officer of the Intelligence Community.

Sec. 405. Chief Information Officer of the Intelligence Community.

Subtitle B—Central Intelligence Agency

Sec. 411. Central Intelligence Agency subsistence for personnel assigned to austere locations.

Sec. 412. Expansion of security protective service jurisdiction of the Central Intelligence Agency.

Sec. 413. Repeal of foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.

Subtitle C—Office of Intelligence and Counterintelligence of the Department of Energy

Sec. 421. Consolidation of Department of Energy Offices of Intelligence and Counterintelligence.

Sec. 422. Repeal of Department of Energy Intelligence Executive Committee and budget reporting requirement.

Subtitle D—Other Elements


Sec. 432. Notice not required for private entities.

Sec. 433. Framework for roles, missions, and functions of Defense Intelligence Agency.

Sec. 434. Establishment of advisory board for National Reconnaissance Office.

Sec. 435. Collocation of certain Department of Homeland Security personnel at field locations.

TITLE V—ELECTION MATTERS


Sec. 502. Review of intelligence community’s posture to collect against and analyze Russian efforts to influence the Presidential election.

Sec. 503. Assessment of foreign intelligence threats to United States elections.

Sec. 504. Strategy for countering Russian cyber threats to United States elections.

Sec. 505. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.

Sec. 506. Far-right intelligence and cybersecurity threats to Federal election campaigns.

Sec. 507. Information sharing with State election officials.

Sec. 508. Notification of significant foreign cyber intrusions and active measures campaigns directed at elections for Federal offices.

Sec. 509. Designation of counterintelligence officer to lead election security matters.

TITLE VI—SECURITY CLEAVERS

Sec. 601. Definitions.

Sec. 602. Reports and plans relating to security clearances and background investigations.

Sec. 603. Improving the process for security clearances.

Sec. 604. Goals for promptness of determinations regarding security clearances.

Sec. 605. Security Executive Agent.


Sec. 607. Report on clearance in person concept.

Sec. 608. Budget request documentation on funding for background investigations.

Sec. 609. Reports on reciprocity for security clearances inside of departments and agencies.

Sec. 610. Intelligence community reports on security clearances.

Sec. 611. Periodic report on positions in the intelligence community that can be clearance-sensitive without access to classified information, networks, or facilities.

Sec. 612. Information sharing program for positions of trust and security clearances.

Sec. 613. Report on protections for confidentiality of whistleblower-related communications.

TITLE VII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers

Sec. 701. Limitation relating to establishment or operation of cybersecurity unit with the Russian Federation.

Sec. 702. Report on returning Russian compatriots.

Sec. 703. Assessment of threat financial relations to Russia.

Sec. 704. Notice of an active measures campaign.


Sec. 706. Report on outreach strategy addressing threats from United States adversaries to the United States technology sector.

Sec. 707. Report on Iranian support of proxy forces in Syria and Lebanon.

Sec. 708. Annual report on Iranian expenditures supporting foreign military and terrorist activities.

Sec. 709. Expansion of scope of committee to counter active measures and report on establishment of Foreign Malign Influence Center.

Sec. 710. Annual report on hiring and retention of intelligence personnel.

Sec. 711. Technical correction to Inspector General study.

Sec. 712. Reports on authorities of the Chief Intelligence Officer of the Department of Homeland Security.

Sec. 713. Report on cyber exchange program.


Sec. 715. Report on role of Director of National Intelligence with respect to certain foreign investments.


Sec. 717. Biennial report on foreign investment risks.

Sec. 718. Modification of certain reporting requirement on travel of foreign diplomats.

Sec. 719. Semiannual reports on investigations of unauthorized disclosures of classified information.

Sec. 720. Congressional notification of designation of covered intelligence officer as persona non grata.

Sec. 721. Reports on intelligence community participation in vulnerabilities equities process of Federal Government.

Sec. 722. Inspectors General reports on classification.

Sec. 723. Reports on global water insecurity and national security implications and briefing on emerging infectious disease and pandemics.

Sec. 724. Annual report on memoranda of understanding between elements of intelligence community and other entities of the United States Government regarding significant operational activities or policy.

Sec. 725. Study on the feasibility of encrypting unclassified wireline and wireless telephone calls.

Sec. 726. Modification of requirement for annual report on hiring and retention of intelligence personnel.

Sec. 727. Reports on intelligence community loan repayment and related programs.

Sec. 728. Repeal of certain reporting requirements.

Sec. 729. Inspector General of the Intelligence Community report on senior executives of the Office of the Director of National Intelligence.

Sec. 730. Briefing on Federal Bureau of Investigation offering permanent residence to sources and cooperators.

Sec. 731. Intelligence assessment of North Korea revenue sources.

Sec. 732. Report on possible exploitation of virtual currencies by terrorist actors.

Subtitle C—Other Matters

Sec. 741. Public Interest Declassification Board.

Sec. 742. Securing energy infrastructure.

Sec. 743. Bug bounty programs.

Sec. 744. Modification of authorities relating to the National Intelligence University.


Sec. 746. Technical amendments related to the Department of Energy.

Sec. 747. Sense of Congress on notification of certain disclosures of classified information.

Sec. 748. Sense of Congress on consideration of espionage activities when considering whether or not to provide visas to foreign individuals to be accredited to a United Nations mission in the United States.

Sec. 749. Sense of Congress on WikiLeaks.

SEC. 2. DEFINITIONS.

In this division:

1. COGNIZANT INTELLIGENCE COMMITTEES.—The term ‘cognizant intelligence committees’ has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 1031).

2. INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given such term in such section.
TITLE I—INTELLIGENCE ACTIVITIES
SEC. 101. AUTHORIZATION OF APPROPRIATIONS.
(a) FISCAL YEAR 2019.—Funds are hereby authorized to be appropriated for fiscal year 2019 for the Intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.


(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of Energy.


(11) The National Reconnaissance Office.

(12) The National Geospatial-Intelligence Agency.

(13) The Department of the Treasury.

(14) The Office of the Director of National Security.

(b) FISCAL YEAR 2018.—Funds that were appropriated for fiscal year 2018 for the conduct of the intelligence and intelligence-related activities of the elements of the United States set forth in subsection (a) are hereby authorized to be appropriated for such fiscal year.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.
(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a) to appropriate portions of such Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion thereof except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2004 (50 U.S.C. 3096(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.
(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account by the Director of National Intelligence for fiscal year 2019 the sum of $522,242,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2019 such additional sums as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM
SEC. 201. AUTHORIZATION OF APPROPRIATIONS.
(a) The amount authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $534,000,000 for fiscal year 2019.

SEC. 202. COMPUTATION OF ANNUITIES FOR EMPLOYEES OF THE CENTRAL INTELLIGENCE AGENCY.
(a) COMPUTATION OF ANNUITIES.—

(1) IN GENERAL.—Section 221 of the Central Intelligence Agency Retirement and Disability Act (50 U.S.C. 2031) is amended—

(A) in subsection (a)(3)(B), by striking the period at the end and inserting “, as determined by using the annual rate of basic pay that would be payable for full-time service in that position,”;

(B) in subsection (b)(1)(C)(i), by striking “12-month” and inserting “2-year”;

(C) in subsection (b)(2), by striking “one year” and inserting “two years”;

(D) in subsection (g)(2), by striking “one year” each place such term appears and inserting “two years”.

(e) RECOMPUTATION OF ANNUITY.—(B) designating subsections (h), (j), (k), and (l) as subsections (i), (j), (k), and (l), respectively; and

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

(‘‘(B) REDUCTION IN PARTICIPANT’S ANNUITY.—

The annuity payable to the participant making such election shall be reduced by 10 percent of the amount of the annuity under subsection (a) and by an additional 5 percent for each full 5 years the designated individual is younger than the participant. The total reduction under this paragraph may not exceed 40 percent.’’).

(3) COMMENCEMENT OF SURVIVOR ANNUITY FOR SURVIVORS MARRIED AT THE TIME OF RETIREMENT.—

(1) AUTHORITY TO MAKE DESIGNATION.—

Subject to the rights of former spouses under subsection (b) and section 214 of title 5, United States Code, the President shall have the authority to make a designation under this section.

(2) DETERMINATION.—The President shall make the designation under this section if he determines that the annuitant is a survivor of a designated individual under this Act.

(3) EFFECT OF DESIGNATION.—(A) The President shall make the designation if the following conditions are met—

(1) the participant or former spouse is entitled to receive annuity under the system after the participant’s death;

(2) the participant is entitled to a survivor annuity under the system;

(3) the former spouse is entitled to a spousal right to a survivor annuity under the system; and

(4) the former spouse is entitled to the survivor annuity under the system.

(B) The annuity payable under section 221(i) of the Central Intelligence Agency Retirement and Disability Act shall be increased by the amount of the annuity under this Act.

(C) As otherwise required by law.

(b) COMPUTATION OF ANNUITY ON DEATH OF DESIGNATED INDIVIDUAL.—

(1) SUMMARY.—The annuity under section 221(i) of the Central Intelligence Agency Retirement and Disability Act that would be payable for full-time service in that position shall be reduced by 10 percent of the amount of the annuity under the system after the participant’s death, except that any such election to provide an insurable interest survivor annuity to the participant’s spouse shall only be effective if the participant’s spouse waives the spousal right to a survivor annuity under this Act. The amount of the annuity shall be equal to 5 percent of the participant’s reduced annuity.

(2) REDUCTION IN PARTICIPANT’S ANNUITY.—

The annuity payable to the participant making such election shall be reduced by 10 percent of the amount of the annuity under subsection (a) and by an additional 5 percent for each full 5 years the designated individual is younger than the participant. The total reduction under this paragraph may not exceed 40 percent.

(3) COMMENCEMENT OF SURVIVOR ANNUITY.—

The annuity payable to the designated individual under subsection (a) or (b) after the participant dies and terminates on the last day of the month before the designated individual dies.

(4) DESIGNATION OF PARTICIPANT’S ANNUITY ON DEATH OF DESIGNATED INDIVIDUAL.—

An annuity that is reduced under this subsection shall, effective the first day of the month following the death of the designated individual, be recomputed and paid as if the annuity had not been so reduced.

(5) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsections (a) and (b) shall take effect as if enacted on October 28, 2009, and shall apply to computations or participants, respectively, as of that date.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS
SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. MODIFICATION OF SPECIAL PAY AUTHORITY FOR SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.

(a) TREATMENT.—The special rate supplemental to the rates authorized by paragraphs (3) and (4) of subsection (b) of title 5, United States Code, is hereby modified by the head of each element of the intelligence community for each rate as follows—

(1) STANDARD RATES FOR POSITIONS REQUIRING EXPERTISE IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.—

(1) AS A WHOLE.—Notwithstanding the provisions of paragraph (4) of subsection (b) of title 5, United States Code, the head of each element of the intelligence community may, for 1 or more categories of positions in such element that require expertise in mathematics or other science, technology, engineering, or mathematics—

(A) establish higher minimum rates of pay, and

(B) make corresponding increases in all rates of pay for positions of the same grade or level, subject to subsection (b) or (c), as applicable.

(b) TREATMENT.—The special rate supplemental to the rates authorized by paragraphs (3) and (4) of subsection (b) of title 5, United States Code, is hereby modified by the head of each element of the intelligence community for each such rate as follows—

(1) AS A WHOLE.—Notwithstanding the provisions of paragraph (4) of subsection (b) of title 5, United States Code, the head of each element of the intelligence community may, for 1 or more categories of positions in such element that require expertise in science, technology, engineering, or mathematics—

(A) establish higher minimum rates of pay, and

(B) make corresponding increases in all rates of pay for positions of the same grade or level, subject to subsection (b) or (c), as applicable.

(2) BY DESIGNATING Subsections (b) through (l) of subsections (b) through (g), respectively, shall be as follows—

(3) by inserting after subsection (a) the following—

(4) RECOMPUTATION OF ANNUITY FOR FORMER SPOUSES.—Subparagraph (B) of section 22(b)(5) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2082(b)(5)(B)) is amended by striking “one year” and inserting “two years”.

(c) PRIOR SERVICE CREDIT.—Subparagraph (A) of section 252(b)(3) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2082(b)(3)(A)) is amended by striking “October 1, 1990” both places that term appears and inserting “March 1, 1986”.

(d) DEEMPLOYMENT COMPENSATION.—

(1) by redesignating subsections (a) and (c) as subsections (b) and (d), respectively; and

(2) by inserting after subsection (a) the following—

(2) PART-TIME DEEMPLOYED ANNUITANTS.—The Director shall have the authority to reemploy an annuitant on a part-time basis in accordance with section 894A(2) of title 5, United States Code.

(e) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsection (a) and (b) shall take effect as if enacted on October 28, 2009, and shall apply to computations or participants, respectively, as of that date.
of title 3, United States Code. and 48 U.S.C. 1301 et seq.)) shall also be payable for level II of the Executive Schedule, the level of the Executive Schedule at which such positions should be placed.

(b) Report.—Not later than 60 days after the date on which the review under subsection (a) is completed, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Intelligence, the Permanent Select Committee on Intelligence, and the House Intelligence Committee an unredacted report describing the review, the methodology used, the outcome of the review, and the findings of the review.

SEC. 306. SUPPLY CHAIN AND CYBERINTEL- LIGENCE RISK MANAGEMENT TASK FORCE.

(a) Appropriate Congressional Committees Defined.—In this section, the term ‘‘appropriate congressional committees’’ means the following:

(1) The congressional intelligence committees;

(2) The Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) The Committee on Armed Services, the Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives.

(b) Authority to Provide Cyber Protection Support.—The Director of National Intelligence may authorize the Supply Chain and Counterintelligence Risk Management Task Force to provide support to elements of the intelligence community, including networks to which such devices connect.

(c) Limitation on Support.—Nothing in this section shall be construed—

(1) to encourage personnel of the intelligence community to use personal technology, networks, and personal accounts for online and telecommunications services, including telephone, residential Internet access, email, text and multimedia messaging, cloud computing, social media, health care, and financial services, used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community, including networks to which such devices connect;

(2) to authorize cyberspace protection support for any other members the Director of National Intelligence determines appropriate.

(d) Nature of Cyber Protection Support.—Subject to the availability of resources, the cyber protection support provided to personnel under subsection (b) may include training, advice, assistance, and other services relating to cyber attacks and hostile information collection activities.

(e) Annual Report.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall submit to the appropriate congressional committees an annual report that describes the activities of the Task Force during the previous year, including identification of the supply chain and counterintelligence risks shared by the acquisition community of the United States Government by the intelligence community.

SEC. 307. CONSIDERATION OF ADVERSARIAL TELECOMMUNICATIONS AND CYBERSECURITY INFRASTRUCTURE WHEN SHARING INTELLIGENCE WITH FOREIGN GOVERNMENTS.

Whenever the head of an element of the intelligence community enters into an intelligence sharing agreement with a foreign government or any other entity, the head of the element shall consider the perverseness of telecommunications and cybersecurity infrastructure, equipment, and services provided by adversaries of the United States, particularly China and Russia, or entities of such adversaries in the country or region of the foreign government or other entity entering into the agreement.

SEC. 308. CYBER PROTECTION SUPPORT FOR THE PERSONNEL OF THE INTELLIGENCE COMMUNITY WHOSE PERSONAL TECHNOLOGIES ARE HIGHLY VULNERABLE TO CYBER ATTACK.

(a) Definitions.—In this section:

(1) Personal Accounts.—The term ‘‘personal accounts’’ means online and telecommunications services, including telephone, residential Internet access, email, text and multimedia messaging, cloud computing, social media, health care, and financial services, used by personnel of the intelligence community whose personal technology devices, networks, and personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(2) Personal Technology Devices.—The term ‘‘personal technology devices’’ means technology devices used by personnel of the intelligence community whose personal technology devices, networks, and personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(b) Authority to Provide Cyber Protection Support.—The Director of National Intelligence, by name, may authorize the Supply Chain and Counterintelligence Risk Management Task Force to provide personal technology devices, networks, and personal accounts to personnel of the intelligence community whose personal technology devices, networks, and personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(c) Limitation on Support.—Nothing in this section shall be construed—

(1) to encourage personnel of the intelligence community to use personal technology devices for official purposes;

(2) to authorize cyberspace protection support for any other members the Director of National Intelligence determines appropriate.

(d) Nature of Cyber Protection Support.—Subject to the availability of resources, the cyber protection support provided to personnel under subsection (b) may include training, advice, assistance, and other services relating to cyber attacks and hostile information collection activities.

(e) Annual Report.—Not later than 180 days after the date of the enactment of this Act, the
SEC. 311. JOINT INTELLIGENCE COMMUNITY COUNCIL.

(a) MEETINGS.—Section 101A(d) of the National Security Act of 1947 (50 U.S.C. 3022(d)) is amended by striking “regular”; and

(b) PROVISION OF INFORMATION.—(1) A systematic approach to identify core intelligence community information technology environment.

(b) by inserting “and” in place of “or” before “the following:”;

(c) NOTIFICATIONS.—(1) A description of the methodology used to make the determination under subsection (b);

(d) EVALUATION.—(1) A description of the intelligence community, including the data sharing and information technology environment, including each of the following:

(e) REPORT.—(1) A description of the effect and accomplishments of the Council.

(f) ANNUAL REPORT.—(1) IN GENERAL.—Except as provided in paragraph (2), not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in consultation with each head of a covered agency, submit to the Council a report on the function and utility of the Joint Intelligence Community Council.

(g) REPORT.—The report required by paragraph (1) shall include the following:

(h) REPORT.—The report submitted under paragraph (1) shall be made by the Director of National Intelligence, in coordination with the Executive Office of the President and members of the Joint Intelligence Community, shall submit to the congressional intelligence committees a report on the performance and effectiveness of the Joint Intelligence Community Council.

(i) REPORT.—(1) A description of the effect and accomplishments of the Council.

(j) ANNUAL REPORT.—(1) IN GENERAL.—Except as provided in paragraph (2), not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in consultation with each head of a covered agency, submit to the congressional intelligence committees a report on the function and utility of the Joint Intelligence Community Council.

(k) REPORT.—The report required by paragraph (1) shall be made by the Director of National Intelligence.

(1) A systematic approach to identify core intelligence community information technology environment.

(l) REPORT.—The report submitted under paragraph (1) shall include the following:

SEC. 312. INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

(a) DEFINITIONS.—In this section:

(b) TRANSMISSION.—(1) A description of the methodology used to make the determination under subsection (a);

(c) REPORT.—The report submitted under paragraph (1) shall include the following:

(d) REPORT.—The report submitted under paragraph (1) shall include the following:

(e) REPORT.—The report submitted under paragraph (1) shall include the following:

(f) REPORT.—The report submitted under paragraph (1) shall include the following:

(g) REPORT.—The report submitted under paragraph (1) shall include the following:

(h) REPORT.—The report submitted under paragraph (1) shall include the following:

(i) REPORT.—The report submitted under paragraph (1) shall include the following:

(j) REPORT.—The report submitted under paragraph (1) shall include the following:

(k) REPORT.—The report submitted under paragraph (1) shall include the following:

(l) REPORT.—The report submitted under paragraph (1) shall include the following:

(2) a description of the technology environment.

(3) a description of the effect and accomplishments of the Council.

(4) an explanation of the unique role of the Council relative to other intelligence committees.

(5) a description of the function and utility of the Joint Intelligence Community Council.

(6) a description of the effect and accomplishments of the Council.

(7) an explanation of the unique role of the Council relative to other intelligence committees.

(8) a description of the function and utility of the Joint Intelligence Community Council.

(9) a description of the effect and accomplishments of the Council.

(10) an explanation of the unique role of the Council relative to other intelligence committees.

(11) a description of the function and utility of the Joint Intelligence Community Council.

(12) a description of the effect and accomplishments of the Council.

SEC. 310. LIMITATIONS ON DETERMINATIONS REGARDING CERTAIN SECURITY CLASSIFICATIONS.

(a) PROHIBITION.—A director of an element of the intelligence community who has been designated by the President for a position that requires the advice and consent of the Senate, a classification decision with respect to information related to such officer’s nomination.

(b) CLASSIFICATION DETERMINATIONS.—(1) In general.—Except as provided in paragraph (2), a classification decision with respect to information related to such officer shall be made by the Director of National Intelligence.

(2) NOMINATIONS OF DIRECTOR OF NATIONAL INTELLIGENCE.—In a case described in paragraph (1) in which an officer has been designated by the President for a position that requires the advice and consent of the Senate, the classification decision shall be made by the Principal Deputy Director of National Intelligence.

(3) REPORTS.—Whenever the Director or the Principal Deputy Director makes a decision under subsection (b), the Director or the Principal Deputy Director, as the case may be, shall provide to the congressional intelligence committees a report detailing the reasons for the decision.
community information technology environment within the proposed budget, including multiyear plans to implement the long-term roadmap required by subsection (e). (2) A uniform effort by which each element of the intelligence community shall identify the cost of legacy information technology or alternative capabilities where services of the intelligence community information technology environment will also be available. (3) A uniform effort by which each element of the intelligence community shall identify the transition and restructuring costs for new, existing, and retiring services of the intelligence community information technology environment and any limitations to the voice solution for the intelligence community information technology environment that have changed designations as a core service. (g) QUARTERLY PRESENTATIONS.—Beginning not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the congressional intelligence committees quarterly updates regarding ongoing implementation of the intelligence community information technology environment as compared to the requirements in the most recently submitted security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f). (h) ADDITIONAL NOTIFICATIONS.—The Director of National Intelligence shall provide timely notification to the congressional intelligence committees regarding any policy changes related to or affecting the intelligence community information technology environment, new initiatives or strategies related to or impacting such environment, and changes or deficiencies in the execution of the security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f). (i) SUNSET.—The section shall have no effect on or after September 30, 2024.

SEC. 312. REPORT ON DEVELOPMENT OF SECURE MOBILE VOICE SOLUTION FOR INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency and the Director of the National Security Agency, shall submit to the congressional intelligence committees a classified report on the feasibility, cost, and required schedule associated with the implementation of a secure mobile voice solution for the intelligence community that includes a classified report on the feasibility, desirability, and cost, and required schedule associated with the implementation of a secure mobile voice solution for the intelligence community. (b) CONTENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) The benefits and disadvantages of a secure mobile voice solution.

(2) Whether the intelligence community could leverage commercially available technology to enhance the intelligence community information technology environment that operates on commercial mobile networks in a secure manner and identifying the accompanying security risks to such networks.

(3) A description of any policies or community guidance that would be necessary to govern the potential solution, such as a process for determining the security attributes of a secure mobile telephone and any limitations associated with such use.

SEC. 314. POLICY ON MINIMUM INSIDER THREAT STANDARDS.

(a) POLICY REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees minimum standards for Executive Branch Insider Threat Programs.

(b) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the head of each element of the intelligence community shall implement the policy established under subsection (a).

SEC. 315. SUBMISSION OF INTELLIGENCE COMMUNITY POLICIES.

(a) DEFINITIONS.—In this section:

(1) ELECTRONIC REPOSITORY.—The term “electronic repository” means the electronic distribution mechanism, in use as of the date of the enactment of this Act, or any successor electronic distribution mechanism, by which the Director of National Intelligence submits to the congressional intelligence committees information.

(2) POLICY.—The term “policy”, with respect to the intelligence community, includes unclassified or classified:

(A) directives, policy guidance, and policy memoranda of the intelligence community;

(B) executive correspondence of the Director of National Intelligence; and

(C) any equivalent successor policy instruments.

(b) SUBMISSION OF POLICIES.—

(1) CURRENT POLICY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees the policy on the electronic repository all nonpublicly available policies issued by the intelligence community for the intelligence community that are in effect as of the date of the submission.

(2) CONTINUOUS UPDATES.—Not later than 15 days after the date on which the Director of National Intelligence issues, modifies, or rescinds a policy of the intelligence community, the Director shall:

(A) notify the congressional intelligence committees of such addition, modification, or removal; and

(B) update the electronic repository with respect to such addition, modification, or removal.

SEC. 316. EXPANSION OF INTELLIGENCE COMMUNITY RECRUITMENT EFFORTS.

In order to further increase the diversity of the intelligence workforce, not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a written plan that ensures that diversity efforts are fully and consistently represented in such elements’ employment recruitment efforts. Upon receipt of the plan, the congressional intelligence committees shall have 60 days to submit to the Director of National Intelligence before such plan shall be implemented.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. AUTHORITY FOR PROTECTION OF CURRENT AND FORMER EMPLOYEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 3(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by striking “such personnel of the Office of the Director of National Intelligence as the Director of National Intelligence may designate;” and inserting “current and former personnel of the Office of the Director of National Intelligence and their immediate families as the Director of National Intelligence may designate;”.

SEC. 402. DESIGNATION OF THE PROGRAM MANAGER-INFORMATION SHARING ENVIRONMENT.

(a) INFORMATION SHARING ENVIRONMENT.—Section 1016(f) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

(1) in paragraph (1), by striking “President” and inserting “Director of National Intelligence”; and

(2) in paragraph (2), by striking “President” both places that term appears and inserting “Director of National Intelligence”.

(b) PROGRAM MANAGER.—Section 1016(f)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(f)(1)) is amended by inserting “designated as the program manager” after “is designated” as the program manager shall serve as program manager until removed from service or replaced by the President at the President’s sole discretion.” and inserting “Beginning on the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019, each individual designated as the program manager shall be appointed by the Director of National Intelligence.”.

SEC. 403. TECHNICAL MODIFICATION TO THE EXECUTIVE SCHEDULE.

Section 5315 of title 5, United States Code, is amended by adding at the end the following:

“Director of the National Counterintelligence and Security Center.”.

SEC. 404. CHIEF FINANCIAL OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103(a)(1) of the National Security Act of 1947 (50 U.S.C. 3023(a)(1)) is amended by adding at the end the following new sentence: “The Chief Financial Officer shall report directly to the Director of National Intelligence.”.

SEC. 405. CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103G(a) of the National Security Act of 1947 (50 U.S.C. 3023(a)(2)) is amended by adding at the end the following new sentence: “The Chief Information Officer shall report directly to the Director of National Intelligence.”.

Subtitle B—Central Intelligence Agency

SEC. 411. CENTRAL INTELLIGENCE AGENCY JURISDICTION FOR PERSONNEL ASSIGNED TO AUSTERE LOCATIONS.

Subsection (a) of section 5 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3505) is amended—

(1) in paragraph (1), by striking “(50 U.S.C. 403–4a),” and inserting “(50 U.S.C. 403–4a),”;

(2) in paragraph (4), by striking “and” at the end;

(3) in paragraph (7), by striking the period at the end and inserting “; and”; and

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

“(b) Upon the approval of the Director, provide, during any fiscal year, with or without reimbursement, subsistence to any personnel assigned to an overseas location designated by the Agency as an austere location.”.

SEC. 412. EXPANSION OF SECURITY PROTECTIVE SERVICE JURISDICTION OF THE CENTRAL INTELLIGENCE AGENCY.

Subsection (a) of section 15 of the Central Intelligence Act of 1949 (50 U.S.C. 3515(a)) is amended—

(1) in the subsection heading, by striking “POLICY” and inserting “POLICE OFFICERS”;

(2) in paragraph (1)—

(A) in subparagraph (B), by striking “500 feet” and inserting “500 yards”; and

(B) in subparagraph (D), by striking “500 feet” and inserting “500 yards.”.
SEC. 413. REPEAL OF FOREIGN LANGUAGE PRO-
FICIENCY REQUIREMENT FOR CERT-
AIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGEN-
CY.
(a) REPEAL OF FOREIGN LANGUAGE PRO-
FICIENCY REQUIREMENT.—Section 104A of the National Security Act of 1947 (50 U.S.C. 3063) is hereby repealed by striking subsection (g).
(b) CONFORMING REPEAL OF REPORT RE-
QUIREMENT.—Section 611 of the Intelligence Authorization Act for Fiscal Year 2005 (Pub-
lic Law 108–467) is amended by striking sub-
section (c).

Subtitle C—Office of Intelligence and Counterintelligence
SEC. 421. CONSOLIDATION OF DEPARTMENT OF ENERGY OFFICES OF INTELLIGENCE AND COUNTERINTELLIGENCE.
(a) IN GENERAL.—Section 215 of the Depart-
ment of Energy Organization Act (42 U.S.C. 7144b) is amended to read as follows:
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Title V—Election Matters

SEC. 501. REPORT ON CYBER ATTACKS BY FOREIGN GOVERNMENTS AGAINST UNITED STATES ELECTION INFRASTRUCTURE.

(a) Definitions.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on Foreign Relations of the Senate; and

(E) the Committee on Foreign Affairs of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ‘‘congressional leadership’’ includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(3) STATE.—The term ‘‘State’’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(b) PLAN FOR COLLOCATION.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security, the Director of National Intelligence and Analysis shall identify, in consultation with the Commissioner of U.S. Customs and Border Protection, the Administrator of Transportation Security Administration, the Administrator of the Federal Bureau of Investigation, and the Director of National Intelligence, in coordination with appropriate congressional committees, the heads of such other elements of the Department of Homeland Security, the Office of the Director of National Intelligence, and the Office of the Director of National Security, the relevant content-sharing partners, the posture and efforts described in paragraph (1) to support the Board.

(c) FORM.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 502. REVIEW OF INTELLIGENCE COMMUNITY’S POSTURE TO COLLECT AGAINST AND ANALYZE RUSSIAN EFFORTS TO INFLUENCE THE PRESIDENTIAL ELECTION.

(a) REVIEW REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) complete an after action review of the posture of the United States intelligence community to collect against and analyze efforts of the Government of Russia to interfere in the 2016 Presidential election in the United States; and

(2) submit to the congressional intelligence committees a report on the findings of the Director with respect to such review.

(b) ELEMENTS.—The review required by subsection (a) shall include, with respect to the posture and efforts described in paragraph (1) of such subsection, the following:

(1) An assessment of the intelligence community’s posture and efforts to collect against and analyze efforts of the Government of Russia to interfere in the 2016 Presidential election in the United States;

(2) An assessment that occurred within elements of the intelligence community.

(3) An assessment of the information sharing that occurred between elements of the intelligence community.

(4) An assessment of the information sharing that occurred between elements of the intelligence community.

(b) APPEAL.—In the event that the President of the United States provides a written objection to the report submitted under subsection (a), the report shall be submitted to the congressional intelligence committees in a classified form.

SEC. 503. ASSESSMENT OF FOREIGN INTELLIGENCE THREATS TO FEDERAL ELECTIONS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Foreign Relations of the Senate; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ‘‘congressional leadership’’ includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(E) The Committee on Homeland Security and the Committee on Foreign Affairs.

(3) SECURITY VULNERABILITY.—The term ‘‘security vulnerability’’ has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 2102).

(4) IN GENERAL.—The Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, and the Heads of other relevant elements of the intelligence community, shall—

(1) commence not later than 1 year before any regularly scheduled Federal election occurring after December 31, 2018, and complete not later than 180 days before such election an assessment of security vulnerabilities of State election systems; and

(2) not later than 180 days before any regularly scheduled Federal election occurring after December 31, 2018, submit a report on such security vulnerabilities and an assessment of foreign intelligence threats to the election to—

(A) the congressional intelligence committees; and

(B) the appropriate congressional committees.

(c) UPDATE.—Not later than 90 days before any regularly scheduled Federal election occurring after December 31, 2018, the Director of National Intelligence shall—

(1) update the assessment of foreign intelligence threats to that election; and

(2) submit the updated assessment to—

(A) the congressional intelligence committees; and

(B) the appropriate congressional committees.

SEC. 504. STRATEGY FOR COUNTERING RUSSIAN CYBER THREATS TO UNITED STATES ELECTIONS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘‘appropriate congressional committees’’ means the following:

(1) The congressional intelligence committees.

(2) The Committee on Armed Services and the Committee on Homeland Security and the Committee on Governmental Affairs of the Senate.

(3) The Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(4) The Committee on Foreign Relations of the Senate.

(5) The Committee on Foreign Affairs of the House of Representatives.

(b) REQUIREMENT FOR A STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, the Secretary of State, the Secretary of Defense, and the Secretary of the Treasury,
shall develop a whole-of-government strategy for countering the threat of Russian cyber attacks and attempted cyber attacks against electoral systems and processes in the United States, including Federal, State, and local election systems, voter registration databases, voting tabulation equipment, and processes for the secure transmission of election results.

(e) ELEMENTS OF THE STRATEGY.—The strategy required by subsection (b) shall include the following elements:

(1) A whole-of-government approach to protecting United States electoral systems and processes that includes the agencies and departments identified in subsection (b) as well as any other agencies and departments of the United States, as determined appropriate by the Director of National Intelligence and the Secretary of Homeland Security.

(2) Input solicited from Secretaries of State of the various States and the chief election officials of the States.

(3) Technical security measures, including audible paper trails for voting machines, securing wireless and Internet connections, and other technical safeguards.

(4) Detection of cyber threats, including attacks and attempted attacks by Russian government or nongovernment cyber threat actors.

(5) Improvements in the identification and attribution of Russian government or nongovernment cyber threat actors.

(6) Inclusion of actions and measures that could or should be undertaken against or communicated to the Government of Russia or other entities to deter attacks against the United States.

(7) Improvements in United States election systems and processes.

(8) Improvements in Federal Government communications with State and local election officials.

(9) Public education and communication efforts.

(b) BENCHMARKS AND MILESTONES.—Benchmarks and milestones to enable the measurement of concrete steps taken and progress made in the implementation of the strategy.

(c) CONGRESSIONAL BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Homeland Security shall develop a whole-of-government strategy for Intelligence and Analysis, and the Under Secretary of Homeland Security, in coordination with the appropriate congressional committees on the strategy developed under subsection (b).

SEC. 505. ASSESSMENT OF SIGNIFICANT RUSSIAN INTELLIGENCE CAMPAIGNS DIRECTED AT FOREIGN ELECTIONS AND REFERENDA.

(a) RUSSIAN INFLUENCE CAMPAIGN DEFINED.—In this section, the term “Russian influence campaign” means any effort, covert or overt, and by any means, attributable to the Russian Federation directed at an election, referendum, or similar process in a country other than the Russian Federation or the United States.

(b) ASSESSMENT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Homeland Security shall submit to the appropriate committees of Congress a report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—

(1) a summary of such significant Russian influence campaigns, including, at a minimum, the attributes by which such campaigns were conducted, are being conducted, or likely will be conducted, as appropriate, and the specific goal of each such campaign;

(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;

(3) a summary of any relevant activities by elements of the intelligence community underwriting or financing the government of such foreign state in defending against or responding to such Russian influence campaigns; and

(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).

(c) FORM.—The report required by subsection (b) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.

SEC. 506. FOREIGN COUNTERINTELLIGENCE AND CYBERSECURITY THREATS TO FEDERAL ELECTION CAMPAIGNS.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—As provided in paragraph (2), for each Federal election, the Director of National Intelligence, in coordination with the Under Secretary of Homeland Security for Intelligence and Analysis and the Director of the Federal Bureau of Investigation, shall make publicly available on an Internet website an advisory report on foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices. Each such report shall include, consistent with the protection of sources and methods, each of the following:

(A) A description of foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices.

(B) A summary of any relevant activities by elements of the intelligence community underwriting or financing such threats.

(C) An identification of any publicly available resources, in the possession of the Federal Government, for countering such threats.

(2) SCHEDULE FOR SUBMITTAL.—A report under this subsection shall be made available as follows:

(A) In the case of a report regarding an election held for the office of Senator or Member of the House of Representatives during 2018, not later than the date that is 60 days after the date of the enactment of this Act.

(B) In the case of a report regarding an election for a Federal office during any subsequent year, not later than the date that is 1 year before the election.

(c) INFORMATION SHARING.—

(1) IN GENERAL.—The Under Secretary of Homeland Security for Intelligence and Analysis shall coordinate with the Director of National Intelligence and the Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs and agencies (as specified in section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H))) with sharing any appropriate classified information necessary to assess and to secure the integrity of the election process with chief election officials and such designees who have received a security clearance under subsection (b).

(2) COORDINATION.—The Under Secretary of Homeland Security for Intelligence and Analysis shall coordinate with the Director of National Intelligence and the Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs and agencies (as specified in section 103(a)(1)(H)) to facilitate the sharing of information to the affected Secretaries of State and the States.

SEC. 508. NOTIFICATION OF SIGNIFICANT FOREIGN CYBER INTRUSIONS AND ACTIVE MEASURES CAMPAIGNS DIRECTED AT ELECTIONS FOR FEDERAL OFFICES.

(a) DEFINITIONS.—In this section:

(1) ACTIVE MEASURES CAMPAIGN.—The term “active measures campaign” means a foreign semi-covert or covert intelligence operation.

(2) ELECTION OFFICIALS.—The terms “election campaign,” “electoral process,” and “political party” have the meanings given those terms in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(3) CONGRESSIONAL LEADERSHIP.—The term “congressional leadership” includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(b) CYBER INTRUSION.—The term “cyber intrusion” means an unauthorized acquisition that actually or imminently jeopardizes, without lawful authority, electronic election infrastructure, or the integrity, confidentiality, or availability of information within such infrastructure.

(c) ELECTRONIC ELECTION INFRASTRUCTURE.—The term “electronic election infrastructure” means an election information and communications system of any of the following that is related to an election for Federal office:

(A) The Federal Government.

(B) A State or local government.

(C) A political party.

(D) The election campaign of a candidate.

(7) **HIGH CONFIDENCE.**—The term "high confidence", with respect to a determination, means that the determination is based on high-quality information from multiple sources.

(8) **MODERATE CONFIDENCE.**—The term "moderate confidence", with respect to a determination, means that a determination is credible but sufficiently ambiguous but sufficiently uncertain to warrant a higher level of confidence.

(9) **OTHER APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "other appropriate congressional committees" means—

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

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

(b) **DETERMINATIONS OF SIGNIFICANT FOREIGN CYBER INTRUSIONS AND ACTIVE MEASURES CAMPAIGNS.**—The Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security shall jointly carry out subsection (c) if, in consultation with the Director of National Intelligence and the Secretary jointly determine—

(1) that on or after the date of the enactment of this Act, a significant foreign cyber intrusion or active measures campaign attempt to influence an upcoming election for the President, the Senate, or the House of Representatives; and

(2) with moderate or high confidence, that such intrusion or campaign can be attributed to a foreign state or to a foreign nonstate person, group, or other entity.

(2) **IN GENERAL.**—Not later than 14 days after making a determination under subsection (b), the Director of National Intelligence shall inform the Chairmen of the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and the Chairmen of the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

**TITLE VI—SECURITY CLEARANCES**

SEC. 601. DEFINITIONS.

In this title:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate; and

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(E) the Committee on Appropriations of the House of Representatives;

(F) the Committee on Appropriations of the House of Representatives; and

(G) the Committee on Oversight and Reform of the House of Representatives.

(2) **APPROPRIATE INDUSTRY PARTNERS.**—The term "appropriate industry partner" means an organization that—

(A) is responsible for the protection of classified information, or any successor entity;

(B) has performed or would perform services as the Director of National Intelligence considers appropriate.

(3) **CONTINUOUS VETTING.**—The term "continuous vetting" has the meaning given such term in Executive Order 13467 (50 U.S.C. 3161 note; relating to improving background investigations associated with security clearances).

(4) **COUNCIL.**—The term "Council" means the Security, Suitability, and Credentialing Performance Accountability Council established pursuant to Executive Order 13467.

(5) **PUBLIC SAFETY.**—The term "public safety" has the meaning given that term in section 803 of the National Security Act of 1947, as added by section 200, or an otherwise sustainable steady-level, by the end of year 2020. Such plan shall include any recommendations to restructure or change in investigatory and adjudicative standards or resources.

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

(1) ensuring the trustworthiness and security of the workforce, facilities, and information of the Federal Government is of the highest priority to national security and public safety;

(2) the President and Congress should prioritize the modernization of the personnel security framework to improve its efficiency, effectiveness, and accountability;

(3) the current system for security clearances, suitability and fitness for employment, and Federal background investigations and capabilities to meet the current threat environment, recruit and retain a trusted workforce, and capitalize on modern technologies; and

(4) changes to policies or processes to improve this system should be vetted through the Council to ensure standardization, portability, and reciprocity in security clearances across the Federal Government.

(b) **ACCOUNTABILITY PLANS AND REPORTS.**—

(1) **PLANS.**—Not later than 90 days after the date of the enactment of this Act, the Council shall submit to the appropriate congressional committees and make available to appropriate industry partners the following:

(A) A plan, in coordination with the appropriate congressional committees, to reduce the background investigation inventory to 200,000, or an otherwise sustainable steady-level, by the end of year 2020. Such plan shall include any recommendations to restructure or change in investigatory and adjudicative standards or resources.

(B) A plan to consolidate the conduct of background investigations with the processing for security clearances in the most effective and efficient manner between the National Background Investigation Bureau and the Defense Security Service, or a successor organization. Such plan shall address required funding, personnel, contracts, information technology, field office structure, policy, governance, schedule, transition costs, and effects on stakeholders.

(2) **REPORT ON THE FUTURE OF PERSONNEL SECURITY.**—

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report on the future of personnel security to reflect changes in the workforce, and to capitalize on modern technologies.

(b) **CONTENTS.**—The report submitted under subparagraph (A) shall include the following:

(I) A risk framework for granting and renewing access to classified information.

(II) A discussion of the use of technologies to prevent, detect, and monitor threats.

(III) A discussion of efforts to address reciprocity and portability.

(IV) A discussion of the characteristics of effective insider threat programs.

(V) An analysis of how to integrate data from continuous evaluation, insider threat programs, and human resources data.

(VI) Recommendations on interagency governance, interagency coordination, and interagency cooperation.

(3) **PLAN FOR IMPLEMENTATION.**—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a plan to implement the future of personnel security.

SEC. 602. REPORTS AND PLANS RELATING TO SECURITY CLEARANCES AND BACK-GROUND INVESTIGATIONS.

SEC. 509. DESIGNATION OF COUNTERINTELLIGENCE OFFICER TO LEAD ELECTRON SECURITY MATTERS.

(a) **IN GENERAL.**—The Director of National Intelligence shall designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate counterintelligence matters relating to election security.

(b) **ADDITIONAL RESPONSIBILITIES.**—The person designated under subsection (a) shall also lead, manage, and coordinate matters relating to election security matters related to national security, and shall—

(1) The Federal Government election security supply chain;

(2) Election voting systems and software;

(3) Voter registration databases;

(4) Critical infrastructure related to elections;

(5) Such other Government services and services as the Director of National Intelligence considers appropriate.
(4) CONGRESSIONAL NOTIFICATIONS.—Not less frequently than quarterly, the Security Executive Agent shall make available to the public a report regarding the status of the disposition of requests received from departments and agencies of the Federal Government for a change to, or approval under, the Federal Investigative Standards and agencies of the Federal Government for a change to, or approval under, the Federal Investigative Standards for a periodic investigation for continued access to classified information of whether any such determination.

(1) A review of whether the information requested on the Questionnaire for National Security Positions (Standard Form 86) and by the Federal Investigative Standards prescribed by the Office of Personnel Management and the Office of the Director of National Intelligence appropriately supports the adjudications if the Security Executive Agent Directive 4 (known as the “National Security Adjudicative Guidelines”). Such review shall include identification of whether such information currently collected is unnecessary to support the adjudicative guidelines.

(2) An assessment of whether such Questionnaire for National Security Positions (Standard Form 86) and by the Federal Investigative Standards prescribed by the Office of Personnel Management and the Office of the Director of National Intelligence appropriately supports the adjudications if the Security Executive Agent Directive 4 (known as the “National Security Adjudicative Guidelines”). Such review shall include identification of whether such information currently collected is unnecessary to support the adjudicative guidelines.

(3) A review of whether the information requested on the Questionnaire for National Security Positions (Standard Form 86) and the Security Executive Agent Directive 4 (known as the “National Security Adjudicative Guidelines”). Such review shall include identification of whether such information currently collected is unnecessary to support the adjudicative guidelines.

(4) A review of whether the information requested on the Questionnaire for National Security Positions (Standard Form 86) and by the Federal Investigative Standards prescribed by the Office of Personnel Management and the Office of the Director of National Intelligence appropriately supports the adjudications if the Security Executive Agent Directive 4 (known as the “National Security Adjudicative Guidelines”). Such review shall include identification of whether such information currently collected is unnecessary to support the adjudicative guidelines.

(5) A policy and implementation plan for agencies and departments of the United States to establish the continuous vetting program as a substitute for reciprocal recognition of clearances at different agencies that require the same agency and between or among contractors at different agencies that require the same level of clearance.

(6) Uniform standards for agency continuous evaluation programs to accept automated records checks generated pursuant to a periodic investigation for continued access to classified information.

SEC. 404. GOVERNMENT-WIDE PROCESS OF DETERMINATIONS REGARDING SECURITY CLEARANCES.

(a) RECIPROCITY DEFINED.—In this section, the term “reciprocity” means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) IN GENERAL.—The Council shall, in coordination with the members of the Council, the Executive Agent are as follows:

(1) To direct the oversight of investigations, adjudications, and, as applicable, polygraphs for eligibility for access to classified information or eligibility to hold a sensitive position made by any Federal agency.

(2) To review the national security background investigation and adjudication programs of Federal agencies to determine whether such programs are being implemented in accordance with this section.

(3) To develop and promulgate consistent policies and procedures to ensure the effective, efficient, timely, and secure completion of investigations, polygraphs, and adjudications relating to determinations of eligibility for access to classified information or eligibility to hold a sensitive position.

(4) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to conduct investigations of persons who are proposed for access to classified information or for eligibility to hold a sensitive position.

(5) To ensure reciprocal recognition of eligibility for access to classified information or eligibility to hold a sensitive position in accordance with Executive Order 12668 (50 U.S.C. 3161 note; relating to access to classified information).

(6) To ensure reciprocal recognition of eligibility for access to classified information or eligibility to hold a sensitive position in accordance with Executive Order 12668 (50 U.S.C. 3161 note; relating to access to classified information).

(7) To execute all other duties assigned to the Security Executive Agent by law.
implementing a clearance in person concept described in subsection (c).

(c) CLEARANCE IN PERSON CONCEPT.—The clearance in person concept—

(1) permits an individual who once held a security clearance to maintain his or her eligibility for access to classified information, notwithstanding an lapse of 3 years, and after the individual’s eligibility for access to classified information would otherwise lapse; and

(2) recognizes, unless otherwise directed by the Security Executive Agent, an individual’s security clearance and background investigation as current, regardless of employment status, contingent on enrollment in a continuous vetting program.

d) CONTENTS.—The report required under subsection (b) shall:

(1) requirements for an individual to voluntarily remain in a continuous evaluation program validated by the Security Executive Agent, even if the individual is not in a position requiring access to classified information;

(2) appropriate safeguards for privacy;

(3) advantages to government and industry;

(4) the costs and savings associated with implementation;

(5) the risks of such implementation, including security and counterintelligence risks;

(6) an appropriate funding model; and

(7) falsehoods of small companies and independent contractors.

SEC. 608. BUDGET REQUEST DOCUMENTATION ON FUNDING FOR BACKGROUND INVESTIGATIONS.

(a) IN GENERAL.—As part of the fiscal year 2020 budget request submitted to Congress pursuant to section 106(a) of title 31, United States Code, the President shall include exhibits that identify the resources expended by each agency during the prior fiscal year for processing background investigations and continuous evaluation programs, disaggregated by tier and whether the individual was a Government employee or contractor.

(b) CONTENTS.—Each exhibit submitted under subsection (a) shall include details on:

(1) the costs of background investigations or reinvestigations;

(2) the costs associated with background investigations for Government or contractor personnel;

(3) costs associated with continuous evaluation initiatives monitoring for each person whose background investigation or re-investigation was conducted, other than costs associated with adjudication;

(4) the average per person cost for each type of background investigation; and

(5) a summary of transfers and reprogramming that were executed in the previous year to support the processing of security clearances.

SEC. 609. REPORTS ON RECIPROCITY FOR SECURITY CLEARANCES INSIDE DEPARTMENT AND AGENCIES.

(a) RECIPROCALLY RECOGNIZED DEFINED.—In this section, the term "reciprocally recognized" means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) REPORTS TO SECURITY EXECUTIVE AGENT.—In each report submitted to the Security Executive Agent that—

(1) identifies the number of individuals whose clearances expired more than 2 weeks to be reciprocally recognized after such individuals move to another part of that department or agency; and

(2) breaks down the total described in paragraph (1) by type of clearance and the reasons for any delays.
information obtained during employment with or for the Federal Government, that satisfy Federal investigative standards, while safeguarding personnel privacy. (d) Investigation procedures. The information and records considered under the Program shall include the following: (1) Date and place of birth. (2) Citizenship or immigration and naturalization information. (3) Education records. (4) Employment records. (5) Employment or social references. (6) Military service records. (7) State and local law enforcement checks. (8) Criminal history checks. (9) Financial records or information. (10) Foreign travel, relatives, or associations. (11) Social media checks. (12) Such other information or records as may be relevant to obtaining or maintaining national security, suitability or fitness, or credentialing eligibility.

SEC. 613. REPORT ON PROTECTIONS FOR CONCEALED INFORMATION AND RECORDS.—

SEC. 702. REPORT ON RETURNING RUSSIAN COMPOUNDS.—

(1) The Program required—

(a) Covered Compounds Defined.—In this section, the term ‘‘covered compounds’’ means the real property in Maryland, the real property in San Francisco, California, that were

TITLE VII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers

SEC. 701. LIMITATION RELATING TO ESTABLISHMENT OF SIGNATURE UNIT WITH THE RUSSIAN FEDERATION—

(a) Appropriate Congressional Committees Defined.—In this section, the term ‘‘appropriate congressional committees’’ means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives;

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

(b) Limitation.—

(1) In General.—No amount may be expended by the Federal Government, other than the Department of Defense, to enter into or implement any bilateral agreement between the United States and the Russian Federation regarding cybersecurity, including the establishment or support of any cybersecurity unit, unless, at least 30 days prior to the conclusion of any such agreement, the Director of National Intelligence transmits to the appropriate congressional committees a report on such agreement that includes the elements required by subsection (c).

(ii) Such recommendations for legislative or administrative action as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate to carry out or improve the Program.

(iii) For 12 months or longer, but shorter than 18 months.

(iv) For 18 months or longer, but shorter than 24 months.

(v) For 24 months or longer.

(vi) The number of such delays involving a polygraph requirement.

(vii) The percentage of security clearance investigations, including initial and periodic reinvestigations, including initial and periodic reexaminations, that resulted in a denial or revocation of a security clearance.

(viii) The percentage of security clearance investigations that resulted in incomplete information.

(ix) The percentage of security clearance investigations that did not result in enough information to make a decision on potentially adverse information.

(x) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex as appropriate to carry out or improve the Program.

(xii) The term ‘‘Security Executive Agent’’ means the individual officially designated by the Director of National Intelligence to serve in that position.

(xiii) The Department of Defense shall ensure that the Director of National Intelligence shall—

(A) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives;

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives;

(C) the Committee on Intelligence of the House of Representatives.

The Director of National Intelligence shall—

(1) after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees a review of the implementation of the Program to include the sharing of information held by the Federal Government related to contract personnel with the security office of the employers of those contractor personnel.

(2) The plan required by paragraph (1) shall include the following:

(A) The purpose of the agreement.

(B) The purpose of the agreement.

(C) The purpose of the agreement.

(D) The expected value to national security resulting from the implementation of the agreement.

(E) The purpose of the agreement.

(F) The purpose of the agreement.
under the control of the Government of Russia in 2016 and were removed from such control in response to various transgressions by the Government of Russia, including the interference in the 2016 election in the United States.

(b) REQUIREMENT FOR REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives (only with respect to the unclassified form), a report on the intelligence community's analysis of Russian threat actors described in paragraph (1) to the Director of National Intelligence and the head of any other relevant agency, shall notify the congressional leadership and the Chairman and Vice Chairman or Ranking Member of each of the appropriate committees of Congress, and, in the case of other relevant committees of jurisdiction, each time the Director of National Intelligence determines there is credible information that a foreign power has, is, or will at attempt to employ a covert influence or offensive measures campaign with regard to the modernization, employment, doctrine, or force posture of the nuclear deterrent or missile defense.

(c) CONTENTS.—Each notification required by subsection (b) shall include the following:

(1) A review of the current outreach efforts to combat the threats from efforts of adversaries described in subsection (b).

(2) An assessment of potential methods for improving the effectiveness of such outreach, including an assessment of the following:

(A) Those critical technologies, infrastructure, or related supply chains that are at risk from the efforts of adversaries described in subsection (b).

(B) The necessity and advisability of granting security clearances to company or community leadership, when necessary and appropriate, to allow for tailored classified briefings on specific targeted threats.

(C) The advisability of partnering with entities of the Federal Government that are not elements of the intelligence community and relevant regulatory and industry groups described in subsection (b), to convey key messages across sectors targeted by United States adversaries.

(D) Strategies to assist affected elements of the communities described in subparagraph (C) in mitigating, deterring, and protecting against the broad range of threats from the efforts of adversaries described in subsection (b), with focus on producing information that enables private entities to justify business decisions related to national security concerns.

(E) The advisability of the establishment of a United States Government-wide task force to coordinate outreach and activities to combat the threats from efforts of adversaries described in subsection (b).

(F) Such other matters as the Director of National Intelligence may consider necessary.

(d) CONSULTATION ENCOURAGED.—In preparing the report required by subsection (b), the Director is encouraged to consult with other government agencies, think tanks, academia, representatives of the financial industry, or such other entities as the Director considers appropriate.

(2) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report detailing outreach by the intelligence community and the Defense Intelligence Enterprise to United States industry in information, commercial, scientific, technical, and academic communities on matters relating to the efforts of adversaries of the United States to acquire critical United States technology, intellectual property, and research and development information.

(2) The term ‘‘appropriate congressional committees’’ means—

(a) the congressional intelligence committees;

(b) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate;

(c) the Committee on Armed Services, Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives.

(f) DEFINITIONS.—In this section:

(1) the congressional intelligence committees;

(2) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on Armed Services, Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives.
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(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and
(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives;

(2) DESCRIPTION OF FOREIGN AND DOMESTIC SUPPLY CHAINS.—The term ‘‘arms or related material’’ means—

(A) nuclear, biological, chemical, or radiological weapons or materials or components of such weapons; (B) ballistic or cruise missile weapons or materials or components of such weapons; (C) destabilizing numbers and types of advanced conventional weapons; (D) defense articles or defense services, as those terms are defined in paragraphs (3) and (4), respectively, section 47 of the Arms Export Control Act (22 U.S.C. 2774); (E) defense information, as that term is defined in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(b)(9));

(F) items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1));

(b) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to Congress a report describing Iranian activities in the previous calendar year on military and terrorist activities outside the United States, including each of the following:

(1) A description of such activities and their tactical implications for the United States as a result of such support; (2) A description of such activities and their implications for the U.S. political processes and elections; (C) provides comprehensive assessment, and indications and warning, of such activities;

(D) provides for enhanced dissemination of such assessment to United States policy makers.

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

(A) A discussion of the desirability of the establishment of such center and any barriers to such establishment;

(B) Such recommendations and other matters as the Director considers appropriate.

Subtitle B—Reports

SEC. 711. TECHNICAL CORRECTION TO INSPECTION DIRECTOR OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—(A) The congressional intelligence committees; (B) the Committee on Homeland Security and Governmental Affairs of the Senate; and (C) the Committee on Homeland Security of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Under Secretary of Homeland Security for Intelligence and Analysis and after the appropriate committees of Congress, shall submit to the appropriate committees of Congress a report on the authorities of the Under Secretary.

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

(1) An analysis of whether the Under Secretary has the legal and policy authority necessary to organize and lead, other than the Office of Intelligence and Analysis of the Department to—

(A) coordinate intelligence programs; and (B) access to all intelligence and other reporting acquired by the United States Government on foreign efforts to influence, through overt and covert malign activities, the United States political processes and elections;

(C) provides comprehensive assessment, and indications and warning, of such activities;

(D) provides for enhanced dissemination of such assessment to United States policy makers.

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

(A) A discussion of the desirability of the establishment of such center and any barriers to such establishment;

(B) Such recommendations and other matters as the Director considers appropriate.

SEC. 712. REPORTS ON AUTHORITIES OF THE CHIEF INTELLIGENCE OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) DEFINITIONS.—In this section:

(1) IN GENERAL.—Section 501 of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–5; 50 U.S.C. 3001 note) is amended—

(2) A description of the actions that the Director determined to be necessary to support such activities; and

(b) REPORT REQUIRED.—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 describing how the United States and its allies have improved the strategic and tactical implications for the United States as a result of such support.

(c) MATTERS FOR INCLUSION.—The report required under subsection (b) shall include information relating to the following matters with respect to both the strategic and tactical implications for the United States and its allies:

(1) A description of arms or related matériel transfers from Hizballah since March 2011, including the number of such arms or related matériel and whether such transfer was by land, sea, or air, as well as financial and additional technological capabilities transferred by Iran to Hizballah;

(2) A description of Iranian and Iranian-controlled personnel, including Hizballah, Shite Iran’s Revolutionary Guard Corps, forces, operating within Syria, including the number and geographic distribution of such personnel operating within 30 kilometers of the Israeli borders with Syria and Lebanon.

(3) An assessment of Hizballah’s operational lessons learned based on its recent experiences in Syria.

(a) DESCRIPTION OF FOREIGN AND DOMESTIC SUPPLY CHAINS.—The term ‘‘arms or related material’’ means—

(A) nuclear, biological, chemical, or radiological weapons or materials or components of such weapons; (B) ballistic or cruise missile weapons or materials or components of such weapons; (C) destabilizing numbers and types of advanced conventional weapons; (D) defense articles or defense services, as those terms are defined in paragraphs (3) and (4), respectively, section 47 of the Arms Export Control Act (22 U.S.C. 2774); (E) defense information, as that term is defined in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(b)(9));

(F) items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1));

(b) REPORT REQUIRED.—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 describing Iranian activities in the previous calendar year on military and terrorist activities outside the United States, including each of the following:

(1) A description of such activities and their tactical implications for the United States as a result of such support; (2) A description of such activities and their implications for the U.S. political processes and elections; (C) provides comprehensive assessment, and indications and warning, of such activities;
SEC. 713. REPORT ON CYBER EXCHANGE PROGRAM.

(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the potential establishment of a voluntary exchange program between elements of the intelligence community and private technology companies under which—

(1) an employee of an element of the intelligence community with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to temporarily detail to a private technology company that has elected to receive the detailed employee;

(2) an employee of a private technology company with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to an element of the intelligence community that has elected to receive the detailed employee; and

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

(1) An assessment of the feasibility of establishing the exchange program described in subsection (a).

(2) Identification of any challenges in establishing the exchange program.

(3) An evaluation of the benefits to the intelligence community that would result from the exchange program.

SEC. 714. REVIEW OF INTELLIGENCE COMMUNITY WHISTLEBLOWER MATTERS.

(a) REVIEW OF WHISTLEBLOWER MATTERS.—The Inspector General of the Intelligence Community, in consultation with the inspectors general for the Central Intelligence Agency, the National Security Agency, the National Geospatial-Intelligence Agency, the Defense Intelligence Agency, and the National Reconnaissance Office, shall conduct a review of the authorities, policies, procedures relating to intelligence community whistleblower matters, with respect to such inspectors general.

(b) OBJECTIVE OF REVIEW.—The objective of the review required under subsection (a) is to identify any discrepancies, inconsistencies, or other issues, which frustrate the timely and effective handling of intelligence community whistleblower matters to appropriate inspectors general and to the congressional intelligence committees, and the fair and effective means for investigation and resolution of such matters.

(c) CONDUCT OF REVIEW.—The Inspector General of the Intelligence Community shall take such measures as the Inspector General determines necessary in order to ensure that the review required by subsection (a) is conducted in an independent and objective fashion.

(d) REPORT.—Not later than 270 days after the date of enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a written report containing the results of the review required under subsection (a), along with recommendations to improve the timely and effective reporting of intelligence community whistleblower matters to inspectors general and to the congressional intelligence committees and the fair and expeditious investigation and resolution of such matters.

SEC. 715. REPORT ON ROLE OF DIRECTOR OF NATIONAL INTELLIGENCE IN CONSIDERATION OF CERTAIN FOREIGN INVESTMENTS.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community determined appropriate by the Director, shall submit to the congressional intelligence committees a report on the role of the Director in preparing any articulation with the evaluation by the Federal Government of national security risks associated with potential foreign investments into the United States.

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

(1) a description of the current process for the provision of analytic materials described in subsection (a); and

(2) an identification of the most significant challenges in respect to the role of the Director, including the sufficiency of resources and personnel to prepare such materials; and recommendations to improve such process.

SEC. 716. REPORT ON SURVEILLANCE BY FOREIGN GOVERNMENTS AGAINST UNITED STATES TELECOMMUNICATIONS NETWORKS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means the following:

(1) The congressional intelligence committees.

(2) The Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director of National Intelligence shall, in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Central Intelligence Agency, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security, submit to the appropriate congressional committees a report describing:

(1) any attempts known to the intelligence community by foreign governments to exploit cybersecurity vulnerabilities in United States telecommunications networks (including Signalng System No. 7) to target for surveillance United States persons, including employees of the Federal Government; and

(2) any actions, as of the date of the enactment of this Act, taken by the intelligence community to protect agencies and personnel of the Federal Government from surveillance conducted by foreign governments.

SEC. 717. BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.

(a) INTELLIGENCE COMMUNITY INTERAGENCY WORKING GROUP.—

(1) REQUIREMENT TO ESTABLISH.—The Director of National Intelligence shall establish an intelligence community interagency working group to prepare the biennial reports required by this section.

(2) CHAIRPERSON.—The Director of National Intelligence shall serve as the chairperson of such interagency working group.

(3) MEMBERSHIP.—Such interagency working group shall be composed of representatives of each of the intelligence community agencies that are indicated in each report.

(b) BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act and not less frequently than once every 2 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees, 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 foreign investment risks prepared by the interagency working group established under subsection (a).

(2) ELEMENTS.—Each report required by paragraph (1) shall include identification, analysis, and explanation of the following:

(A) Any current or projected major threats to the national security of the United States with respect to foreign investment.

(B) Any strategy used by a foreign country that such interagency working group has identified to be a country of special concern to use foreign investment to target the acquisition of critical technologies, critical materials, or critical infrastructure.

(C) Any economic espionage efforts directed at the United States by a foreign country, particularly such a country of special concern.

SEC. 718. MODIFICATION OF CERTAIN REPORTING REQUIREMENT ON TRAVEL OF FOREIGN DIPLOMATS.

Section 502(d)(2) of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31) is amended by striking the “number,” and inserting ‘unauthorized disclosure of classified information’.

SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 3211 et seq.) is amended by adding at the end the following new section:

SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

(a) DEFINITIONS.—In this section:

(1) COVERED OFFICIAL.—The term ‘covered official’ means—

(A) the heads of each element of the intelligence community; and

(B) the inspectors general with oversight responsibility for an element of the intelligence community.

(2) INVESTIGATION.—The term ‘investigation’ means any inquiry, whether formal or informal, into the existence of an unauthorized public disclosure of classified information.

(3) UNAUTHORIZED DISCLOSURE OF CLASSIFIED INFORMATION.—The term ‘unauthorized disclosure of classified information’ means any unauthorized public disclosure of classified information to any recipient other than a covered official.

(b) UNAUTHORIZED DISCLOSURE OF CLASSIFIED INFORMATION.—The term ‘unauthorized disclosure of classified information’ means the unauthorized disclosure of classified information to a journalist or media organization.

(2) INTELLIGENCE COMMUNITY REPORTING.—

(1) IN GENERAL.—Not less frequently than once every 6 months, each covered official shall submit to the congressional intelligence committees a report on investigations of unauthorized public disclosures of classified information.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include, with respect to the preceding 6-month period, the following:

(A) The number of investigations opened by the covered official regarding an unauthorized public disclosure of classified information.

(B) The number of investigations completed by the covered official regarding an unauthorized public disclosure of classified information.

(C) Of the number of such completed investigations, the number identified in paragraph (B), the number referred to the Attorney General for criminal investigation.
criminal charges have been filed related to the referral was substantiated by the Department of Justice.

SEC. 720. CONGRESSIONAL NOTIFICATION OF CIRCUMSTANCES THAT MERIT PRIORITIZATION FOR DECLASSIFICATION.

(a) DEFINITIONS.—In this section:

(1) VULNERABILITIES EQUITIES POLICY AND PROCESS.—The term ‘Vulnerabilities Equities Policy and Process’ includes, with respect to the department or agency to which it applies, the following:

(A) The accuracy of the application of classification and handling markers on a representative sample of finished intelligence, including such reports that are component.

(B) Compliance with declassification procedures.

(C) The effectiveness of processes for identifying topics of public or historical importance that merit prioritization for a declassification review.

(b) INSPECTORS GENERAL LISTED.—The Inspectors General listed in this subsection are as follows:

(1) The Inspector General of the Intelligence Community.

(2) The Inspector General of the Central Intelligence Agency.

(3) The Inspector General of the National Security Agency.


(5) The Inspector General of the National Reconnaissance Office.

(6) The Inspector General of the National Geospatial-Intelligence Agency.

SEC. 723. REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS;

(a) REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS.—

(1) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act and 5 years thereafter, the Director shall submit to the congressional intelligence committees a report on the implications of water insecurity on the national security interest of the United States, including consideration of social, economic, agricultural, and environmental factors.

(b) ASSESSMENT SCOPE AND FOCUS.—Each report submitted under paragraph (1) shall include an assessment of water insecurity described in such report and the national security interests of the United States.

(1) that are, as of the date of the report, at the greatest risk of instability, conflict, human insecurity, or mass displacement; or

(2) where challenges relating to water insecurity are likely to emerge and become significant during the 5-year or the 20-year period beginning on the date of the report; and

(c) ANNUAL REPORTS.—Not less frequently than once each calendar year, the Director shall submit to the congressional intelligence committees a classified annex describing such information as the Director determines to be classified information.


The term ‘Vulnerabilities Equities Process’ means the interagency review of vulnerabilities, pursuant to the Vulnerabilities Equities Policy and Process document or any successor document.

The term ‘Vulnerability’ means a weakness in an information system or its components (for example, system security procedures, hardware design, and internal controls) that could be exploited or could affect confidentiality, integrity, or availability of information.

The term ‘Vulnerabilities Equities Process’; and

The term ‘Vulnerabilities Equities Process’; and

The term ‘Vulnerabilities Equities Process’; and

The term ‘Vulnerabilities Equities Process’; and

The term ‘Vulnerabilities Equities Process’; and
SEC. 724. ANNUAL REPORT ON MEMORANDA OF UNDERSTANDING BETWEEN ELEMENTS OF INTELLIGENCE COMMUNITY AND OTHER ENTITIES OF THE UNITED STATES GOVERNMENT REGARDING SIGNIFICANT OPERATIONAL ACTIVITIES OR POLICY.

Section 31 of the Intelligence Authorization Act for Fiscal Year 2017 (50 U.S.C. 3313) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by striking subsection (a) and inserting the following:

(a) IN GENERAL.—Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, United States Code, each head of an element of the intelligence community shall submit to the congressional intelligence committees a report that lists each memorandum of understanding or other agreement or arrangement that the element has entered into during the most recently completed fiscal year between or among such element and any other entity of the United States Government and the heads of which are included in the intelligence committees.

(b) PROVISION OF DOCUMENTS.—Each head of an element of an intelligence community who receives a request from the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives for a copy of a memorandum of understanding or other document listed in a report submitted by the head under subsection (a) shall submit to such committee the requested copy as soon as practicable after receiving such request.

SEC. 725. REPORTS ON INTELLIGENCE COMMUNITY-WIDE PROGRAMS.—

(a) STUDY REQUISITED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a study on the feasibility of encrypting unclassified wireline and wireless telephone calls between personnel in the intelligence community.

(b) REPORT.—Not later than 90 days after the date on which the Director completes the study required under subsection (a), the Director shall submit to the congressional intelligence committees a report on the findings of the study.

SEC. 726. MODIFICATION OF REQUIREMENT FOR ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES.—

(a) EXPANSION OF PERIOD OF REPORT.—Subsection (a) of section 114 of the National Security Act of 1947 (50 U.S.C. 3050) is amended by inserting “and the preceding 5 fiscal years after the date of enactment of this Act” after “the most recently completed fiscal year between or among”.

(b) CLARIFICATION ON DISAGREGATION OF DATA.—Subsection (b) of such section is amended to read—

(1) by striking paragraph (1) and inserting—

(A) A description of the financial resources of the intelligence community that the Director determined necessary to establish and carry out such a program.

(B) A description of the practical steps to establish and carry out such a program.

(C) The identification of any legislative action the Director determines necessary to establish and carry out such a program.

(c) ANNUAL REPORTS ON ESTABLISHED PROGRAMS.—

(1) COVERED PROGRAMS DEFINED.—In this subsection, the term “covered programs” means any loan repayment program, loan forgiveness program, financial counseling program, or similar program, established pursuant to title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) or any other provision of law that may be administered or used by an element of the intelligence community.

(2) ANNUAL REPORTS REQUIRED.—Not less frequently than once each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the covered programs. Each such report shall include, with respect to the period covered by the report, the following:

(A) The number of participants from each element of the intelligence community who used each covered program.

(B) The total amount of funds each element expended for each covered program.

(C) A description of the efforts made by each element to promote each covered program pursuant to both the personnel of the element of the intelligence community and to prospective personnel.

SEC. 727. REPORTS ON INTELLIGENCE COMMUNITY-WIDE PROGRAMS.—

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

(1) there should be established, through the issuance of a Intelligence Community Directive or otherwise, an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, for employees of the intelligence community;

(2) creating such a program would enhance the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions;

(3) such a program, including with respect to eligibility requirements, should be designed so as to maximize the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions; and

(4) to the extent possible, such a program should be uniform throughout the intelligence community and publicly promoted by each element of the intelligence community to both current employees of the element as well as to prospective employees of the element.

(b) REPORT ON POTENTIAL INTELLIGENCE COMMUNITY-WIDE PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community and the heads of any other appropriate department or agency of the Federal Government, shall submit to the congressional intelligence committees a report on potentially establishing and carrying out an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, as described in subsection (a).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of the financial resources that an intelligence community would require to establish and initially carry out the program specified in paragraph (1).

(B) A description of the practical steps to establish and carry out such a program.

(C) The identification of any legislative action the Director determines necessary to establish and carry out such a program.

SEC. 728. REPEAL OF CERTAIN REPORTING REQUIREMENTS.—

(a) CONNECTING LONG-STANDING MATERIAL WEAKNESSES.—Section 368 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111–289; 50 U.S.C. 3051 note) is hereby repealed.

(b) INTERAGENCY THREAT ASSESSMENT AND COORDINATION GROUP.—Section 2102 of the Homeland Security Act of 2002 (6 U.S.C. 124k) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) through (i) as subsections (c) through (h), respectively; and

(3) in subsection (c), as so redesignated—

(B) in paragraph (4), by striking “; and” and inserting a period; and

(B) by striking paragraph (9).

(c) INSPECTOR GENERAL REPORT.—Section 813 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking subsection (g); and

Sec 728. Repeal of certain reporting requirements.
SEC. 729. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REPORT ON SENIOR EXECUTIVE SERVICE POSITIONS IN THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) SENIOR EXECUTIVE SERVICE POSITION DEFINED.—In this section, the term ‘Senior Executive Service position’ has the meaning given that term in section 3132(a)(2) of title 5, United States Code, and includes any position above the GS–15, step 10, level of the General Schedule under section 5332 of such title.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on the number of Senior Executive Service positions in the Office of the Director of National Intelligence.

(c) MATTERS INCLUDED.—The report under subsection (b) shall include the following:

(1) The number of required Senior Executive Service positions for the Office of the Director of National Intelligence.

(2) Whether such requirements are reasonably based on the mission of the Office.

(3) A description of the number of Senior Executive Service positions in the Office compare to the number of senior positions at comparable organizations.

(d) COMPLIANCE.—The Director of National Intelligence shall provide to the Inspector General of the Intelligence Community any information requested by the Inspector General of the Intelligence Community that is necessary to carry out this section by not later than 14 calendar days after the date on which the Inspector General of the Intelligence Community makes such request.

SEC. 730. BRIEFING ON FEDERAL BUREAU OF INVESTIGATION OFFERING PERMANENT RESIDENCE TO SOURCES AND COOPERATORS.

Not later than 30 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall provide to the congressional intelligence committees a briefing on the ability of the Federal Bureau of Investigation to voluntarily participate as an inducement to assisting the Bureau, permanent residence within the United States to foreign individuals who are sources or cooperators in intelligence or other national security-related investigations. The briefing shall address the following:

(1) The extent to which the Bureau may make offers, other inducements, and voluntary participation in conjunction with other agencies and departments of the United States Government, including a discussion of the authorities provided under section 101(a)(15)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(B)), section 7 of the Central Intelligence Agency Act (50 U.S.C. 507), and any other offers or inducements under which the Bureau may make such offers.

(2) An overview of the policies and operational practices of the Bureau with respect to making such offers.

(3) The sufficiency of such policies and practices with respect to inducing individuals to cooperate with, serve as sources for such investigations, or both.

(4) Whether the Director recommends any legislative actions to improve such policies and practices, particularly with respect to the counterintelligence efforts of the Bureau.

SEC. 731. INTELLIGENCE ASSESSMENT OF NORTH KOREA REVENUE SOURCES.

(a) ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Assistant Secretary of State for Intelligence and Research and the Assistant Secretary of the Treasury for Intelligence and Analysis, shall submit to Congress an intelligence assessment of the major revenue sources of the North Korean regime. Such assessment shall include revenue from the following sources:

(1) Trade in coal, iron, and iron ore.

(2) The provision of fishing rights to North Korean territorial waters.

(3) Trade in gold, titanium ore, vanadium ore, copper, silicon, zinc, or rare earth minerals, and other stores of value.

(4) Trade in textiles.

(5) Sales of conventional defense articles and services.

(6) Sales of controlled goods, ballistic missiles, and other associated items.

(7) Other types of manufacturing for export, as the Director of National Intelligence considers appropriate.

(8) The exportation of workers from North Korea in a manner intended to generate significant revenue, directly or indirectly, for use by the government of North Korea.

(9) The provision of nonhumanitarian goods (such as food, medicine, and medical devices) and services.

(10) The provision of services, including banking and other support, including by entities located in the Russian Federation, China, and Iran.

(11) Online commercial activities of the Government of North Korea, including online gambling.

(12) Criminal activities, including cyber-enabled crime and counterfeit goods.

(b) ELEMENTS.—The assessment required under subsection (a) shall include an identification of each of the following:

(1) The sources of North Korea’s funding.

(2) Financial and non-financial networks, including supply, transportation, and facilitation, through which North Korea accesses the United States and international financial systems and repatriates and exports capital, goods, and services;

(3) the global financial institutions, money services businesses, and payment systems that assist North Korea with financial transactions.

(c) SUBMITTAL TO CONGRESS.—Upon completion of the assessment required under subsection (a), the Director of National Intelligence shall submit to the congressional intelligence committees a copy of such assessment.

SEC. 732. REPORT ON POSSIBLE EXPLOITATION OF VIRTUAL CURRENCIES BY TERRORIST ACTORS.

(a) SHORT TITLE.—This section may be cited as the “Stop Terrorist Use of Virtual Currencies Act”.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of the Treasury and the Director of National Intelligence, shall submit to Congress a report on the possible exploitation of virtual currencies by terrorist actors. Such report shall include the following elements:

(1) An assessment of the means and methods by which international terrorist organizations and State sponsors of terrorism use virtual currencies.

(2) An assessment of the use by terrorist organizations and State sponsors of terrorism of virtual currencies compared to the use by such organizations and States of other methods to support operations, including an assessment of the collection posture of the intelligence community on the use of virtual currencies by such organizations and States.

(3) A description of any existing legal impediments that inhibit or prevent the intelligence community from collecting information on or helping prevent the use of virtual currencies by international terrorist organizations and State sponsors of terrorism and any legal impediments in existing law that could be exploited for illicit funding by such organizations and States.

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

Subtitle C—Other Matters

SEC. 741. PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 710(b) of the Public Interest Declassification Act of 2000 (Public Law 106-567; 50 U.S.C. 3161 note) is amended by striking “December 31, 2018” and inserting “December 31, 2028”.

SEC. 742. SECURING ENERGY INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the congressional intelligence committees;

(b) Committee on Homeland Security and Governmental Affairs and the Committee on Energy and Natural Resources of the Senate;

(c) the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives.

(2) SECURITY VULNERABILITY.—The term “security vulnerability” means an entity identified pursuant to section 9(a) of Executive Order 13636 of February 12, 2013 (78 Fed. Reg. 11942), relating to identification of critical infrastructure where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

(3) EXPLOIT.—The term “exploit” means a software tool designed to take advantage of a security vulnerability.

(4) INDUSTRIAL CONTROL SYSTEM.—The term “industrial control system” means an operational technology used to measure, control, or manage industrial functions, and includes supervisory control and data acquisition systems, distributed control systems, and programmable logic or embedded controllers.

(5) NATIONAL LABORATORY.—“National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(6) PROGRAM.—The term “Program” means the pilot program established under section (b).

(7) SECRETARY.—Except as otherwise specifically provided, the term “Secretary” means the Secretary of Energy.

(b) SECURITY VULNERABILITY.—The term “security vulnerability” means any attribute of hardware, software, or procedures that could enable or facilitate the defeat of a security control.

(c) PILOT PROGRAM FOR SECURING ENERGY INFRASTRUCTURE.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall establish a 2-year control systems implementation pilot program with the National Laboratories for the purposes of—

(1) partnering with covered entities in the energy sector (including critical component manufacturers in the supply chain) that voluntarily participate in the Program to identify new classes of security vulnerabilities of the covered entities; and

(2) developing technology and standards, in partnership with covered entities, to isolate and defend industrial control systems of covered entities from security vulnerabilities identified in the national systems of the covered entities, including—

(A) analog and nondigital control systems;
SEC. 743. BUG BOUNTY PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Armed Services and the Committee on Homeland Security and the House of Representatives.

(2) BUG BOUNTY PROGRAM.—The term "bug bounty program" means a program under which a private sector employee, security specialist or security researcher is temporarily authorized to identify and report vulnerabilities within the information system of an agency or department of the United States in exchange for compensation.

(3) INFORMATION SYSTEM.—The term "information system" has the meaning given that term in section 3002 of title 44, United States Code.

(b) BUG BOUNTY PROGRAM PLAN.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a final report that—

(A) describes the results of the evaluations conducted by the working group established under subsection (c)(1); and

(B) includes an analysis of the feasibility of each method studied under the Program; and

(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1).

(2) F INAL REPORT .—Not later than 2 years after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees a final report that—

(A) describes the results of the Program; (B) includes an analysis of the feasibility of each method studied under the Program; and

(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1).

(c) WORKING GROUP TO EVALUATE PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a working group—

(A) to evaluate the technology and standards used in the Program under subsection (b); and

(B) to develop a national cyber-informed engineering strategy to isolate and defend critical systems of the covered entities from security vulnerabilities and exploits in the most critical systems of the covered entities.

(2) MEMBERSHIP.—The working group established under paragraph (1) shall be composed of not fewer than 10 members, to be appointed by the Secretary, at least 1 member of which shall represent each of the following:

(A) The Department of Energy.

(B) The energy industry, including electric utilities and manufacturers recommended by the Energy Sector coordinating council.

(C)(i) The Department of Homeland Security; or

(ii) the Industrial Control Systems Cyber Emergency Response Team.


(E) The Nuclear Regulatory Commission.

(F) The Office of the Director of National Intelligence;

(G)(i) The Department of Defense; or

(ii) the Assistant Secretary of Defense for Homeland Security and America's Security Affairs.

(H) A State or regional energy agency.

(I) A national research body or academic institution.

(J) The National Laboratories.

(d) REPORTS ON THE PROGRAM.—

(1) INTERIM REPORT.—Not later than 180 days after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees an interim report that—

(A) describes the results of the Program; (B) includes an analysis of the feasibility of each method studied under the Program; and

(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1).

(2) FINAL REPORT.—Not later than 2 years after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees a final report that—

(A) describes the results of the Program; (B) includes an analysis of the feasibility of each method studied under the Program; and

(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1).

(e) EXEMPTING INFORMATION FROM DISCLOSURE.—Information shared by or with the Federal Government or a State, Tribal, or local government under this section—

(1) shall be deemed to be voluntarily shared information; and

(2) shall be exempt from disclosure under section 552 of title 5, United States Code, or any provision of any State, Tribal, or local freedom of information law, open government law, open meetings law, open records law, sunshine law, or similar law requiring the disclosure of information or records; and

(3) shall be withheld from the public, without discretion, under section 552(b)(3) of title 5, United States Code, and any provision of any State, Tribal, or local law requiring the disclosure of information or records.

(f) PROTECTION FROM LIABILITY.—

(1) IN GENERAL.—A cause of action against a covered entity for engaging in the voluntary activities authorized under subsection (b)—

(A) shall not lie or be maintained in any court; and

(B) shall be promptly dismissed by the applicable court.

(2) VOLUNTARY ACTIVITIES.—Nothing in this section subjects any covered entity to liability for not engaging in the voluntary activities authorized under subsection (b).

(g) NO NEW REGULATORY AUTHORITY FOR FEDERAL AGENCIES.—Nothing in this section authorizes the Secretary or the head of any other department of the Federal Government to issue new regulations.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) PILOT PROGRAM.—There is authorized to be appropriated $10,000,000 to carry out subsection (b).

(2) WORKING GROUP AND REPORT.—There is authorized to be appropriated $1,500,000 to carry out subsections (c) and (d).

(3) AVAILABLE.—Amounts made available under paragraphs (1) and (2) shall remain available until expended.

SEC. 744. MODIFICATION OF AUTHORITIES RELATING TO THE NATIONAL INTELLIGENCE UNIVERSITY.

(a) CIVILIAN FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.—

(1) IN GENERAL.—Section 1595(c) of title 10, United States Code, is amended by adding at the end the following:

"(5) The National Intelligence University."
(A) the curriculum in which private sector employees may be enrolled under the pilot program is not readily available through other schools and concentrates on national security-relevant issues; and
(B) the course offerings at the National Intelligence University shall charge students enrolled under the pilot program a rate that—
(i) is at least the rate charged for employe- es of the United States outside the Depart- ment of Defense, less infrastructure costs; and
(ii) considers the value to the school and course of the private sector student.

(6) STANDARDS OF CONDUCT.—While receiving instruc- tion at the National Intelligence University, students enrolled under the pilot program, to the extent practicable, are subject to the same regulations governing aca- demic performance, attendance, norms of be- havior, and enrollment as apply to Govern- ment civilian employees receiving instruc- tion at the university.

(7) USE OF FUNDS.—(A) IN GENERAL.—Amounts received by the National Intelligence University for instruc- tion of students enrolled under the pilot pro- gram shall be retained by the university to defray the costs of such instruction.

(B) REPORTS.—The source, and the disposition, of such funds shall be specifically iden- tified in records of the university.

(8) REPORTS.—(A) ANNUAL REPORTS.—Each academic year in which the pilot program is carried out, the Secretary shall submit to the congress- ional intelligence committees the report of the Committee on Armed Services of the House of Representa- tives and the Committee on Armed Services of the House of Representatives a report on the number of eligible private sector employees participating in the pilot program.

(B) FINAL REPORT.—Not later than 90 days after the date of the conclusion of the pilot program, the Secretary shall submit to the congress- ional intelligence committees, the Com- mittee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representa- tives a report on the findings of the Secretary with respect to the pilot program. Such report shall include—
(i) the findings of the Secretary with re- spect to the feasibility and advisability of permitting private sector employees who work in organizations relevant to na- tional security to receive instruction at the National Intelligence University; and
(ii) a recommendation as to whether the pilot program should be extended.

SEC. 745. TECHNICAL AND CLEARANCE AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

(a) TABLE OF CONTENTS.—The table of con- tents at the beginning of the National Secu- rity Act of 1947 (50 U.S.C. 3001 et seq.) is amended—
(1) by inserting after the item relating to section 2 the following new item:
"Sec. 3. Definitions."
(2) by striking the item relating to section 107; and
(3) by striking the item relating to section 113B and inserting the following new item:
"Sec. 113B. Special pay authority for science, technology, engineer- ing, or mathematics posi- tions."
(4) by striking the items relating to sections 202, 203, 204, 208, 209, 210, 211, 212, 213, and 214; and
(5) by inserting after the item relating to section 311 the following new item:
"Sec. 312. Repealing and saving provisions."
(b) OTHER TECHNICAL CORRECTIONS.—Such Act is further amended—
(1) in section 106—
(A) in subparagraph (G) of paragraph (1) of subsection (g), by moving the margins of such subparagraph 2 ems to the left; and
(B) in paragraph (1) of subsection (v), by moving the margins of such paragraph 2 ems to the left;
(2) in section 108 —
(A) by inserting "Sec. 106" before "(a)"; and
(B) in subparagraph (1) of paragraph (2) of subsection (b), by moving the margins of such subparagraph 2 ems to the left;
(3) by striking section 107;
(4) in section 108(c), by striking "in both a classified and an unclassified form" and in- serting "in a classified form, but may include an unclassified summary";
(5) in section 112(c)(1), by striking "section 103(c)(7)" and inserting "section 102A(c)(7)";
(6) by amending section 201 to read as fol- lows:
"SEC. 201. DEPARTMENT OF DEFENSE.
"Except to the extent inconsistent with the provisions of this Act or other provisions of law, the provisions of title 50, United States Code, shall be applicable to the De- partment of Defense;"
(7) in section 205, by redesignating sub- sections (b) and (c) as subsections (a) and (b), respectively;
(8) in section 206, by striking "(a)";
(9) in section 207, by striking "(c)";
(10) in section 306(a), by striking "this Act" and inserting "sections 2, 101, 102, and 303 of this Act";
(11) by redesigning section 411 as section 312.
(12) in section 503—
(A) in paragraph (5) of subsection (c)—
(i) by moving the margins of such para- graph 2 ems to the left; and
(ii) by moving the margins of subparagraph (B) of such paragraph 2 ems to the left; and
(B) in paragraph (2) of subsection (d), by moving the margins of such paragraph 2 ems to the left;
and
(13) in paragraph (B) of paragraph (3) of subsection (a) of section 504, by striking the margins of such subparagraph 2 ems to the right.

SEC. 746. TECHNICAL AMENDMENTS RELATED TO THE DEPARTMENT OF ENERGY.

(a) NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.—Section 323(b) of the National Nuclear Security Administration Act (50 U.S.C. 2242) is amended—
(1) by striking "Administration" and in- serting "Department"; and
(2) by inserting "and" after "the Office of"
"(b) ATOMIC ENERGY DEFENSE ACT.—Section 452(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 2674(b)(2)) is amended—
(1) by inserting "Intelligence" and in- serting "Intelligence Community"; and
(2) in subparagraph (g), by striking "Department" and in- serting "Intelligence Community."
SEC. 749. SENSE OF CONGRESS ON WIKILEAKS.

It is the sense of Congress that WikiLeaks and the senior leadership of WikiLeaks resemble the threat that al-Qa’ida intelligence has posed to the United States in the past and the threat that extraterritorial intelligence has posed to the United States today. Accordingly, WikiLeaks should be treated as such a service by the United States.

SA 549. Mr. CORNYN (for himself and Mr. WARNER) 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 E of title XII, add the following:

SEC. 1252. UNITED STATES-INDIA DEFENSE CO-OPERATION IN THE WESTERN INDIAN OCEAN.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Senate and the Committee on Appropriations of the House of Representatives the following:

(A) A description of military activities of the United States Government, and after consultation with the Secretary of State, for military construction, and for defense activities of the Department of Energy, to prescribe military 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. AUTHORIZATION OF BED DOWN OF CERTAIN AIRCRAFT AT TYNDALL AIR FORCE BASE.

(a) BED DOWN.—The Secretary of the Air Force may bed down three F-35 squadrons and an MQ-9 Wing at Tyndall Air Force Base.

(b) USE OF INDUSTRY AND MATERIALS.—In carrying out the bed down under subsection (a), the Secretary of the Air Force may use innovative construction methods, materials, designs, and technologies in order to achieve efficiencies, cost savings, resiliency, and capability, which may include the following:

(1) Innovative and resistant basing that is highly resilient to weather, natural disaster, and climate change.

(2) Open architecture design to evolve with the national defense strategy.

(3) Efficient ergonomic enterprise for members of the Air Force in the 21st century.

(c) REVIEW.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report on a detailed master plan for the Secretary for executing all actions, including funding requirements set forth by fiscal year, to fully recover from Hurricane Michael and to support the bed down described in subsection (a).

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

(A) Details of the environmental impact analysis schedule and a required pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) Planning and design.

(C) Anticipated construction schedule set forth by fiscal year.

(D) Planned delivery dates of aircraft set forth by fiscal year.

SA 550. Mr. RUBIO 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 III, add the following:

SEC. 355. DEFENSE MICROELECTRONICS AGENCY.

(a) ESTABLISHMENT.—There is established in the Department of Defense a Defense Microelectronics Agency.

(b) FUNCTIONS.—The functions of the Defense Microelectronics Agency are as follows:

(1) To provide executive leadership to formally meet the microelectronics requirements of all elements of the Department; and

(2) To provide an assured, trusted source for integrated circuits, ranging from obsolete and legacy components to state-of-the-practice and state-of-the-art microelectronics for the Department.

SA 551. Mr. RUBIO 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. 353. AUTHORIZATION OF BED DOWN OF CERTAIN AIRCRAFT AT TYNDALL AIR FORCE BASE.

(a) BED DOWN.—The Secretary of the Air Force may bed down three F-35 squadrons and an MQ-9 Wing at Tyndall Air Force Base.

(b) USE OF INDUSTRY AND MATERIALS.—In carrying out the bed down under subsection (a), the Secretary of the Air Force may use innovative construction methods, materials, designs, and technologies in order to achieve efficiencies, cost savings, resiliency, and capability, which may include the following:

(1) Innovative and resistant basing that is highly resilient to weather, natural disaster, and climate change.

(2) Open architecture design to evolve with the national defense strategy.

(3) Efficient ergonomic enterprise for members of the Air Force in the 21st century.

(c) REVIEW.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report on a detailed master plan for the Secretary for executing all actions, including funding requirements set forth by fiscal year, to fully recover from Hurricane Michael and to support the bed down described in subsection (a).

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

(A) Details of the environmental impact analysis schedule and a required pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) Planning and design.

(C) Anticipated construction schedule set forth by fiscal year.

(D) Planned delivery dates of aircraft set forth by fiscal year.
chain security, dependability, and expendi-
tury required to cost effectively address na-
tional defense needs of the United States. Such partnership shall enable access to state-
technology in an environment that can accommodate top-secret activ-
tivities.

(2) Creating an annual, moving estimate of 5- and microelectronics needs of the Department, including processes and design methods.

(3) Collecting and organizing known and projected technology requirements of the Department relating to microelectronics.

(4) Enhancing, shaping, and directing Depart-
ment microelectronics science and technology budgets and programs in research, development, test, and evaluation to assure the requirements collected and organized under paragraph (3) are met.

(5) Tracking and analyzing microelec-
tronics industry capabilities, including trusted technology and production capabili-
ties.

(6) Performing outreach and industry co-
operation on all matters relating to the functions under this subsection via external advisory groups and industry associations.

(7) Establishing and publishing depart-
ment microelectronics science and technology and research and development funding.

(8) Issuing Departmentwide directions, policies and procurement regulations relating to microelectronics.

(9) Overseeing the acquisition of all micro-
electronics within the Department of De-
fense including subsystems within procure-
ment programs.

(c) REQUIREMENTS.—

(1) ESTABLISHING AND PUBLISHING DEPART-
MENT POLICIES.—(A) The Defense Microelec-
tronics Agency shall establish and publish policies for the Department on the criti-
cality of access to advanced integrated cir-
pulectronics, including the need for microelectronics science and technology and research and development funding.

(B)(i) The Defense Microelectronics Agency shall define and provide guidance on a subset of microelectronics components that require special considerations for trustworthiness.

(ii) The guidance required by clause (i) shall include direction as to when the Depart-
ment must assure commercial-off-the-
shelf component trustworthiness.

(2) REVIEW OF FUNDING LEVELS.—The De-
fense Microelectronics Agency shall review and determine if microelectronics science and technology and research and development funding levels of the Department are consistent with new priorities.

(3) FORMAL APPROACH TO INTERAGENCY AND INTERDEPARTMENTAL WORKING GROUPS.—(A) The Defense Microelectronics Agency shall institutionalize a formal approach to inter-
agency and interdepartmental working groups, including Department of Defense, Department of Energy, and the intelligence community, to prioritize threats to DoD and means of verifying trustworthiness of microelectronic components.

(B) Such groups shall continually evaluate the state of the art of techniques such as tamper-proof design, life testing, reverse en-

(6) by inserting after section 604 the fol-
lowing:

SEC. 605. SOUTH FLORIDA HARMFUL ALGAL BLOOMS AND HYPOXIA.

(a) SOUTH FLORIDA.—In this section, the term ‘South Florida’ has the same meaning given the term ‘South Florida ecosystem’ in section 601(a)(5) of the Water Resources De-

(b) INTEGRATED ASSESSMENT.—Not later than 540 days after the date of enactment of this Act, the Task Force shall develop a comprehensive and integrated assessment that examines the causes, consequences, and potential approaches to reduce harmful algal blooms and hypoxia in South Florida, and the status of, gaps within, existing efforts to control and reduce harmful algal bloom and hypoxia research, monitoring, management, prevention, response, and con-
trol activities that directly affect the region by—

(1) Federal agencies;

(2) State agencies;

(3) nongovernmental organizations.

(c) ACTION PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of the South Florida Clean Coastal Waters Act of 2019, the Task Force shall develop and submit to Con-
gress a plan, based on the integrated assess-
ment under subsection (b), for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida.

(2) CONTENTS.—The plan submitted under paragraph (1) shall—

(A) develop a timeline and budgetary re-

cquivalencies for deployment of future assets;

(B) identify requirements for the develop-
ment and verification of South Florida harmful algal bloom and hypoxia models, in-
cluding—

(i) all assumptions built into the models; and

(ii) data quality methods used to ensure the knowledge available data are utilized;

(C) propose a plan to implement a remote monitoring network and early warning sys-
tem for alerting local communities in the re-

dion to harmful algal bloom risks that may impact human health.

(3) REQUIREMENTS.—In developing the ac-

tion plan, the Task Force shall—

(A) coordinate and consult with the State of Florida, and affected local and tribal gov-

ernments;

(B) consult with representatives from re-
gional academic, agricultural, industrial, and other stakeholder groups;

(C) ensure that the plan complements and does not duplicate activities conducted by the following Federal agencies, including the South Florida Ecosystem Restoration Task Force;
“(D) identify critical research for reducing, mitigating, and controlling harmful algal bloom events and their effects;

(2) (E) evaluate cost-effective, incentive-based approaches;

(3) (F) ensure that the plan is technically sound and cost-effective;

(G) utilize existing research, assessments, reports, and programs activities;

(ii) (H) publish a summary of the proposed plan in the Federal Register at least 180 days prior to submitting the completed plan to Congress;

(i) (I) after submitting the completed plan to Congress, provide biennial progress reports on the activities toward achieving the objectives of the plan.

(b) CLERICAL AMENDMENT AND CORRECTION.—The table of contents in section 2 of the Coast Guard Authorization Act of 1996 (Public Law 104-338) is amended by striking the items relating to title VI and inserting the following new item:

TITLE VI—HARMFUL ALGAL BLOOMS AND HYPOXIA

Sec. 601. Short title.

Sec. 602. Findings.

Sec. 603. Assessment.

Sec. 603A. National Harmful Algal Bloom and Hypoxia Program.

Sec. 603B. Comprehensive research plan.

Sec. 604. Northern Gulf of Mexico hypoxia.

Sec. 605. South Florida harmful algal blooms.

Sec. 606. Great Lakes harmful and algal blooms.

Sec. 607. Effect on other Federal authorities.

Sec. 608. Definitions.

Sec. 609. Authorization of appropriations.

SA 556. Mr. RUBIO 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. CREDITABLE SERVICE FOR FEDERAL RETIREMENT FOR UNITED STATES CIVILIAN EMPLOYEES BY AIR AMERICA AND ASSOCIATED ENTITIES.

(a) AMENDMENTS.—

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

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

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

(C) by adding at the end the following: “; or”;

(D) in paragraph (7), by striking “or” at the end;

(E) in paragraph (8), by striking “or” at the end;

(F) in paragraph (9), by striking “or” at the end;

(G) in paragraph (10), by striking “or” at the end;

(H) in paragraph (11), by striking “or” at the end.

(b) EFFECT OF RECOMPUTATION.—A recomputation under subparagraph (A) shall be effective as of the commencement date of the annuity, or as becoming payable for periods before the first month for which the recomputation is reflected in the monthly annuity payment to the individual that would be payable to the individual in the form of a lump-sum payment.

(c) PROVISIONS RELATING TO CURRENT ANNUITANTS.—

(1) IN GENERAL.—An individual who becomes entitled to an annuity or an increased annuity as a result of the enactment of this section may elect to have the rights of the individual under subparagraph (A) of section 8342(c) of title 5, United States Code, determined as if the amendments made by subsection (a) had been in effect throughout all periods of service on the basis of which the annuity is or may be based.

(2) EFFECT OF RECOMPUTATION.—A recomputation under subparagraph (A) shall be effective as of the commencement date of the annuity, or as becoming payable for periods before the first month for which the recomputation is reflected in the monthly annuity payment to the individual that would be payable to the individual in the form of a lump-sum payment.

(d) REGULATIONS AND SPECIAL RULES.—

(1) In general.—Except as provided in paragraph (2), the Director of the Office of Personnel Management shall issue such rules as may be necessary to carry out this section.

(B) CONTENTS.—In prescribing regulations under subparagraph (A), the Director of the Office of Personnel Management shall apply rules similar to the rules established under section 201 of the Federal Employees’ Retirement System Act of 1986 (5 U.S.C. 8342–8348; 100 Stat. 588) with respect to any service described in section 8332(b)(18) of title 5, United States Code.

(c) FUNDING.—

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

(d) UNFUNDED LIABILITY.—Any increase in the unfunded liability of the Civil Service Retirement System attributable to the enactment of this section shall be financed in accordance with section 8348(f) of title 5, United States Code.

(e) REGULATIONS AND SPECIAL RULE.—

(1) In general.—Except as provided in paragraph (2), the Director of the Office of Personnel Management shall issue such rules as may be necessary to carry out this section.

(B) CONTENTS.—In prescribing regulations under subparagraph (A), the Director of the Office of Personnel Management shall apply rules similar to the rules established under section 201 of the Federal Employees’ Retirement System Act of 1986 (5 U.S.C. 8342–8348; 100 Stat. 588) with respect to any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (a) of this section) that was subject to title II of the Social Security Act (42 U.S.C. 401 et seq.).

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

(g) DEFINITIONS.—For purposes of this section:

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

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

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

SA 557. Mr. RUBIO 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. LIGHT ATTACK AIRCRAFT.
(a) PROCUREMENT AUTHORITY FOR COMBAT AIR AIRCRAFT—The Commandant of the United States Special Operations Command shall have procurement authority for Light Attack Aircraft for Combat Air Advisor (CAA) mission support in accordance with subsection (a).
(b) AUTHORITY TO USE OR TRANSFER FUNDS MADE AVAILABLE FOR LIGHT ATTACK AIRCRAFT EXPERIMENTS.—The Secretary of the Air Force is authorized to transfer funds made available for Light Attack Aircraft (LAA) experiments to procure the required quantities of LAA for—
(1) Air Combat Command’s Air Ground Operations School (AGOS); and
(2) Air Force Special Operations Command for Combat Air Advisor (CAA) mission support.

SA 558. Mr. RUBIO 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:

SEC. 322. FORCE PROTECTION AND PHYSICAL SECURITY RESPONSIBILITY FOR NON-CANTONMENT FACILITIES OF THE DEPARTMENT OF DEFENSE.
(a) IN GENERAL.—The Secretary of Defense shall—
(1) identify non-cantonment facilities of the Department of Defense that require force protection and physical security; and
(2) establish force protection and physical security responsibility for non-cantonment facilities of the Department in the vicinity of existing installations of the Department that do not fall under the joint base model of the Department; and
(b) DIRECTIVE.—The Secretary of the military department concerned shall provide guidance for adequate force protection and physical security measures at non-cantonment facilities to provide for the safety and security of personnel and property not residing in the main cantonment area.

SEC. 560. Mr. RUBIO (for himself and Mr. CORNYN) 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:

SEC. 1086. LIMITATION OF AUTHORITY WITH RESPECT TO PREMIUM CIGARS.
(a) EXCEPTION FOR TRADITIONAL LARGE AND PREMIUM CIGARS.—Section 904(c) of the Federal Cigarette Tax Act (21 U.S.C. 387a(c)) is amended—
(1) in paragraph (2), in the heading, by inserting “for certain tobacco leaf” after “(cigar” after “‘cigar’”;
(2) by adding at the end the following:

SEC. 1291. SHORT TITLE.
This subtitle may be cited as the “2020 Western Hemisphere Security Initiative”. The security and prosperity of future generations depend on our trust and cooperation.

SEC. 1086. LIMITATION OF AUTHORITY WITH RESPECT TO PREMIUM CIGARS.
(a) EXCEPTION FOR TRADITIONAL LARGE AND PREMIUM CIGARS.—Section 904(c) of the Federal Cigarette Tax Act (21 U.S.C. 387a(c)) is amended—
(1) in paragraph (2), in the heading, by inserting “for certain tobacco leaf” after “cigar” after “‘cigar’”;
(2) by adding at the end the following:

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SEC. 1291. SHORT TITLE.
This subtitle may be cited as the “2020 Western Hemisphere Security Initiative”. The security and prosperity of future generations depend on our trust and cooperation.

(2) by adding at the end the following:

SEC. 1291. SHORT TITLE.
This subtitle may be cited as the “2020 Western Hemisphere Security Initiative”. The security and prosperity of future generations depend on our trust and cooperation.

(2) by adding at the end the following:

SEC. 1291. SHORT TITLE.
This subtitle may be cited as the “2020 Western Hemisphere Security Initiative”. The security and prosperity of future generations depend on our trust and cooperation.

(2) by adding at the end the following:

SEC. 1291. SHORT TITLE.
This subtitle may be cited as the “2020 Western Hemisphere Security Initiative”. The security and prosperity of future generations depend on our trust and cooperation.
only a small percentage of the known flow. Additional United States and partner assets, operational funding, coordination, and capacity building, along with intelligence and data collection, can all contribute to reducing this flow.

(9) In addition, we must assist in strengthening our partners’ institutions in order to reduce and extend governance over illegal drug trade. The vicious side effects of illicit trade also cost American taxpayers billions of dollars every year.

(10) Directly tied to the instability and insecurity associated with the flow of drugs through Central America is the movement of thousands of Central American migrants toward the United States. Migrant flows between countries have also increased, straining partner nations’ capacity and straining security and stability.

(11) Natural disasters and other humanitarian crises also increase instability and exacerbate the causes of migration.

(12) As the United States Government has focused—necessarily—on other parts of the world, the governments of countries like the Russian Federation and the People’s Republic of China have increased their economic and political focus in this hemisphere, deepening their own relationships in an effort to supplant United States security presence and assistance, including through the following activities:

(A) The Government of the People’s Republic of China pledged at least $150,000,000 in loans to countries in the hemisphere with long-term consequences. Infrastructure investments in the Panama Canal region could jeopardize the United States’ ally in the region, access and transit through the region.

(B) Exploiting the digital vulnerability of countries in the region, the Chinese information technology investments in the region place intellectual property, data, and government security at risk, potentially curtailing our ability to share information with our key security partners.

(C) The Government of the Russian Federation also conducted disinformation campaigns, publicizing articles in 2018 that deliberately distorted United States defense engagements. The Government of the Russian Federation has deployed strategic bombers, deployed armed surface and undersea research vessels that are capable of mapping and interfering with undersea cables.

(D) The United States has a fundamental interest in defending human rights and promoting the rule of law in the Western Hemisphere.

(13) Intelligently focused investments in the United States Armed Forces and security assistance yield meaningful results with partners able to secure their own countries and stand shoulder-to-shoulder with the United States to address threats to our mutual security interests.

(14) Given the lack of direct military threats in the Western Hemisphere, the United States Government has taken the relative stability and democratic progress of the region for granted. Recent developments demonstrate that this is dangerous.

(A) There are now four countries in the region whose ruling parties do not share democratic stability and democratic progress of the United States Government have taken the role of the governments of Cuba, Venezuela, Bolivia, and Nicaragua enable Russian and Chinese military deployments to the region, allowing those two actors access to infrastructure and the potential ability to impede United States, allied, and partner nation efforts in the event of a crisis.

(B) Support from the Governments of the Russian Federation and the People’s Republic of China for autocratic Governments in Cuba, Venezuela, Bolivia, and Nicaragua enables anti-democratic sentiment and threatens United States security interests in the region.

(15) The United States has many strong, established partnerships to assist us in advancing shared objectives in this hemisphere. The United States Government must renew focus on our key partnerships, working with regional institutions, addressing the shared challenges of illicit trafficking of drugs, and other contraband, transnational criminal organizations, and supporting the rule of law and democracy in the region.

(16) The United States should maintain a military presence and capability in the Western Hemisphere region that can project power, build partner capacity, provide humanitarian assistance and large scale disaster relief, and deter aggression, and, if necessary, to regional threats or to threats to the national security of the United States from China, Russia, Iran, transnational criminal organizations, violent extremists, or autocratic regimes.

(17) The United States should continue to engage in the Western Hemisphere by strengthening our partnerships, working with regional institutions, and supporting the rule of law and democracy in the region.

(18) The United States should maintain a military presence and capability in the Western Hemisphere region that can project power, build partner capacity, provide humanitarian assistance and large scale disaster relief, and deter aggression, and, if necessary, to regional threats or to threats to the national security of the United States from China, Russia, Iran, transnational criminal organizations, violent extremists, or autocratic regimes.

(19) The United States should engage in the Western Hemisphere by strengthening our partnerships, working with regional institutions, and supporting the rule of law and democracy in the region.

(20) The United States should continue to engage in the Western Hemisphere by strengthening our partnerships, working with regional institutions, and supporting the rule of law and democracy in the region.

(21) The United States should continue to engage in the Western Hemisphere by strengthening our partnerships, working with regional institutions, and supporting the rule of law and democracy in the region.

(22) The United States should continue to engage in the Western Hemisphere by strengthening our partnerships, working with regional institutions, and supporting the rule of law and democracy in the region.

(23) The United States should continue to engage in the Western Hemisphere by strengthening our partnerships, working with regional institutions, and supporting the rule of law and democracy in the region.

(24) The United States should continue to engage in the Western Hemisphere by strengthening our partnerships, working with regional institutions, and supporting the rule of law and democracy in the region.

(25) The United States should continue to engage in the Western Hemisphere by strengthening our partnerships, working with regional institutions, and supporting the rule of law and democracy in the region.

(26) The United States should continue to engage in the Western Hemisphere by strengthening our partnerships, working with regional institutions, and supporting the rule of law and democracy in the region.

(27) The United States should continue to engage in the Western Hemisphere by strengthening our partnerships, working with regional institutions, and supporting the rule of law and democracy in the region.

(28) The United States should continue to engage in the Western Hemisphere by strengthening our partnerships, working with regional institutions, and supporting the rule of law and democracy in the region.
transporting nonlethal excess property (EP) to foreign countries, transferring on-hand Department of Defense stocks to respond to unforeseen emergencies, conducting Department of Defense humanitarian assistance and disaster relief activities, and in some circumstances, conducting medical support and base operating services to the extent required.

(c) TYPES OF ASSISTANCE AND TRAINING.—

(1) AUTHORIZED ELEMENTS OF ASSISTANCE.—Assistance provided under subsection (b)(b) may include: (A) humanitarian assistance, (B) training, transportation and the establishment, including small-scale military construction, and operations of bases of operations or facilities for the purpose of facilitating counterdrug activities or activities to counter transnational organized crime.

(2) REQUIRED ELEMENTS OF ASSISTANCE AND TRAINING.—Assistance and training provided under subsection (b) shall include elements that promote the following principles:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for legitimate civilian authority within the country to which the assistance is provided.

(d) PRIORITIES FOR ASSISTANCE AND TRAINING.—In developing programs for assistance or training provided under subsection (b), the Secretary of Defense shall accord a priority to assistance, training, or both that will enhance the security capabilities of the recipient country or region, the stabilization of which the recipient country is a member, to respond to emerging threats to regional security.

(e) PERSONNEL COSTS OF PERSONNEL OF CERTAIN OTHER COUNTRIES FOR TRAINING.—If the Secretary of Defense determines that the amount described in paragraph (b) will facilitate the training described in subsection (b) will facilitate the training of organization personnel of a friendly foreign country within South and Central America and the Caribbean, the Secretary may use amounts available under subsection (f) for assistance and training under subsection (b) for the payment of such incremental expenses.

(f) USE OF SECURITY COOPERATION FUNDS.—

(1) IN GENERAL.—Of funds authorized to be appropriated for the Defense Security Cooperation Agency for security cooperation activities, $250,000,000 is authorized for the sole purpose of security cooperation activities under the Western Hemisphere Security Initiative Fund, to support the requirement of the Secretary of Defense to build the capacity of partner nations in the Western Hemisphere.

(2) USE OF FUNDS.—Funds made available under subsection (f) may be used in accordance with subsection (b) notwithstanding any other funding authorities for security assistance, counter-drug activities, counter-transnational organized crime activities, humanitarian assistance, or combined exercise expenses. The funds may not be obligated to provide assistance to any foreign country that is not verified as being free from engaging in such type of assistance under any other provision of law.

(g) APPLICABILITY OF RESTRICTIONS ON DIRECT PARTICIPATION BY MILITARY PERSONNEL.—Any support to counter-drug or counter-transnational organized crime activities under subsection (b) shall be subject to the requirements of section 275 of title 10, United States Code.

(h) IMET FUNDING.—There is authorized to be appropriated $100,000,000 for the Department of Defense for fiscal year 2020 for International Military Education and Training activities under the Western Hemisphere Security Initiative.

(i) HUMANITARIAN ASSISTANCE.—There is authorized to be appropriated $20,000,000 for the Department of Defense for fiscal year 2020 for the United States Southern Command to execute Theater Security Cooperation activities such as humanitarian assistance, interdiction, law enforcement, and personnel costs of training and exercising with foreign military and security forces.

(j) TRANSFER REQUIREMENTS RELATED TO CERTAIN FUNDS.—

(1) USE OF FUNDS ONLY PURSUANT TO TRANSFER.—In the case of funds authorized to be appropriated for the Western Hemisphere Security Initiative Fund, the funds may be used for the purposes specified in subsection (b) only pursuant to a transfer of the funds to either or both of the following accounts of the Department of Defense:

(A) Military personnel accounts.

(B) Operation and maintenance accounts.

(2) EXPENDITURE AMOUNTS.—During fiscal years 2020 and 2021, the transfer of an amount made available for the Western Hemisphere Security Initiative to an account under the authority provided by this section shall be deemed to increase the amount authorized for such account by an amount equal to the amount transferred.

(3) CONSTRUCTION WITH OTHER TRANSFER AUTHORITY.—The transfer authority provided by paragraph (1) and subsection (b) is in addition to any other transfer authority available to the Secretary to facilitate the participation in counterdrug activities against another nation or group of nations or to counter transnational organized crime activities, or training facilities for the purpose of construction, and operations of bases of operations or facilities for the purpose of facilitating counterdrug activities or activities to counter transnational organized crime.

(k) NOTIFICATION REQUIREMENTS.—Not later than 15 days before that date on which a transfer of funds under this section takes effect, in writing, the Secretary shall notify the congressional defense committees of the congressional defense committees in writing of the planned transfer. Each notice of a transfer of funds shall include the following:

(1) A detailed description of the project or activity to be supported by the transfer of funds, including any required by the Secretary, or a regional or national organization of which the recipient country is a member.

(2) The amount planned to be transferred and expended on such project or activity.

(3) A timeline for expenditure of the transferred funds.

(l) DURATION OF TRANSFER AUTHORITY.—The transfer authority provided by this section expires on September 30, 2020.

(m) UNFUNDED REQUIREMENTS AUTHORITY.—

(1) A detailed description of the project or activity to be supported by the transfer of funds, including any required by the Secretary.

(2) The amount planned to be transferred and expended on such project or activity.

(3) A timeline for expenditure of the transferred funds.

(4) CONSTRUCTION WITH OTHER TRANSFER AUTHORITY.—The transfer authority provided by paragraph (1) and subsection (b) is in addition to any other transfer authority available to the Secretary to facilitate the participation in counterdrug activities against another nation or group of nations or to counter transnational organized crime activities, or training facilities for the purpose of construction, and operations of bases of operations or facilities for the purpose of facilitating counterdrug activities or activities to counter transnational organized crime.

(5) NOTIFICATION REQUIREMENTS.—Not later than 15 days before that date on which a transfer of funds under this section takes effect, in writing, the Secretary shall notify the congressional defense committees of the congressional defense committees in writing of the planned transfer. Each notice of a transfer of funds shall include the following:

(1) A detailed description of the project or activity to be supported by the transfer of funds, including any required by the Secretary.

(2) The amount planned to be transferred and expended on such project or activity.

(3) A timeline for expenditure of the transferred funds.

THAT AMENDMENTS RELATING TO THE UNITED STATES COAST GUARD.—During fiscal years 2020 and 2021, the transfer of funds shall only be utilized to meet the requirements listed in the president’s budget for the Department of Defense within the United States Southern Command’s area of responsibility.

SA 561. Mr. CRUZ 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:

Section 240 is amended by adding at the end the following:

(5) Not less than $10,000,000 to test and evaluate technologies that achieve operational energy, energy sustainability, and energy resiliency.

(a) ADDED AMOUNT FOR OTHER HELO DEVELOPMENT.

(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2020 by section 201 for research, development, test, and evaluation is hereby increased by $10,000,000.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2020 for OCO Total Force Readiness by section 4302 is hereby reduced by $10,000,000.

SA 563. Mr. CRUZ 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. 1102. ADDITIONAL AMOUNT FOR FUTURE VERTICAL LIFT PROGRAM.

(a) In general.—The amount authorized to be appropriated for fiscal year 2020 by this Act for the Future Vertical Lift program, Capability Set 3, is hereby increased by $51,400,000.

(b) Offset.—The amount authorized to be appropriated for fiscal year 2020—

(1) by section 4302 for OCO Force Readiness is hereby decreased by $21,000,000; and

(2) by section 4201—

(A) for Army RDT&E Technology Maturation Initiatives is hereby decreased by $8,400,000; and

(B) for Army RDT&E Army Advanced Component Development & Prototyping is hereby decreased by $10,000,000.

(c) Assistance to Military Personnel.—The amount authorized to be appropriated for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, is hereby decreased by $12,000,000.

SA 564. Mrs. CAPITO (for herself, Mr. CARPER, Mr. BRADBURY, Mrs. SULLIVAN, Mrs. GILLIBRAND, and 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:

In section 318(a), add at the end the following:

(3) Other authority.—In addition to the requirement under paragraph (1), when otherwise authorized to expend funds for the purpose of addressing ground or surface water contaminated by a perfluorinated compound or mixture of perfluorinated compounds, the Administrator shall—

(A) authorize the expenditure of such funds; and

(B) publish a notice in the Federal Register containing the information described in subparagraph (A).

SEC. 1701. DEFINITION OF ADMINISTRATOR.

In this title, the term ‘‘Administrator’’ means the Administrator of the Environmental Protection Agency.

Subtitle A—PFAS Release Disclosure

SEC. 1711. ADDITIONS TO TOXIC USES INVENTORY.

(a) Definitions.—In this section:

(A) Administrator.—The term ‘‘Administrator’’ means the Administrator of the Environmental Protection Agency,

(B) TOXIC USES INVENTORY.—The term ‘‘toxic uses inventory’’ means the toxic uses inventory under section 313(c) of the Emergency Planning and Community Right-to-Know Act (42 U.S.C. 11252(c)).

(b) ADDITION OF ACTIVE CHEMICAL SUBSTANCE.—The date on which the perfluoroalkyl or polyfluoroalkyl substances or class of perfluoroalkyl or polyfluoroalkyl substances that is on a list of substances covered by a significant new use rule under section (a)(2) of section 5 of the Toxic Substances Control Act (15 U.S.C. 1904), except a significant new use rule promulgated in connection with an order issued under subsection (e) of that section, is hereby decreased by $21,000,000; and

(C) ADDITION TO EXISTING SIGNIFICANT NEW USE RULE.—The date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is on a list of substances covered by a significant new use rule previously promulgated under subsection (a)(2) of section 5 of the Toxic Substances Control Act (15 U.S.C. 1904), except a significant new use rule promulgated in connection with an order issued under subsection (e) of that section; or

(d) INCLUSION FOLLOWING DETERMINATION.—

(1) In general.—Not later than 5 years after the date of enactment of this Act, the Administrator shall—

(i) if the Administrator determines that the threshold for reporting under subparagraph (A) is warranted; and

(ii) if the Administrator determines that the threshold for reporting is not warranted under clause (i), initiate a revision of the toxic uses inventory beginning January 1 of the calendar year following the date of enactment of this Act, the Administrator shall—

(A) establish a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances;

(B) determine whether the substances and classes of substances described in paragraph (2) meet the criteria described in section 313(d)(2) of the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11252(d)(2)) for inclusion in the toxic uses inventory.

(2) SUBSTANCES DESCRIBED.—The substances and classes of substances referred to in paragraph (1) are perfluoroalkyl and polyfluoroalkyl substance or class of perfluoroalkyl and polyfluoroalkyl substances, including—

(A) hexafluoropropylene oxide dimer acid (Chemical Abstracts Service Nos. 17502-15-6 and 19819-13-4); and

(B) the compounds associated with the chemical described in subparagraph (A) (Chemical Abstracts Service Nos. 62307-80-3 and 2062-98-8).

(c) perfluoro-(2-pentafluoroethoxy)acetic acid (Chemical Abstracts Service No. 69882-50-2); and

(2) thallium(III) fluoride (Chemical Abstracts Service No. 2371-40-2);

(3) 2,3,3,3-tetrafluoro 2-(1,1,2,3,3,3-hexafluoropropyl)oxy)propane (Chemical Abstracts Service No. 11023-51-2) or an equivalent (Chemical Abstracts Service No. 335-67-1).

(3) 4,4',4'''-tetrabromo-2,2''-biphenyl (Chemical Abstracts Service No. 7689-50-5);

(4) 3H-perfluoro-3-(3-methoxy-propoxy) propionic acid (Chemical Abstracts Service No. 191005-14-4);

(5) the salts associated with the chemical described in subparagraph (f) (Chemical Abstracts Service No. 59587-38-1);
sections (b)(1), (c)(1), and (d)(3) of section inserting the following: ‘‘are—
inserting ‘‘; and ‘‘;
and of the Emergency Planning and Community
disclosure; and
Administrator shall—
ction by the Administrator of an equalist of quality control and testing
procedure to confirm compliance with
section 313(d)(2) of the Emergency
Planning and Community Right-To-
Know Act of 1986 (42 U.S.C. 11023(d)(2)), the
Administrator shall—

(2) NONDISCLOSURE OF PROTECTION INFORMA-
tion.—If the Administrator determines that
(n) perfluorinated or polyfluoroalkyl
substance or class of perfluoroalkyl or
polyfluoroalkyl substances from a Federal or State agency that the Ad
miner determines to be sufficient to

(II) PRIMARY DRINKING WATER REGULA-
tions.—

(1) IN GENERAL.—For each perfluoroalkyl or
polyfluoroalkyl substance or class of
perfluoroalkyl or polyfluoroalkyl substances
the Administrator determines to regu-
late under subclause (1), the Administrator—

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(1) **IN GENERAL.—**The Administrator shall include each substance described in paragraph (2) in the fifth publication of the list of unregulated contaminants to be monitored by public water systems under paragraph (a)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2)).

(2) **SUBSTANCES DESCRIBED.—**The substances referred to in paragraph (1) are perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances—

(A) to which a method has been developed to measure the level in drinking water has been validated by the Administrator; and

(B) that are subject to a national primary drinking water regulation under clause (i) or (vi)(II) of subparagraph (D) of section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2)).

(3) **EXCEPTION.—**The perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances included in the list of unregulated contaminants to be monitored under section 1454(a)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2)) shall not be subject to the monitoring required under paragraph (1) to the extent that more than 30 unregulated contaminants to be monitored by public water systems under that section.

(4) **APPLICABILITY.—**

(A) **IN GENERAL.—**The Administrator shall—

(i) require public water systems serving more than 10,000 persons to monitor for the substances described in subsection (a)(2); and

(ii) subject to paragraph (2) and the availability of appropriations, require public water systems serving fewer than 10,000 persons to monitor for the substances described in subsection (a)(2); and

(B) subject to paragraph (2) and the availability of appropriations, ensure that only a representative sample of public water systems serving fewer than 3,300 persons are required to monitor for the substances described in subsection (a)(2); and

(C) subject to paragraph (2) and the availability of appropriations, ensure that only a representative sample of public water systems serving fewer than 3,300 persons are required to monitor for the substances described in subsection (a)(2); and

(D) subject to paragraph (2) and the availability of appropriations, ensure that only a representative sample of public water systems serving fewer than 3,300 persons are required to monitor for the substances described in subsection (a)(2).

(5) **REQUIREMENT.—**If the Administrator determines that there is not sufficient laboratory capacity to carry out the monitoring required under subparagraphs (B) and (C) of paragraph (1), the Administrator may waive the monitoring requirements in those subparagraphs.

(6) **IN GENERAL.—**The Administrator shall pay the reasonable cost of such testing and laboratory analysis as is necessary to carry out the monitoring required under paragraph (1) from—

(A) funds made available under subsection (a)(2)(H) or (j)(5) of section 1455 of the Safe Drinking Water Act (42 U.S.C. 300g–1); or

(B) any other funds made available for that purpose.

SEC. 1723. ENFORCEMENT.

Notwithstanding any other provision of law, the Administrator may impose financial penalties for the violation of a national primary drinking water regulation (as defined in section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2))) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances, a national primary drinking water regulation has been promulgated under clause (i) or (vi) of subparagraph (D) of section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2)) earlier than the date that is 5 years after the date on which the Administrator promulgates the national primary drinking water regulation.

SEC. 1724. DRINKING WATER STATE REVOLVING FUNDS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300g–1(c)) is amended by—

(1) in subsection (a)(2), by adding at the end the following:

(2) in subsection (b), by inserting the following:

(3) in subsection (c), by inserting the following:

(4) in subsection (d), by inserting the following:

SEC. 1725. COLLABORATION.

In carrying out this subtitle, the Director shall collaborate with—

(A) appropriate Federal and State regulators; and

(B) institutions of higher education;
Subtitle D—Safe Drinking Water Assistance
SEC. 1741. DEFINITIONS.
In this subtitle—
(1) CONTAMINANT.—The term "contaminant" means any physical, chemical, biological, or radiological substance or matter in water.
(2) CONTAMINANT OF EMERGING CONCERN; EMERGING CONTAMINANT.—The terms "contaminant of emerging concern" and "emerging contaminant" mean a contaminant—
(A) for which the Administrator has not promulgated a national primary drinking water regulation; and
(B) that may have an adverse effect on the health of individuals.
(3) FEDERAL RESEARCH STRATEGY.—The term "Federal research strategy" means the coordinated cross-agency plan for addressing critical research gaps related to detecting, assessing exposure to, and identifying the adverse effects of emerging contaminants in drinking water developed by the Office of Science and Technology Policy in response to the report of the Committee on Appropriations of the Senate accompanying S. 662 of the 115th Congress (S. Rept. 115–139).
(4) TECHNICAL ASSISTANCE AND SUPPORT.—The term "technical assistance and support" includes—
(i) assistance with—
(I) identifying appropriate analytical methods for the detection of contaminants; and
(II) troubleshooting the analytical methods described in clause (i);
(ii) interpreting sample analysis results;
(iii) training with respect to proper analytical techniques; and
(E) identifying appropriate technology for the treatment of contaminants; and
(F) initiating efforts to—
(i) the analysis cannot be otherwise obtained in a practicable manner otherwise; and
(ii) the capability and capacity to perform the analysis is available at a Federal facility.
(5) WORKING GROUP.—The term "Working Group" means the Working Group established under section 1742(b)(1).

SEC. 1742. RESEARCH AND COORDINATION PLAN FOR ENHANCED RESPONSE ON EMERGING CONTAMINANTS.
(a) IN GENERAL.—The Administrator shall—
(i) review Federal efforts—
(A) to identify, monitor, and assist in the development of treatment methods for emerging contaminants; and
(B) to establish in responding to the human health risks posed by contaminants of emerging concern; and
(ii) in collaboration with owners and operators of public water systems, States, and other interested stakeholders, establish a strategic plan for improving the Federal efforts referred to in paragraph (1).
(b) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a Working Group to coordinate the activities of the Federal Government to identify and analyze the public health effects of drinking water contaminants of emerging concern.

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(i) issue a solicitation for research proposals consistent with the Federal research strategy; and
(ii) make grants to applicants that submit research proposals selected under subparagraph (A).
(I) in general.—To be eligible for technical assistance and support under this paragraph, a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(ii) considerations; and

(iii) the availability of the laboratory facilities available to the State; and

(iv) the laboratory capabilities of the laboratory facilities available to the State.

(b) Federal and non-Federal laboratory capacity available to the State; and

(c) other types of technical assistance available to the State.

(C) DATABASE OF AVAILABLE RESOURCES.—The Administrator shall establish and maintain a database of resources available to the States, including through the website of the Office of Research and Development, and (I) Federal and non-Federal laboratory capacity available to the State; and

(ii) includes a description of—

(aa) drinking water and wastewater utilities;

(bb) laboratories;

(cc) Federal and State emergency responders;

(dd) State primacy agencies; and

(ee) public health agencies;

(ff) water associations;

(ii) searchable; and

(iii) accessible through the website of the Administrator; and

(ii) includes a description of—

(i) qualified contract testing laboratory facilities that conduct analyses for emerging contaminants in the State; and

(ii) the resources available in Federal laboratory facilities to test for emerging contaminants.

(D) WATER CONTAMINANT INFORMATION TOOL.—The Administrator shall integrate the database established under subparagraph (C) into the Water Contaminant Information Tool of the Environmental Protection Agency.

(E) FUNDING.—Of the amounts available to the Administrator, the Administrator may use not more than $15,000,000 in a fiscal year to carry out this subsection.

(F) REPORT.—Not less frequently than once every 2 years until 2049, the Administrator shall submit to Congress a report that describes the progress made in carrying out this title.

(V) DEPARTMENT.—Nothing in this section modifies any obligation of a State, local government, or Indian Tribe with respect to treatment methods for, or testing or monitoring of, drinking water.

Subtitle E—Miscellaneous

SEC. 1751. PFAS DATA CALL.

Section (a) of the Toxics Substances Control Act (15 U.S.C. 2602 et seq.) is amended by adding at the end the following:

"(7) PFAS DATA.—Not later than January 1, 2023, the Administrator shall promulgate a rule in accordance with this subsection requiring each person who has manufactured a chemical substance that is a perfluoralkyl or polyfluoralkyl substance in any year since January 1, 2006, to submit to the Administrator a report that includes, for each year since January 1, 2006, the information described in paragraph (2).

SEC. 1752. SIGNIFICANT NEW USE RULE FOR LONG-CHAIN PFAS.

Not later than June 13, 2020, the Administrator shall take final action on the significant new use rule proposed by the Administrator under the Toxics Substances Control Act (15 U.S.C. 2601 et seq.) in the proposed rule entitled "Long-Chain Perfluoralkyl Carboxylate and Perfluoralkyl Sulfonate Chemical Substances; Significant New Use Rule" (80 Fed. Reg. 26986 (May 21, 2015)).

SEC. 1753. PFAS DESTRUCTION AND DISPOSAL GUIDANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act the Administrator shall publish interim guidance on the destruction and disposal of perfluoralkyl and polyfluoralkyl substance and material containing perfluoralkyl and polyfluoralkyl substances, including—

(1) aqueous film-forming foam; and

(2) soil and biosolids; and

(3) textiles treated with perfluoralkyl and polyfluoralkyl substances; and

(b) CONSIDERATIONS; INCLUSIONS.—The interim guidance under subsection (a) shall—

(1) take into account—

(A) the potential for releases of perfluoralkyl and polyfluoralkyl substances during destruction or disposal, including—

(i) leaching, air dispersion, or leachate; and

(ii) vulnerability populations living near likely destruction or disposal sites; and

(B) provide guidance on testing and monitoring air, effluent, and soil near potential destruction or disposal sites; and

(c) REVISIONS.—The Administrator shall publish revisions to the interim guidance under this subsection whenever the Administrator determines to be appropriate, but not less frequently than once every 3 years.

SEC. 1754. PFAS RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Administrator, acting through the Assistant Administrator for the Office of Research and Development, shall—

(1) further examine the effects of perfluoralkyl and polyfluoralkyl substances on human health and the environment; and

(b) make publicly available information relating to the findings under subparagraph (A); and

SEC. 1045. LIMITATION ON USE OF FUNDS ON MILITARY OPERATIONS INVOLVING HOSTILITIES USING AUTHORITY OF DECLARATION OF WAR OR AUTHORIZE FOR USE OF MILITARY FORCE ENACTED MORE THAN 10 YEARS PREVIOUSLY.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used for military operations involving hostilities, except in cases of self defense, based solely on the authority of a declaration of war or Authorization for Use of Military Force enacted more than ten years before such use.
SA 567. Mr. CASEY (for himself, Mr. TOOMEY, and Mr. CORNYN) 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 XII, add the following:

SEC. 1290. STRATEGY ON SECURITY ASSISTANCE TO NIGERIA.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a strategy required under subsection (a) shall in the Lake Chad Basin, including the local and responsibilities of such personnel.

(c) Appropriate Committees of Congress Defined.—In this section, the term ‘‘appropriate committees of Congress’’ means—

(1) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

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

SA 571. 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 end of subtitle G of title XII, add the following:

SEC. 1290. STRATEGY ON SECURITY ASSISTANCE TO NIGERIA.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a strategy required under subsection (a) shall in the Lake Chad Basin, including the local and responsibilities of such personnel.

(c) Appropriate Committees of Congress Defined.—In this section, the term ‘‘appropriate committees of Congress’’ means—

(1) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

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

SA 572. Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. CARDIN, Mr. HANSEN, 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 G of title XII, add the following:

SEC. 1290. STRATEGY ON SECURITY ASSISTANCE TO NIGERIA.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a strategy required under subsection (a) shall in the Lake Chad Basin, including the local and responsibilities of such personnel.

(c) Appropriate Committees of Congress Defined.—In this section, the term ‘‘appropriate committees of Congress’’ means—

(1) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

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

SA 572. Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. CARDIN, Mr. HANSEN, 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 G of title XII, add the following:

SEC. 1290. STRATEGY ON SECURITY ASSISTANCE TO NIGERIA.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a strategy required under subsection (a) shall in the Lake Chad Basin, including the local and responsibilities of such personnel.

(c) Appropriate Committees of Congress Defined.—In this section, the term ‘‘appropriate committees of Congress’’ means—

(1) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.
SEC. 1. SENSE OF CONGRESS ON THE NOMING OF A NAVAL VESSEL IN HONOR OF SENIOR CHIEF PETTY OFFICER SHANNON KENT.

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

(1) Senior Chief Petty Officer Shannon M. Kent was born in Pine Plains, New York.

(2) Senior Chief Petty Officer Kent enlisted in the United States Navy on December 11, 2003.

(3) Senior Chief Petty Officer Kent was fluent in five languages and six dialects of Arabic.

(4) Senior Chief Petty Officer Kent served five combat tours throughout 15 years of service in the Navy.

(5) On October 16, 2019, at 35 years of age, Senior Chief Petty Officer Kent was killed in a suicide bombing in Manbij, Syria, while supporting Joint Task Force-Operation Inherent Resolve.

(6) Senior Chief Petty Officer Kent was the recipient of the Bronze Star, the Purple Heart, two Joint Service Commendation Medals, the Navy and Marine Corps Commendation Medal, the Army Commendation Medal, and the Joint Service Achievement Medal, among other decorations and awards.

(7) Senior Chief Petty Officer Kent was among the first women to participate in direct-action raids alongside Special Operations Forces and served as the inspiration for multiple initiatives designed to integrate women in the Special Operations community.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Navy shall authorize appropriations for fiscal year 2020 for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SA 574. Ms. STABENOW (for herself, Mr. ROUNDS, Mr. PETERS, Mr. TILLIS, Ms. BALDWIN, and Mr. BURR) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military construction, and for defense activities of the Department of Energy, to prescribe military 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. 10. PFAS DETECTION.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) DIRECTOR.—The term "Director" means the Director of the United States Geological Survey.

(3) PERFLUORINATED COMPOUND.—

(A) IN GENERAL.—The term "perfluorinated compound" means a perfluoroalkyl substance or a polyfluoroalkyl substance that is manmade with at least 1 fully fluorinated carbon atom.

(B) DEFINITIONS.—In this definition:

(i) FULLY FLUORINATED CARBON ATOM.—The term "fully fluorinated carbon atom" means a carbon atom on which all the hydrogen substituents have been replaced by fluorine.

(ii) NONFLUORINATED CARBON ATOM.—The term "nonfluorinated carbon atom" means a carbon atom on which no hydrogen substituents have been replaced by fluorine.

(iii) PARTIALLY FLUORINATED CARBON ATOM.—The term "partially fluorinated carbon atom" means a carbon atom on which some, but not all, of the hydrogen substituents have been replaced by fluorine.

(iv) PERFLUOROALKYL SUBSTANCE.—The term "perfluoroalkyl substance" means a manmade chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(v) POLYFLUOROALKYL SUBSTANCE.—The term "polyfluoroalkyl substance" means a manmade chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(b) PERFORMANCE STANDARD FOR THE DETECTION OF PERFLUORINATED COMPOUNDS.—

(1) IN GENERAL.—The Director shall establish a performance standard for the detection of perfluorinated compounds.

(2) EMPHASIS.—

(A) IN GENERAL.—In developing the performance standard under paragraph (1), the Director shall emphasize the ability to detect as many perfluorinated compounds present in the environment as possible using analytical methods that—

(i) achieve limits of quantitation; and

(ii) are as sensitive as is feasible and practicable.

(B) REQUIREMENT.—In developing the performance standard under paragraph (1), the Director shall—

(i) develop quality assurance and quality control measures to ensure accurate sampling and testing;

(ii) develop a training program with respect to the appropriate method of sample collection and analysis of perfluorinated compounds; and

(iii) coordinate with the Administrator, including, if appropriate, coordinating to develop media-specific, validated analytical methods to detect individual and different perfluorinated compounds simultaneously.

(c) NATIONWIDE SAMPLING.—

(1) IN GENERAL.—The Director shall carry out a nationwide sampling to determine the concentration of perfluorinated compounds in estuaries, lakes, streams, springs, wells, wetlands, rivers, aquifers, and soil using the performance standard developed under subsection (b)(1).

(2) REQUIREMENTS.—In carrying out the sampling under paragraph (1), the Director shall—

(A) first carry out the sampling at sources of drinking water and at other locations known as, or suspected releases of perfluorinated compounds;

(B) when carrying out sampling of sources of drinking water, in addition to the appropriate subparagraph of subsection (A), carry out the sampling prior to any treatment of the water;

(C) survey for ecological exposure to perfluorinated compounds, with a priority in determining direct human exposure through drinking water; and

(D) consult with—

(i) States to determine areas that are a priority for sampling; and

(ii) the Administrator—

(I) to enhance coverage of the sampling; and

(II) to avoid unnecessary duplication.

(3) REPORT.—Not later than 90 days after the completion of the sampling under paragraph (1), the Director shall prepare a report describing the results of the sampling and submit the report to—

(A) the Committee on Environment and Public Works, the Committee on Energy and Natural Resources, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Energy and Commerce and the Committee on Oversight and Reform of the House of Representatives;

(C) the Senators of each State in which the Director carried out the sampling; and

(D) each Member of the House of Representatives that represents a district in which the Director carried out the sampling.

(d) DATA USAGE.—

(1) IN GENERAL.—The Director shall provide the sampling data collected under subsection (c) to—

(A) the Administrator; and

(B) other Federal and State regulatory agencies on request.

(2) USAGE.—The sampling data provided under paragraph (1) shall be used to inform and enhance assessments of exposure, likely health and environmental impacts, and remediation priorities.

(e) COLLABORATION.—In carrying out this section, the Director shall collaborate with—

(1) appropriate Federal and State regulators;

(2) institutions of higher education;

(3) research institutions; and

(4) other expert stakeholders.

(f) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to the Director to carry out this section—

(1) $5,000,000 for fiscal year 2020; and

(2) $10,000,000 for each of fiscal years 2021 through 2024.

SA 575. Ms. STABENOW (for herself, Mr. TILLIS, Mr. PETERS, Mr. BURR, Mrs. SHAHEEN, Ms. CANTWELL, Ms. BALDWIN, Mr. MANCHIN, and Ms. HASSAN) 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:

In section 318(a)(2), add at the end the following:

(C) A health advisory under section 1412(b)(1)(F) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(1)(F)).

In section 318(a), add at the end the following:

(3) OTHER AUTHORITY.—In addition to the requirements under paragraph (1), when otherwise authorized to use the funds for the purpose of addressing ground or surface water contaminated by a perfluorinated compound, the Secretary of Defense may, to the extent that these funds, enter into a grant agreement, cooperative agreement, or contract with—

(A) the local water authority with jurisdiction over the contamination site, including—

(i) a public water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)); and

(ii) the publicly owned treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1222)); or

(B) a State, local, or Tribal government.

SA 575. Mr. KAINE 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:
SA 577. 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 end of subtitle C of title VII, add the following:

SEC. 729. COMPTROLLER GENERAL REPORT ON USE OF PLANT-BASED VACCINES.

(a) IN GENERAL.—No funds may be used to conduct, host, or support, on behalf of any Department of Defense contractor, any research and development of a plant-based vaccine for the prevention of an infectious disease.

(b) REQUIREMENT.—The Comptroller General of the United States shall submit to Congress a report examining the use of plant-based vaccines by the Department of Defense in order to respond quickly to pandemics.

(1) Whether the use of plant-based vaccines can supplement current requirements for force protection, include vaccines against endemic disease threats as well as biological warfare or bioterrorism agents.

(2) Whether the development of plant-based vaccines can help the Secretary of Defense coordinate pandemic response plans with the Secretary of Health and Human Services.

(3) Whether plant-based vaccines, in addition to mammalian-based vaccines, can provide a fail-safe method that allows the Department of Defense to best respond to pandemic outbreaks.

(c) FOLLOW-UP ON PREVIOUS REPORT.—The report required by subsection (a) shall include an assessment of the following:

(1) The number of non-service, sole-source sustainment contracts that are for commercial items.

(2) The percentage of funds obligated for non-service, sole-source sustainment contracts that are required to be certified by the Department that meet the form, fit, and function of parts that are currently procured through non-service, sole-source sustainment contracts.

(d) Number of non-service, sole-source sustainment contracts that are for commercial items.

(e) The percentage of funds obligated for non-service, sole-source sustainment contracts that are for commercial items.

(f) A description of how often certified cost or pricing data is requested and obtained on non-service, sole-source sustainment contracts and the rationale provided when certified cost or pricing data is requested but not provided.

(f) Certification of cost or pricing data is requested but not provided.

(g) The percentage of funds obligated for non-service, sole-source sustainment contracts that are for commercial items.

(h) An assessment of the cost of non-service, sole-source sustainment contracts that are for commercial items.

(i) A description of how often certified cost or pricing data is requested and obtained on non-service, sole-source sustainment contracts and the rationale provided when certified cost or pricing data is requested but not provided.

(j) Certification of cost or pricing data is requested but not provided.

(k) The percentage of funds obligated for non-service, sole-source sustainment contracts that are for commercial items.

(l) An assessment of the cost of non-service, sole-source sustainment contracts that are for commercial items.

(m) A description of how often certified cost or pricing data is requested and obtained on non-service, sole-source sustainment contracts and the rationale provided when certified cost or pricing data is requested but not provided.

(n) Certification of cost or pricing data is requested but not provided.

(o) The percentage of funds obligated for non-service, sole-source sustainment contracts that are for commercial items.
non-service, sole-source sustainment contracts.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that includes the results of the assessment with respect to each element described in subsection (a)(2).

SA 580. 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 C of title II, add the following:

SEC. 1703. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States and the People’s Republic of China to schedule all fentanyl analogues as controlled substances is a major step in combating global opioid trafficking and represents a major achievement in the United States-China law enforcement dialogues. However, that step will effectively fulfill the commitment that President Xi Jinping made to President Donald Trump at the Group of Twenty meeting in December 2018 only if the Government of the People’s Republic of China devotes sufficient resources to full implementation and strict enforcement of the new regulations. The effective enforcement of the new regulations should result in diminished trafficking of fentanyl originating from the People’s Republic of China into the United States, so it is in the interests of both the United States and the People’s Republic of China to support the effective enforcement of the regulations.

(7) While the Department of the Treasury used the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.) to sanction the first synthetic opioid trafficking entity in April 2018, additional economic and financial sanctions policy tools are needed to help combat the flow of synthetic opioids into the United States.

SA 581. Mr. COTTON (for himself, Mr. SCHUMER, Mr. CRAFO, Mr. BROWN, Mrs. CAPRICE, Mr. MARKEY, Mr. PETERS, Mr. TOOMEY, Mr. MENENDEZ, Mr. CORNYN, Mrs. SHAHEEN, Mrs. FEINSTEIN, and Mr. RUBIO) 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—SANCTIONS WITH RESPECT TO FOREIGN TRAFFICKERS OF ILLICIT SYNTHETIC OPIOIDS

SEC. 1701. SHORT TITLE.

This title may be cited as the “Fentanyl Sanctions Act.”

SEC. 1702. FINDINGS.

Congress makes the following findings:

(1) The Centers for Disease Control and Prevention estimate that from September 2017 through September 2018 more than 48,200 people in the United States died from an opioid overdose, with synthetic opioids (excluding methadone), contributing to a record 31,900 overdose deaths. While drug overdose death estimates from methadone, semi-synthetic opioids, and heroin have decreased in recent years, overdose deaths from synthetic opioids have continued to increase.

(2) Congress and the President have taken a number of actions to combat the demand for illicit opioids in the United States, including enacting into law the SUPPORT for Patients and Communities Act (Public Law 115-271; 132 Stat. 3894). While new statutes and regulations have reduced the demand for opioid prescriptions in recent years, fully addressing the United States opioid crisis will involve dramatically restricting the foreign supply of illicit opioids.

(3) The People’s Republic of China is the world’s largest producer of illicit fentanyl, fentanyl analogues, and their immediate precursors. From the People’s Republic of China, those substances are shipped primarily through express consignment carriers to the United States, and, alternatively, shipped directly to transnational criminal organizations in Mexico, Canada, and the Caribbean.

(4) The United States and the People’s Republic of China, Mexico, and Canada have made important strides in combating the illicit flow of opioids through bilateral efforts of their governments.

(5) The objective of preventing the proliferation of illicit opioids though existing multilateral and bilateral initiatives requires additional illicitlicit financi financial sanctions against those entities that are synthetic opioids; listed chemicals that are synthetic opioids, listed chemicals that are controlled substances under the laws of the United States; and any other persons to carry out such an activity.

(6) The implementation of May 1, 2019, of the regulations of the People’s Republic of China to schedule all fentanyl analogues as controlled substances is a major step in combating global opioid trafficking and represents a major achievement in the United States-China law enforcement dialogues. However, that step will effectively fulfill the commitment that President Xi Jinping of the People’s Republic of China made to President Donald Trump at the Group of Twenty meeting in December 2018 only if the Government of the People’s Republic of China devotes sufficient resources to full implementation and strict enforcement of the new regulations. The effective enforcement of the new regulations should result in diminished trafficking of fentanyl originating from the People’s Republic of China into the United States, so it is in the interests of both the United States and the People’s Republic of China to support the effective enforcement of the regulations.

(7) While the Department of the Treasury used the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.) to sanction the first synthetic opioid trafficking entity in April 2018, additional economic and financial sanctions policy tools are needed to help combat the flow of synthetic opioids into the United States.

SEC. 1703. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should apply economic and other financial sanctions to foreign traffickers of illicit opioids to protect the national security, foreign policy, and economy of the United States; and

(2) it is imperative that the People’s Republic of China follow through on full implementation and strict enforcement of the new regulations adopted May 1, 2019, to treat all fentanyl analogues as controlled substances under the laws of the People’s Republic of China, including by devoting sufficient resources for implementation and strict enforcement of the new regulations; and

(3) the effective enforcement of the new regulations should result in diminished trafficking of fentanyl originating from the People’s Republic of China into the United States, so it is in the interests of both the United States and the People’s Republic of China to support full, effective, and strict enforcement of the regulations.

SEC. 1704. DEFINITIONS.

In this title:

(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED STATES.—The terms ‘‘alien’, ‘‘national’,’’ and ‘‘national of the United States’’ shall have the meanings given those terms in section 102 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees and leadership’’ means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Select Committee on Intelligence, the Judiciary, the Select Committee on Intelligence, and the majority leader and the minority leader of the Senate; and

(B) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Speaker and the minority leader of the House of Representatives;

(3) CONTROLLED SUBSTANCE; LISTED CHEMICAL.—The terms ‘‘controlled substance’’, ‘‘listed chemical’’, ‘‘narcotic drug’,’’ and ‘‘narcotic’’ have the meanings given those terms in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(4) ENTITY.—The term ‘‘entity’’ means a partnership, joint venture, association, corporation, organization, network, group, or subgroup, or any form of business collaboration.

(5) FOREIGN OPIOID TRAFFICKER.—The term ‘‘foreign opioid trafficker’’ means any foreign person that the President determines plays a significant role in opioid trafficking.

(6) FOREIGN PERSON.—The term ‘‘foreign person’’—

(A) means—

(i) any citizen or national of a foreign country; or

(ii) any entity not organized under the laws of the United States or a jurisdiction within the United States; and

(B) does not include the government of a foreign country.

(7) KNOWINGLY.—The term ‘‘knowingly’’, with respect to an act or omission, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(8) OPIOID TRAFFICKING.—The term ‘‘opioid trafficking’’ means any illicit activity—

(A) to produce, manufacture, distribute, sell, or knowingly finance or transport illicit synthetic opioids, controlled substances that are synthetic opioids, listed chemicals that are synthetic opioids, or active pharmaceutical ingredients that are used in the production of controlled substances that are synthetic opioids;

(B) to attempt to carry out an activity described in subparagraph (A); or

(C) to assist, abet, conspire, or collude with other persons to carry out such an activity.

(9) PERSON.—The term ‘‘person’’ means an individual or entity.

(10) UNITED STATES PERSON.—The term ‘‘United States person’’ means—

(A) any citizen or national of the United States;

(B) any alien lawfully admitted for permanent residence in the United States;

(C) any entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity); or

(D) any person located in the United States.

Subtitle A—Sanctions With Respect to Foreign Opioid Traffickers

SEC. 1711. IDENTIFICATION OF FOREIGN OPIOID TRAFFICKERS

(a) PUBLIC REPORT.—

(1) IN GENERAL.—The President shall submit to the appropriate congressional committees and leadership, in accordance with subsection (c), a report—

(A) identifying the foreign persons that the President determines are foreign opioid traffickers; and

(B) detailing progress the President has made in implementing this subtitle; and
imposed with respect to a foreign person that is a financial institution:

(A) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, the financial institution as a primary dealer in United States Government debt instruments.

(B) PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.—The financial institution may not serve as a repository of the United States Government or serve as repository for United States Government funds.

(c) SUBMIT REPORT.—The President may submit a report required under subsection (a)(4) to Congress on or before the first anniversary of the date of enactment of this section and each such report is due on or before the first anniversary of the date of such prior report.

(2) EFFECT ON OTHER REPORTING REQUIREMENTS.—The report required by paragraph (1) shall not affect any other provision of law.

(b) CLASSIFIED REPORT.—Each report required by paragraph (1) or (2) shall be submitted in unclassified form but may include a classified annex.

(A) AVAILABILITY TO PUBLIC.—The unclassified portion of a report required by paragraph (1) or (2) shall be made available to the public.

(B) CLASSIFIED REPORT.—The classified report shall be submitted to Congress pursuant to the provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.).

(c) SUBMISSION OF REPORTS.—Not later than 180 days after the date of the enactment of this section, and thereafter on the date that is 5 years after such date of enactment, the President shall submit a report to Congress pursuant to subsection (a). The report required by subsection (a) and the report required by subsection (b) shall be submitted in classified form.

(d) EXCLUSION OF CERTAIN INFORMATION.—Notwithstanding any other provision of this section, a report required by subsection (a) or (b) shall not disclose the identity of any person if the Director of National Intelligence determines that such disclosure could compromise an intelligence operation, activity, source, or method of the United States.

(2) LAW ENFORCEMENT.—Notwithstanding any other provision of this section, a report required by subsection (a) or (b) shall not disclose the identity of any person if the Attorney General or any other financial agency or authority or any private institution that furnished information on a confidential basis.

(b) to jeopardize the integrity or success of an ongoing criminal investigation or prosecution;

(c) to endanger the life or physical safety of any person; or

(D) to cause substantial harm to physical property.

(3) NOTIFICATION REQUIRED.—If the Director of National Intelligence makes a determination under paragraph (2), the Attorney General shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(4) ROLE OF CONSTRUCTION.—Nothing in this section may be construed to authorize or compel the disclosure of information determined by the President to be law enforcement information, national security information, or other information the disclosure of which is prohibited by any other provision of law.

(e) PROVISION OF INFORMATION REQUIRED FOR REPORTS.—The Secretary of the Treasury, the Attorney General, the Secretary of Defense, the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence shall consult among themselves and provide to the President and the Director of the Office of National Drug Control Policy the appropriate and necessary information to enable the President to submit the reports required by subsection (a).

SEC. 1712. BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.—The President may impose on the principal executive officer or officers of the foreign person sanctions described in paragraphs (1) and (2) if the President determines that the foreign person has committed an act described in paragraph (1) or (2) and if the President determines that such investment would give the foreign person an unfair competitive advantage.

(7) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICER.—The President may impose sanctions described in subsection (a) on the principal executive officer or officers of the foreign person, or on individuals performing similar functions and with similar authority, that is a financial institution:

(A) denying the foreign person access to any financial instrument available from a financial institution, or

(B) prohibiting any financial institution from making loans or providing any other financial service to the foreign person.

(8) EXCLUSION OF CORPORATE OFFICERS.—The President may take such action as the President deems necessary to carry out this section.

(9) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICER.—The President may impose sanctions described in subsection (a) on the principal executive officer or officers of the foreign person, or on individuals performing similar functions and with similar authority, that is a financial institution.

(E) to cause substantial harm to physical property.

(A) acquiring, holding, withholding, using, transferring, withdrawing, or transporting any property that is subject to the jurisdiction of the United States and in which the foreign person has any interest;

(b) dealing in or exercising any right, power, or privilege with respect to such property;

(E) to cause substantial harm to physical property.

(D) conducting any transaction involving such property.

(B) BANKING TRANSACTIONS.—The President may prohibit any financial institution from making loans or providing any other financial service to the foreign person.

(b) SANCTIONS.—The President may impose any sanctions described in section 1712 on the principal executive officer or officers of the foreign person, or on individuals performing similar functions and with similar authority, that is a financial institution.
INTELIGENCE AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section shall not apply with respect to—

(A) any activity subject to the reporting requirements of section V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.); or

(B) any authorized intelligence and law enforcement cooperation with the United States in efforts to prevent effectively implemented and is effectively enforced, including—

(1) The President may exercise all authorities provided under section 206(a)(1) of the Emergency Economic Powers Act (50 U.S.C. 1702 et seq.) to carry out this section.

(2) The Secretary of Commerce, in consultation with the Secretary of the Treasury, shall provide to the appropriate congressional committees and the public any information concerning the handling of classified information.

(3) The Secretary of the Treasury, in consultation with the Secretary of Homeland Security, shall be a member of the majority party and shall be appointed as a member of the Commission if the individual possesses any personal or financial interest in the discharge of any of the duties of the Commission.

(b) WAIVERS FOR NATIONAL SECURITY AND ACCESS TO PRESCRIPTION MEDICATIONS.—

(1) IN GENERAL.—The President may waive the application of sanctions under this subtitle if the President determines that the application of such sanctions would harm—

(A) the national security interests of the United States; or—

(B) paragraph (2), the access of United States persons to prescription medications.

(2) MONITORING.—The President shall establish such programs and procedures to verify that a person that receives a waiver under paragraph (1)(B) is not trafficking illicit opioids.

(3) NOTIFICATION.—Not later than 15 days after making a determination under paragraph (1), the President shall notify the appropriate congressional committees and the leadership of the determination and the reasons for the denial.

(c) HUMANITARIAN WAIVER.—The President may waive, for renewable periods of 180 days, the application of the sanctions under this subtitle if the President certifies to the appropriate congressional committees and the leadership that the waiver is necessary for the provision of humanitarian assistance.

SEC. 1716. PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.

(a) IN GENERAL.—If a finding under this subtitle, or a prohibition, condition, or penalty imposed as a result of any such finding, is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)) and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the President may submit such information to the court in camera.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to confer or imply any right to judicial review of any finding under this subtitle, or any prohibition, condition, or penalty imposed as a result of any such finding.

SEC. 1717. BRIEFINGS ON IMPLEMENTATION.

Not later than 90 days after the date of the enactment of the Fentanyl Sanctions Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the President, acting through the Secretary of State, in coordination with the Secretary of the Treasury, shall provide to the appropriate congressional committees and leadership a comprehensive briefing on efforts to implement this subtitle.

SEC. 1718. INCLUSION OF ADDITIONAL MATERIAL IN INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.

Section 488(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2391(a)) is amended by adding at the end the following:

“(9)(A) An assessment conducted by the Secretary of State, in consultation with the Secretary of the Treasury, to the extent to which any diplomatic efforts described in section 1712 of the Fentanyl Sanctions Act have been successful.

(B) Each assessment required by subparagraph (A) shall include an identification of—

(i) the countries the governments of which have agreed to undertake measures to apply economic or other financial sanctions to foreign traffickers of illicit opioids and a description of those measures; and—

(ii) the countries the governments of which have agreed to undertake measures described in clause (i), and, with respect to those countries, other measures the Secretary of State recommends that the United States take to ensure effective and immediate unilateral sanctions to foreign traffickers of illicit opioids.”
leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives.

(c) Duties.—The duties of the Commission are as follows:

(1) To define the core objectives and priorities of the strategic approach described in subsection (a)(1).

(2) To weigh the costs and benefits of various strategic options to combat the flow of synthetic opioids from the People’s Republic of China and other countries.

(3) To evaluate whether the options described in paragraph (2) are exclusive or complementary, the best means for executing them, and how the United States should incorporate and implement those options within the strategic approach described in subsection (a)(1).

(4) To review and make determinations on the difficult choices present within such options, among them what norms-based regimes the United States should seek to establish to encourage the effective regulation of dangerous synthetic opioids.

(5) To report on efforts by actors in the People’s Republic of China to subvert United States efforts to apply illicit synthetic opioids to persons in the United States, including up-to-date estimates of the scale of illicit synthetic opioids flows from the People’s Republic of China.

(6) To report on the deficiencies in the regulation of pharmaceutical and chemical production of controlled substances and export controls as it pertains to such substances in the People’s Republic of China and other countries that allow opioid traffickers to subvert such regulations and controls to traffic synthetic opioids into the United States.

(7) To report on the scale of contaminated or counterfeit drugs originating from the People’s Republic of China and India.

(8) To determine if the United States could work more effectively with provincial and local officials in the People’s Republic of China and other countries to combat the illicit production of synthetic opioids.

(9) In weighing the options for defending the United States against the dangers of trafficking in synthetic opioids, to consider possible structures and authorities that need to be established, revised, or augmented within the Federal Government.

(d) Commission.—The provisions of subsections (c), (d), (e), (g), (h), (i), and (m) of section 1652 of the John S. McCain National Defense Authorization Act for Fiscal Year 2018 (P.L. 115–232) shall apply to the Commission to the same extent and in the same manner as such provisions apply to the commission established under that section, except that—

(1) subsection (c)(1) of that section shall be applied and administered by substituting “30 days” for “45 days”;

(2) subsection (g)(4)(A) of that section shall be applied and administered by inserting “and the Attorney General” after “Secretary”;

(3) subsections (h)(2)(A) and (i)(1)(A) of that section shall be applied and administered by substituting “level V of the Executive Schedule under section 3534” for “level IV of the Executive Schedule under section 3531”;

(e) Information Related to Narcotic Trafficking.—

(1) Responsibility of Director of National Intelligence.—The Director of National Intelligence shall assume responsibility for disseminating and dispositions of information related to the national security of the United States that is received, considered, or used by the Commission under this section.

(2) Information Provided to Congress.—Any information related to the national security of the United States that is provided to the Commission by the appropriate congressional committees and leadership may not be further provided or released without the approval of the Commission, the appropriate congressional committee, or the Member of Congress, as the case may be, that provided the information to the Commission.

(f) Termination of Commission.—Notwithstanding any other provision of law, after the termination of the Commission under subsection (h), the Director of National Intelligence (and the designees of the Director), and such other officials of the Department of State, the President may designate shall have access to information related to the national security of the United States that is received, considered, or used by the Commission.

(g) Reports.—The Commission shall submit to the appropriate congressional committees and leadership—

(1) not later than 270 days after the date of the enactment of this Act, an initial report on the activities and recommendations of the Commission under this section; and

(2) not later than 90 days after the submission of the initial report under paragraph (1), a final report on the activities and recommendations of the Commission under this section.

(h) Limitation on Funding.—Of amounts made available under sections 1732, 1733, and 1734 to carry out this title, not more than $5,000,000 shall be available to the Commission for the period of fiscal years 2017 through 2023.

(i) Winding Up of Affairs.—The Commission may use the 120-day period described in subsection (c)(2) to wind up its activities, including providing testimony to Congress concerning the final report required by subsection (c)(2) and disseminating the report.

### Subtitle C—Other Matters

SEC. 1731. DIRECTOR OF NATIONAL INTELLIGENCE PROGRAM ON USE OF ILLEGALLY PRODUCED DRUGS IN EFforts to Sanction Foreign Opioid Traffickers.

(a) Program Required.—

(1) In General.—The Director of National Intelligence shall, with the concurrence of the Director of the Office of National Drug Control Policy, carry out a program to allocate and enhance the use of resources of the intelligence community, including intelligence collection and analysis, to assist the Secretary of the Treasury, the Secretary of Health and Human Services, the Attorney General, and the Director of the Drug Enforcement Administration in efforts to identify and impose sanctions with respect to foreign opioid traffickers under subtitle A.

(2) Scope of Sanctions.—To the extent practicable, efforts described in paragraph (1) shall—

(A) take into account specific illicit finance risks related to narcotics trafficking; and

(B) be developed in consultation with the Undersecretary of the Treasury for Terrorism and Financial Crimes, appropriate officials of the Office of Intelligence and Analysis of the Department of the Treasury, the Director of the National Geospatial-Intelligence Network, and appropriate Federal law enforcement agencies.

(b) Review of Counternarcotics Efforts of the Intelligence Community.—The Director of National Intelligence shall, in coordination with the Director of the Office of National Drug Control Policy, carry out a comprehensive review of the current intelligence collection priorities of the intelligence community for counternarcotics purposes. In coordination with the Director of National Intelligence and the Director of the Office of National Drug Control Policy shall jointly submit to the appropriate congressional committees and leadership a report on the status and accomplishments of the program required by subsection (a) during the 90-day period ending on the date of the report. The first report under this paragraph shall also include a description of the amount of funds devoted by the intelligence community to the efforts described in subsection (a) during each of fiscal years 2019 and 2020.

(c) Report on Review.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence and the Director of the Office of National Drug Control Policy shall jointly submit to the appropriate congressional committees and leadership a comprehensive description of the results of the review required by subsection (b), including whether the priorities described in that subsection are appropriate and sufficient in light of the number of lives lost in the United States each year due to use of illegal drugs. If the report concludes that such priorities are not so appropriate and sufficient, the report shall also include a description of the options and actions taken to modify such priorities in order to assure that such priorities are so appropriate and sufficient.

(d) Intelligence Community Defined.—In this section, the term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 1732. DEPARTMENT OF DEFENSE FUNDING.

(a) Source of Funds.—Subject to subsection (b), amounts authorized to be appropriated for each of fiscal years 2020 through 2025 for the Department of Defense for operation and maintenance shall be available only for operations and activities described in subsection (c).

(b) Limitation on Amount Available.—

(1) In General.—Subject to paragraph (2), the amount available under subsection (a) in fiscal year 2020 to carry out operations and activities described in subsection (c) may not exceed $25,000,000.

(2) Exclusion of Funds for US SOUTHCOM Pandemic Response.—Amounts authorized to be appropriated for fiscal year 2020 for operation and maintenance available for such fiscal year for the United States Southern Command for operations and activities described in subsection (c) shall not count toward the limitation applicable to such fiscal year under paragraph (1).
Government solely for purposes of carrying out this title.

(d) Supplement Not Supplant.—Amounts made available under subsection (a) shall supplement and not supplant other amounts available to carry out the operations and activities described in subsection (c).

(e) Concurrence of Secretary of State.—Operations and activities described in subsection (c) carried out with foreign persons shall be conducted with the concurrence of the Secretary of State.

(f) Transfer Authority.—

(1) In General.—The Secretary of Defense may transfer funds authorized to be appropriated for the Department of Defense as described in subsection (a) to any other department or agency of the United States Government solely for purposes of carrying out this title.

(2) Notice Requirements.—If the Secretary transfers funds under this subsection, the Secretary shall provide notice of the transfer to the appropriate committees of Congress.

(g) Inapplicability of Transfer Limitations.—Any transfer under this subsection in a fiscal year shall not count toward or apply against any limitation on amounts transferred by the Department of Defense in such fiscal year, including any limitation specified in an annual defense authorization Act for such fiscal year.

SEC. 1736. DEPARTMENT OF STATE FUNDING.

(a) Authorization of Appropriations.—There are authorized to be appropriated to the Secretary of State for diplomatic programs in the Department of State for fiscal year 2020: $25,000,000.

(b) Operations and Activities Described.—The operations and activities described in this subsection are the operations and activities of the Department of State or any other department or agency of the United States Government in carrying out this title.

(c) Supplement Not Supplant.—Amounts authorized to be appropriated by subsection (a) shall supplement and not supplant other amounts available to carry out the operations and activities described in subsection (b).

(d) Notification Requirement.—

(1) In General.—Except as provided in paragraph (2), amounts authorized to be appropriated by subsection (a) may not be obligated until 15 days after the date on which the President notifies the appropriate committees of Congress of the President’s intention to obligate such funds.

(2) Waiver.—

(A) In General.—The Secretary of the Treasury may waive the notification requirement under paragraph (1) if the President determines that such a waiver is in the national security interests of the United States.

(B) Notification Requirement.—If the Secretary exercises the authority provided under subparagraph (A) to waive the notification requirement under paragraph (1), the Secretary shall notify the appropriate committees of Congress of the President’s intention to obligate such funds.

(e) Transfer Authority.—

(1) In General.—The Secretary of Defense may transfer funds authorized to be appropriated for the Department of Defense as described in subsection (a) to any other department or agency of the United States Government to carry out this title.

(2) Notice Requirements.—If the Secretary transfers funds under this subsection, the Secretary shall provide notice of the transfer to the appropriate committees of Congress.

SEC. 1737. DEPARTMENT OF THE TREASURY FUNDING.

(a) Authorization of Appropriations.—There are authorized to be appropriated to the Secretary of the Treasury for fiscal years 2021 through 2025:

(1) $25,000,000 for fiscal year 2020; and

(2) such sums as may be necessary for each of fiscal years 2021 through 2025.

(b) Operations and Activities Described.—The operations and activities described in this subsection are the operations and activities of the Treasury or any other department or agency of the United States Government in carrying out this title.

(c) Supplement Not Supplant.—Amounts authorized to be appropriated by subsection (a) shall supplement and not supplant other amounts available to carry out the operations and activities described in subsection (b).

(d) Notification Requirement.—

(1) In General.—Except as provided in paragraph (2), amounts authorized to be appropriated by subsection (a) may not be obligated until 15 days after the date on which the President notifies the appropriate committees of Congress of the President’s intention to obligate such funds.

(2) Waiver.—

(A) In General.—The Secretary of the Treasury may waive the notification requirement under paragraph (1) if the President determines that such a waiver is in the national security interests of the United States.

(B) Notification Requirement.—If the Secretary exercises the authority provided under subparagraph (A) to waive the notification requirement under paragraph (1), the Secretary shall notify the appropriate committees of Congress of the President’s intention to obligate such funds.

(e) Transfer Authority.—

(1) In General.—The Secretary of Defense may transfer funds authorized to be appropriated for the Department of Defense as described in subsection (a) to any other department or agency of the United States Government to carry out this title.

(2) Notice Requirements.—If the Secretary transfers funds under this subsection, the Secretary shall provide notice of the transfer to the appropriate committees of Congress.

SEC. 1738. EXCEPTION RELATING TO IMPORTATION OF MANMADE SUBSTANCE.

It is the sense of the Senate that—

(1) it is in the national security interest of the United States to maintain a stable defense supply base that includes small business suppliers,

(2) small businesses within the defense supply base are especially vulnerable to significant changes in funding for acquisition programs, and

(3) the Department of Defense should avoid, to the extent possible, drastic acquisition program changes in order to provide predictability and opportunities for defense suppliers, particularly small businesses, to adapt.
SEC. 1247. SENSE OF SENATE ON MULTI-NATIONAL FREEDOM OF NAVIGATION IN THE BLACK SEA AND THE CANCELLATION OF THE NORD STREAM 2 PIPELINE.

(a) FINDINGS.—The Senate makes the following findings:

(1) In late February 2014, the Russian Federation invaded and illegally occupied Ukraine’s Crimean peninsula, in full contravention of international law and the Helsinki Final Act, which condemns the threat or use of force as means of altering international borders.

(2) The Russian Federation’s attempted illegal annexation of Crimea is also a direct violation of its pledges as a signatory to the 1994 Budapest Memorandum on Security Assurances to respect Ukraine’s sovereignty and existing borders and to refrain from the threat or use of force against Ukraine.

(3) The inclusion of the United States and the United Kingdom as signatories to the Budapest Memorandum was essential in order to provide Ukraine the security assurances needed to give up its nuclear arsenal and to meet its international obligations.

(4) On November 25, 2018, military forces of the Russian Federation attacked and seized three Ukrainian Navy vessels and their crews as the vessels attempted to transit the Kerch Strait between the Black Sea and the Sea of Azov.

(5) The Government of the Russian Federation has been untruthful and illegal; it has released the Ukrainian crew members or returned the Ukrainian ships that were seized illegally.

(6) European Commissioner Julian King stated that the Russian Federation launched a disinformation campaign more than a year ago designed to paint the President as untruthful and illegal. The Russian Federation is a direct result of the actions of the Government of the Russian Federation.

(7) As part of the Russian Federation disinformation campaign, Russian state media outlets spread demonstrable falsehoods, including claims that Ukraine was dredging the Kerch Strait to facilitate the stationing of a NATO fleet, that Ukraine had intentionally infected the sea with a virus, that Ukrainian and British clandestine services were attempting to destroy the Kerch Strait bridge with a nuclear weapon.

(8) The United States has important national interests in the Black Sea region, including the security of three NATO littoral states, the promotion of European energy market diversity, and assurance of unimpeded European access to energy exporters in the Caucasus and central Asia, and combating the use of the region by smugglers as a conduit for trafficking in persons, narcotics, and arms.

(9) The Nord Stream 2 pipeline is a proposed underwater natural gas pipeline project that would provide an additional 55,000,000,000 cubic meters of pipeline capacity from the Russian Federation to the Federal Republic of Germany through the Baltic Sea.

(b) SENSE OF SENATE ON MULTINATIONAL FREEDOM OF NAVIGATION OPERATION IN THE BLACK SEA AND THE CANCELLATION OF THE NORD STREAM 2 PIPELINE.—The Senate—

(1) calls upon the President—

(A) to work with United States allies to promote international freedom of navigation operation in the Black Sea to help demonstrate support for internationally recognized borders, bilateral agreements, and freedom of navigation operations and allied interests, and to push back against excessive Russian Federation claims of sovereignty;

(B) to push back against excessive Russian Federation claims of sovereignty;

(C) to continue work with the President's announcement on December 12, 2018, of the National Defense Authorization Act for Fiscal Year 2019 (P.L. 115–91) to enhance the capability of the Ukrainian military; and

(2) urges the President, through the Department of State and Defense, to provide additional security assistance to Ukraine, especially to strengthen Ukraine’s maritime capabilities, in order to improve deterrence and defense against further Russian aggression;

(3) reiterates that the President is required by statute to impose mandatory sanctions on the Russian Federation under the Countering America’s Adversaries Through Sanctions Act (Public Law 115–44); and

(4) stresses that sanctions against the Russian Federation are a direct result of the actions of the Government of the Russian Federation, and will continue and increase until there is an appropriate change in Russian behavior.

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the "Saudi Nuclear Nonproliferation Act of 2019".

SEC. 1292. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should not approve a civilian nuclear cooperation agreement with Saudi Arabia until the Government of Saudi Arabia—

(A) has been truthful and transparent with regard to the death of Jamal Khashoggi;

(B) has a robust non-proliferation and reprocessing on its territory, as well as agreed to an Additional Protocol with the International Atomic Energy Agency; and

(C) has made significant progress on the protection of human rights, including through the release of political prisoners;
(2) the United States and Saudi Arabia have traditionally shared an important strategic partnership, which includes joint efforts—
(A) to combat terrorism;
(B) to ensure regional stability; and
(C) to address other common challenges;
(3) the strategic partnership between the United States and Saudi Arabia should be based on—
(A) the pursuit of shared national security interests; and
(B) respect for human rights and the rule of law; and
(4) any decision by the Government of Saudi Arabia to pursue civilian nuclear cooperation (as defined by the Atomic Energy Act of 1954 [42 U.S.C. 2077]) is a matter that would have to develop and deploy to ensure its compliance with the New START Treaty.

SEC. 1293. STATEMENT OF POLICY. It shall be the policy of the United States—
(1) to require the Government of Saudi Arabia to renounce uranium enrichment and spent fuel reprocessing on its territory for the duration of a civilian nuclear cooperation agreement with Saudi Arabia; and
(2) to require the Government of Saudi Arabia to renounce uranium enrichment and reprocessing in its territory as part of a civilian nuclear cooperation agreement with the United States; and
(3) to oppose, through the Nuclear Suppliers Group, the sale of nuclear technology to Saudi Arabia until the Government of Saudi Arabia has renounced uranium enrichment and reprocessing on its territory as part of a civilian nuclear cooperation agreement with the United States; and
(4) to seek modification of the guidelines of the Nuclear Suppliers Group relating to the transfer of nuclear technology, as applied with respect to Saudi Arabia, until Saudi Arabia has renounced enrichment and reprocessing on its territory.

SEC. 1294. CONGRESSIONAL APPROVAL REQUIREMENTS FOR CIVILIAN NUCLEAR CO-OPERATION AGREEMENT. Notwithstanding any other requirements under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), a civilian nuclear cooperation agreement with Saudi Arabia may only enter into effect on or after the date on which each of the following has occurred:
(1) the President has submitted to Congress a proposed agreement with Saudi Arabia in accordance with the requirements of such section 123.
(2) In conjunction with the submission referred to in paragraph (1), the President has submitted to Congress an unclassified report (which may include a classified annex) that describes each of the report elements set forth in subsection (a) and (2), a joint report on nuclear non-proliferation; and
(B) seriously undermine the strategic partnership between the United States and Saudi Arabia.

SA 587. Mr. MARKEY (for himself, Mr. RUBIO, Mr. Kaine, and 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 report that describes each authorization issued under subsection (a) during the 90-day period preceding submission of the report.

SEC. 3118. REPORTING REQUIREMENTS RELATING TO APPLICATION FOR AUTHORIZATION TO DEVELOP OR PRODUCE SPECIAL NUCLEAR MATERIAL OUTSIDE THE UNITED STATES. Section 57 of the Atomic Energy Act of 1954 (42 U.S.C. 2077) is amended by adding at the end of the following:
''(B) ELEMENTS.—Each report required by subparagraph (A) shall include—
''(i) a summary of each application for an authorization under subsection (b) during the 90-day period preceding submission of the report, including a description of—
''(I) whether the application was accepted or rejected;
''(II) the applicant; and
''(III) the intended purpose for which the applicant sought the authorization; and
''(ii) an annex containing—
''(I) each application submitted to the Secretary during that period; and
''(II) each report submitted to the Secretary under section 810.12 of title 10, Code of Federal Regulations (or any corresponding similar regulation or ruling) during that period.
''(C) ADDITIONAL MATERIAL IN INITIAL REPORT. The first report required to be submitted by subparagraph (A) shall include the matters required by subparagraph (B) for the period beginning on March 25, 2015, and ending on the date of the enactment of this subsection.

SEC. 3119. REVIEW BY SECRETARY OF STATE. The Secretary shall submit each report required under subsection (a) to the Senate, the House of Representatives, and the appropriate committees of the Senate and the House of Representatives.

SEC. 4. NATIONAL INTELLIGENCE ESTIMATE REGARDING IMPACT OF A LAPSE IN INSPECTIONS REGIMES UNDER THE NEW START TREATY.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees a National Intelligence Estimate consisting of an executive summary and judgments and a more detailed, classified report on the Russian Federation's compliance with the New START Treaty and the impact to the intelligence collection capabilities of the United States if the New START Treaty and its related information exchanges and associated inspections regimes were to lapse. The unclassified executive summary shall be released to the public and shall, to the extent practicable, address each of the report elements set forth in subsection (b).

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

SEC. 5. COSTS OF THE NEW START TREATY.
SA 589. Mr. MARKEY (for himself and Mr. CRUZ) 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 E of title XII, add the following:

SEC. 12. REVIEW AND REPORT ON OBLIGATIONS OF THE UNITED STATES UNDER THE TAIWAN RELATIONS ACT.

(a) SENATE OF CONGRESS.—It is the sense of Congress that—

(1) Taiwan is a vital partner of the United States; a crucial element of the free and open Indo-Pacific region;

(2) for 40 years, the Taiwan Relations Act (22 U.S.C. 3301 et seq.) has secured peace, stability, and prosperity and provided enormous benefits to the United States, Taiwan, and the Indo-Pacific region; and

(3) the United States should reaffirm that the People’s Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means, as described in that Act (22 U.S.C. 3301 et seq.).

(b) REVIEW.—The Secretary of Defense, in coordination with the Secretary of State, shall conduct a review of—

(1) whether, and the means by which, as applicable, the Government of the People’s Republic of China is affecting, including through military, economic, information, digital, diplomatic, or any other form of coercion—

(A) the security, or the social and economic system, of the people of Taiwan;

(B) the military balance of power between the People’s Republic of China and Taiwan;

or

(C) the expectation that the future of Taiwan will continue to be determined by peaceful means; and

(2) the role of United States policy toward Taiwan with respect to the implementation of the 2017 National Security Strategy and the 2018 National Defense Strategy.

(c) REPORT.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall provide to the appropriate committees of Congress a report on the review under subsection (b).

(2) Matters to be included.—The report under paragraph (1) shall include the following:

(A) Recommendations on legislative changes or Department of Defense on implementation of Department of State policy changes necessary to ensure that the United States continues to meet its obligations to Taiwan under the Taiwan Relations Act (22 U.S.C. 3301 et seq.).

(B) Guidelines for—

(i) new defense requirements, including requirements relating to information and digital space;

(ii) exchanges between senior-level civilian and military officials of the United States and Taiwan; and

(iii) the regular transfer of defense articles, especially defense articles that are mobile, survivable, and cost effective, to most effectively deter attacks and support the asymmetric defense strategy of Taiwan.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees” means—

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

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

SEC. 582. MILITARY SPOUSE PROFESSIONAL LICENSE RECIPROCITY.

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

(1) Military spouses continue to experience difficulties in transferring their professional licenses from State to State.

(2) Professional license reciprocity exists sporadically across various States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the States should take appropriate actions to enable a military spouse may engage in a business or occupation for which a professional license is required without obtaining the applicable professional license in the licensing State if the license is currently licensed in good standing by another State that has professional licensing requirements that are substantially equivalent to the requirements for the license in such licensing State.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense of the United States shall submit to Congress a report setting forth the results of a study, undertaken for purposes of the report, on the feasibility and advisability of the transferability by military spouses of professional licenses for various professions from State to State. The report shall set forth the following:

(1) A list of the States that currently permit military spouses to transfer such licenses, and shall specify for such each profession for which such a license is so transferrable.

(2) A ranking of the States by transferability of licenses by military spouses, with appropriate weight being afforded to various mechanisms for transfer, including by endorsement, temporary or provisional licensing, and expedited application for licenses.

SA 590. Mr. MARKEY 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 E of title XII, add the following:

SEC. 1086. COMPTROLLER GENERAL REVIEW OF QUALITY RATING SYSTEM FOR COMMUNITY LIVING CENTERS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the quality rating system for community living centers operated by the Department of Veterans Affairs.

(b) REPORT.—Not later than 12 months, the Comptroller General shall submit to Congress a report on the results of the review conducted under subsection (a).

SEC. 124. F–15EX AIRCRAFT PROGRAM.

(a) DESIGNATION OF MAJOR SUBPROGRAM.—In accordance with section 329A of title 10, United States Code, the Secretary of Defense shall designate the F–15EX program as a major subprogram of the F–15 aircraft program.

(b) LIMITATION.—Except as provided in subsection (c), none of the funds authorized to
be appropriated by this Act may be obligated or expended to procure an F-15EX aircraft until a period of 60 days has elapsed following the date on which the Secretary of the Air Force submits a letter of certification to the congressional defense committees certifying that the following activities have occurred relating to the F-15EX program:

(a) A joint requirement oversight council review has occurred.

(b) A technology readiness assessment has been completed.

(c) An analysis of alternatives has been completed, including consideration of the following options:

(A) Use of F-35 aircraft.

(B) Purchase F-15EX aircraft to recapitalize the F-15C fleet.

(C) Purchase F-16 Blk 70 to recapitalize the F-15C fleet.

(d) Accelerate penetrating counterair next generation air dominance.

(e) A full and open competition or sole source justification has been performed and Congress has been notified.

(f) EXCEPTION FOR PRODUCTION OF PROTOTYPE TYPES. —

(1) IN GENERAL.—Notwithstanding subsection (b), the Secretary of the Air Force may use the funds described in paragraph (2) to develop, produce, and test not more than two prototypes of the F-15EX aircraft.

(2) FUNDS DESCRIBED.—The funds described in this paragraph are funds authorized to be appropriated by this Act for any of the following:

(A) Research and development, non-recurring engineering.

(B) Aircraft procurement.

(c) PROGRAM DEFINED.—In this section, the term ‘‘F-15EX program’’ means the F-15EX aircraft program of the Air Force as described in paragraph (2).

(d) DETERMINATION OF IMPACT ON DOMESTIC EMPLOYMENT.—In making determinations relating to domestic sources or reject an otherwise acceptable offer from a qualifying country listed in subsection (a) of such section (or any successor regulation), the Secretary shall, in restricting the acquisition, conduct an assessment of the impact on domestic employment. Before determining not to apply the restrictions of chapter 83 of title 41, United States Code (commonly referred to as the ‘‘Buy American Act’’) pursuant to such section, the Secretary shall conduct an assessment of the impact on domestic employment. The Secretary shall provide an annual report on the findings of all such assessments to the congressional defense committees and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and Governmental Affairs of the House of Representatives.

SA 595. Mr. REED (for himself, Mr. TESTER, and Mr. WHITEHOUSE) 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 X, insert the following:

SEC. 866. AUTHORITY TO RESTRICT PROCUREMENT FROM COUNTRIES THAT QUALIFY FOR RECIPROCAL PROTECTION.

The Secretary of Defense may restrict acquisitions pursuant to subsection (c) of section 223, 872-1 of the Defense Federal Acquisition Regulation, relating to domestic sources or reject an otherwise acceptable offer from a qualifying country listed in subsection (a) of such section (or any successor regulation), if the Secretary determines that restricting the acquisition would have a substantial positive effect on domestic employment.

(f) PROTECTION OF SURVIVING SPOUSE.—

With respect to a servicemember who dies while in military service, the survivable spouse has the right to receive as survivor benefits under title 37, United States Code, or title 10, United States Code, to the extent provided by law for members of the armed forces.

SEC. 866. AUTHORITY TO RESTRICT PROCUREMENT FROM COUNTRIES THAT QUALIFY FOR RECIPROCAL PROTECTION.

The Secretary of Defense may restrict acquisitions pursuant to subsection (c) of section 223, 872-1 of the Defense Federal Acquisition Regulation, relating to domestic sources or reject an otherwise acceptable offer from a qualifying country listed in subsection (a) of such section (or any successor regulation), if the Secretary determines that restricting the acquisition would have a substantial positive effect on domestic employment.

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SEC. 866. AUTHORITY TO RESTRICT PROCUREMENT FROM COUNTRIES THAT QUALIFY FOR RECIPROCAL PROTECTION.

The Secretary of Defense may restrict acquisitions pursuant to subsection (c) of section 223, 872-1 of the Defense Federal Acquisition Regulation, relating to domestic sources or reject an otherwise acceptable offer from a qualifying country listed in subsection (a) of such section (or any successor regulation), if the Secretary determines that restricting the acquisition would have a substantial positive effect on domestic employment.
(B) the Committee on Homeland Security of the House of Representatives; 
(2) the term "appropriate Federal agencies" means—
(A) the Department of Homeland Security; and 
(B) any other agency, as determined by the Secretary; 
(3) the term "collaboration effort" means an effort undertaken by the appropriate Federal agencies and 1 or more non-Federal entities under the pilot program in order to carry out the purpose of the pilot program; 
(4) the term "critical infrastructure" has the meaning given to that term in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 1559c(e)); 
(5) the term "cybersecurity provider" means a non-Federal entity that provides cybersecurity services to another non-Federal entity; 
(6) the term "cybersecurity threat" means a cybersecurity threat, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (42 U.S.C. 1559c); that affects— 
(A) the national security of the United States; or 
(B) critical infrastructure in the United States; 
(7) the term "malicious cyber actor" means an entity that poses a cybersecurity threat; 
(8) the term "non-Federal entity" has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (42 U.S.C. 1559c); 
(9) the term "Secretary" means the Secretary of Homeland Security.

(b) ESTABLISHMENT; PURPOSE.—Not later than 60 days after the date of enactment of this Act, the Secretary, in consultation with the heads of the appropriate Federal agencies, may establish a pilot program under which the appropriate Federal agencies, at the direction of the Secretary, may collaborate with non-Federal entities in order to coordinate and magnify Federal and non-Federal efforts to prevent or disrupt cybersecurity threats or malicious cyber actors. 

(c) PARTNERSHIP.—In carrying out the pilot program the Secretary may identify and partner with nonprofit cybersecurity organizations capable of enabling near-real-time information sharing relating to cybersecurity threats to cybersecurity service providers in order to facilitate, as appropriate—
(1) sharing of information relating to potential actions by the Federal Government against non-Federal entities with which appropriate Federal agencies, at the direction of the Secretary, may collaborate with non-Federal entities in order to coordinate and magnify Federal and non-Federal efforts to prevent or disrupt cybersecurity threats or malicious cyber actors; 
(2) joint planning between the appropriate Federal agencies and non-Federal entities relating to cybersecurity threats or malicious cyber actors; and 
(3) the synchronization of actions against cybersecurity threats or malicious cyber actors by—
(A) the Federal Government; 
(B) the non-Federal entities with which information is shared under paragraph (1); and 
(C) the non-Federal entities with which joint planning is carried out under paragraph (2). 

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, and each year thereafter, the Secretary shall submit to the appropriate congressional committees a report on the collaboration efforts carried out during the year for which the report is submitted, which shall include—
(A) a statement of the total number collaboration efforts carried out during the year; 
(B) with respect to each collaboration effort carried out during the year— 
(i) a statement of—
(I) the identity of any malicious cyber actor that, as a result of a cybersecurity threat that the malicious cyber actor engaged in or was likely to engage in, was a subject of the collaboration effort; 
(II) the responsible party for the collaboration effort of each appropriate Federal agency and each non-Federal entity that participated in the collaboration effort; and 
(III) whether the goal of the collaboration effort was achieved; and 
(ii) a description of how each appropriate Federal agency and each non-Federal entity that participated in the collaboration effort collaborated in carrying out the collaboration effort; and 
(C) a description of—
(i) the ways in which the collaboration efforts carried out during the year— 
(I) were successful; and 
(II) could have been improved; and 
(ii) how the Secretary will improve collaboration efforts carried out on or after the date on which the report is submitted. 

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—
(1) authorize a non-Federal entity to engage in any activity in violation of section 1030(a) of title 18, United States Code; or 
(2) limit an appropriate Federal agency or a non-Federal entity from engaging in a lawful activity.

SA 597. 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 constructions, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: 

At the end of subtitle G of title XII, add the following:

SEC. 729. STUDY ON HEALTH DATA SAFETY OF MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) AUTHORITY.—(A) The Secretary of Defense, upon request of the Ministry of Defense of Israel and with the concurrence of the Secretary of State, is authorized to carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish directed energy capabilities that address threats to the United States, and to the security interests of Israel.

(b) Activities carried out pursuant to such authority shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States and the national security interests of Israel. 

(2) The activities described in paragraphs (1) and (2) shall not be carried out until after the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the following: 

(A) A memorandum of agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents. 

(B) A certification that the memorandum of agreement includes— 
(i) sharing of costs of projects, including in-kind support, between the United States and Israel; 
(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and 
(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of Israel, including a description of what the funds have been used for, when such records were expended and identification of entities that expended the funds. 

(b) SUPPORT IN CONNECTION WITH ACTIVITIES.—(1) In general.—The Secretary of Defense may provide maintenance and sustainment support to Israel for the directed energy capabilities research, development, test, and evaluation activities authorized in subsection (a) (including, if applicable, shared capabilities research, development, and test, and evaluative activities authorized in subsection (a)).


(a) In General.—(1) The Secretary of Defense, acting through the Secretary of the Army, may enter into agreements with foreign governments that provide— 
(2) The terms of the agreement shall be— 
(A) consistent with the intent of this section; and 
(B) not inconsistent with other applicable law.

(b) Support—(1) In General.—The Secretary of Defense, acting through the Secretary of the Army, may enter into agreements with foreign governments that provide—

(b) REPORT.—The report described in paragraph (1) may not be submitted until 15 days after the Secretary of Defense submits a report setting forth a detailed description of the support to be provided.
(3) Matching contribution.—The support described in paragraph (1) may not be provided unless the Secretary of Defense certifies to the appropriate committees of Congress that the acquisition of military equipment from Israel will contribute to such support—
(A) an amount equal to the amount of support to be so provided; or
(B) an amount that otherwise meets the best efforts of Israel, as mutually agreed to by the United States and Israel.

(c) LEAD AGENCY.—The Secretary of Defense shall, in an appropriate research and development entity of a military department as the lead agency of the Department of Defense in carrying out this section.

(d) SEMIANNUAL REPORT.—The Secretary of Defense shall submit to the appropriate committees of Congress on a semiannual basis a report that contains a copy of all semiannual reports provided by the Government of Israel to the Department of Defense pursuant to subsection (a)(2)(B)(iii).

(e) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—
(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and
(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) SUNSET.—The authority under this section to provide support described in subsection (b) shall expire on December 31, 2024.

SA 599. Mr. Lee (for himself, Mrs. Feinstein, Mr. Cruz, Mr. Whitehouse, and Ms. Collins) 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. . . . PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

(a) SHORT TITLE.—This section may be cited as the "Due Process Guarantee Act".

(b) LIMITATION ON DETENTION.—
(1) IN GENERAL.—Section 4001(a) of title 18, United States Code, is amended—
(A) by striking "No citizen" and inserting the following:—
"(1) No citizen or lawful permanent resident of the United States"; and
(B) by adding at the end the following:
"(2) Any Act of Congress that authorizes an imprisonment or detention described in paragraph (1) shall be consistent with the Constitution, and expressly authorizes such imprisonment or detention."

(2) APPLICATION.—Nothing in section 4001(a)(2) of title 18, United States Code, as added by (B), may be construed to limit, narrow, abolish, or revoke any due process requirement conferred by statute, declaration of war, authorization to use military force, or similar authority effective prior to the date of the enactment of this Act.

SEC. . . . RELATIONSHIP TO AN AUTHORIZATION TO USE MILITARY FORCE, DECLARATION OF WAR, OR SIMILAR AUTHORITY.—Section 4001 of title 18, United States Code, as amended by subsection (b) is further amended—
(1) by redesignating subsection (b) as subsection (c); and
(2) by inserting after subsection (a) the following:
"(b)(1) No United States citizen or lawful permanent resident who is apprehended in the United States or otherwise detained without charge or trial unless such imprisonment or detention is expressly authorized by an Act of Congress.

(2) A general authority to use military force, a declaration of war, or any similar authority, on its own, may not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

(3) Paragraph (2) shall apply to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the Due Process Guarantee Act.

(4) This section may not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.

SA 600. Mr. Lee (for himself, Mr. Paul, and Mr. Braun) 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. . . . REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.

(a) FINDING.—Congress finds that—
(1) the threats facing the United States—
(A) extend beyond the global war on terror; and
(B) include near-peer threats; and
(2) the President should seek from each country described in subsection (c)(2) for threats; and
(3) the Committee on Armed Services of Congress submit to Congress an annual report on the contributions of allies to the common defense.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the threats facing the United States—
(A) extend beyond the global war on terror; and
(B) include near-peer threats; and
(2) the President should seek from each country described in subsection (c)(2) for threats; and
(3) the Committee on Armed Services of Congress submit to Congress an annual report on the contributions of allies to the common defense.

SEC. . . . WAIVER OF COASTWISE ENDORSEMENT REQUIREMENTS.

Section 12112 of title 46, United States Code, is amended by adding at the end the following:
"(c) WAIVERS IN CASES OF PRODUCT CARRIER SAFETY OR UNAVAILABILITY.—(1) IN GENERAL.—The head of an agency shall, upon request, temporarily waive the requirements of subsection (a), including the requirement to satisfy section 12110, if the requesting that waiver reasonably demonstrates to the head of an agency that—
(A) there is no product carrier, with respect to the specified good, that meets such requirements, exists, and is available to carry such good; and

(2) COUNTRIES DESCRIBED.—The countries described in this paragraph are the following:
(A) Each member state of the North Atlantic Treaty Organization.
(B) Each member state of the Gulf Cooperation Council.
(D) Australia.
(E) Japan.
(F) New Zealand.
(G) The Philippines.
(H) South Korea.
(I) Thailand.
(J) Form.—Each report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(3) AVAILABILITY.—A report submitted under paragraph (1) shall be made available on request to any Member of Congress.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—
(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and
(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 601. Mr. Lee 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. . . . WAIVER OF COASTWISE ENDORSEMENT REQUIREMENTS.
"(b) The person made a good faith effort to locate a product carrier that complies with such requirements.

(2) DURATION.—Any waiver issued under paragraph (1) shall be limited in duration, and shall expire by a specified date that is not less than 30 days after the date on which the waiver is issued.

(3) EXTENSION.—Upon request, if the circumstances under which a waiver was issued under paragraph (1) have not substantially changed, the head of an agency shall, without delay, grant one or more extensions to a waiver issued under paragraph (1), for periods of not less than 15 days each.

(4) DEADLINE FOR WAIVER RESPONSE.—(A) IN GENERAL.—Not later than 48 hours after receiving such request, the head of an agency shall approve or deny such request.

(B) FINDINGS IN SUPPORT OF DENIED WAIVER.—If the head of an agency denies such a request, the head of an agency shall, not later than 14 days after denying the request, submit to the requester a report that includes the findings that served as the basis for denying the request.

(C) REQUEST DEEMED GRANTED.—If the head of an agency does not respond to a waiver request under paragraph (1), the head of an agency shall approve or deny such request within 60 days after receiving a request for a waiver under paragraph (1), the head of an agency shall approve or deny such request within 60 days after receiving such request; and

(ii) of the issuance of any such waiver, not later than 48 hours after such issuance.

(B) CONTENTS.—The head of an agency shall include in each notification under subparagraph (A)(ii) a detailed explanation of the reasons the waiver is necessary.

(6) DEFINITIONS.—In this subsection:

(A) PRODUCT CARRIER.—The term ‘product carrier’, with respect to a good, means a vessel constructed or adapted primarily to carry such good in bulk in the cargo spaces.

(B) HEAD OF AN AGENCY.—The term ‘head of an agency’ means an individual acting in that capacity, who is responsible for the administration of the navigation or vessel inspection laws.

SEC. 602. MR. LEE 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. 6. CONGRESSIONAL APPROVAL REQUIREMENT FOR MILITARY HUMANITARIAN OPERATIONS.

(a) Short Title.—This section may be cited as the ‘Military Humanitarian Operations Act of 2019.

(b) Military Humanitarian Operation Defined.—

(I) In General.—In this section, the term ‘military humanitarian operation’ means a military operation involving the deployment of members or weapons systems of the United States Armed Forces where host

SEC. 603. MR. CRUZ 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 II, add the following:

SEC. 7. LEVERAGE COMMERCIAL SATELLITE REMOTE SENSING.

(a) In General.—In acquiring geospatial-intelligence assets through the Director of the National Reconnaissance Office and in coordination with the
(B) review of current trends in ability to set and determine global standards and norms for artificial intelligence technology in national security, including efforts in international setting bodies;
(C) assessment of access to artificial intelligence technology in national security; and
(D) assessment of areas and activities in which the United States should prioritize in order to provide the United States with technical superiority over China in relevant areas of artificial intelligence.

(2) Sense of Congress. —It is the sense of the Senate that—

(1) the United States deeply appreciates the decades of honorable service of General Joseph F. Dunford; and

(2) the indispensable leadership of General Dunford and his dedication to the men and women of the Armed Forces demonstrates the finest example of service to the United States.

SA 607. Mr. GRAHAM 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 XIV, add the following:

SEC. 1432. USE OF WORKING CAPITAL FUNDS TO CARRY OUT MINOR MILITARY CONSTRUCTION PROJECTS AT NAVAL WARFARE CENTERS.

(a) In general.—Paragraph (1) of subsection (a) of section 2232 of title 10, United States Code, is amended—

(1) by inserting before the period at the end the following: “or for a minor military construction project at a Naval Warfare Center”; and

(b) Clerical amendment.—The subsection heading for such subsection is amended to read as follows: “Use for certain unspecified minor military construction projects.”

SA 608. Mr. GRAHAM 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 XII, add the following:

SEC. 12. SENSE OF CONGRESS ON REPARATION OF RELIGIOUS AND ETHNIC MINORITIES IN IRAQ TO ANCESTRAL HOMELANDS.

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

(1) The Nineveh Plain and the wider region have been the ancestral homeland of Assyrian Christians, Yazidis, Shabak, and other religious and ethnic minorities, where they lived for centuries until the Islamic State of Iraq and Syria (ISIS) overran and occupied the area in 2014.

(2) Christians in Iraq have numbered over 1,500,000 in 2003, and have dwindled to less than 200,000 today.

(3) Iraqi Security Forces and the Kurdish Peshmergas have been working with the United States Agency for International Development with local faith leaders, to promote the safety and security of all people, especially religious and ethnic minorities.

(b) Sense of Congress.—It is the sense of Congress that—

(1) it should be a policy priority of the United States, working with international partners, the Government of Iraq, the Kurdistan Regional Government, and local populations to support the safe return of displaced indigenous people of the Nineveh Plain and Sinjar to their ancestral homeland;

(2) Iraqi Security Forces and the Kurdish Peshmergas should work to more fully integrate all communities, including religious communities, to counter current and future terrorist threats; and

(3) the United States, working with international allies and partners, should coordinate efforts to provide for the safe return and future security of religious minorities in the Nineveh Plain and Sinjar.

SA 609. Mr. GRAHAM 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. 316. MODIFICATION TO CERTAIN REQUIREMENTS RELATING TO PLUTONIUM PIT PRODUCTION CAPACITY.

(a) FINDINGS.—The Senate makes the following findings:

(1) In testimony before the Committee on Armed Services of the Senate on February 5, 2019, General John H. Hyten, Commander of United States Strategic Command, stated, “The highest NSNA infrastructure priority is re-establishing a plutonium pit production and fabrication capability meet national requirements. Our national requirement, supported by numerous studies and analyses, requires no fewer than 80 war-reserve pits per year by 2030; I support the NSNA plan to achieve this.”

(2) At a press briefing on May 10, 2019, Under Secretary of Defense for Acquisition and Sustainment Ellen Lord stated, “We need 30 plutonium pits by 2026 for GBSD, and we need to get 80 pits per year by 2030.”

(3) The 2018 Nuclear Posture Review stated that a delay beyond 2030 in reaching the capacity to produce 80 plutonium pits per year “would result in the need for a higher rate of pit production at higher cost.”

(4) The National Nuclear Security Administration has proposed to meet this requirement by continuing to expand infrastructure at Los Alamos National Laboratory, Los Alamos National Laboratory, which will remain the Plutonium Center of Excellence, while building additional capacity at the Savannah River Site, Aiken, South Carolina.

(b) SENATOR OF THE SENATE.—It is the sense of the Senate that—

(1) rebuilding a robust plutonium pit production infrastructure is critical to maintaining the viability of the national stockpile;

(2) that effort will require cooperation from experts at the Savannah River Site, Los Alamos National Laboratory, and across the nuclear security enterprise;

(3) any further delay to planning and design for the full plutonium pit production enterprise will result in unacceptable capability gap for future nuclear stockpile stewardship efforts.

(c) MODIFICATION TO REQUIREMENTS.—Section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2024a) is amended by—

(1) in subsection (a), by striking paragraph (5) and inserting the following:

“(5) any further delay to planning and design for the production of not less than 80 war reserve plutonium pits.”

(2) by striking subsection (b); and

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively; and

(4) in subdesignated by paragraph (2), by striking “2027 (or, if the authority under subsection (b) is exercised, 2029)” and inserting “2030”.

SEC. 611. 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 end of subtitle B of title XXXI, add the following:

SEC. 1008. LIMITATIONS ON TRANSFER AUTHORITY.

(a) LIMITATIONS.—The transfer of amounts authorized to be appropriated by this Act shall be subject to the following:

(1) The amount that may be transferred pursuant to section 1001 may not exceed $1,000,000,000.

(2) The amount that may be transferred pursuant to section 1522 may not exceed $500,000,000.

(3) No amount may be transferred pursuant to section 1001 or 1522 into the Drug Interdiction and Counter-Drug Activities, Defense-wide account.

(b) MODIFICATION AND CLARIFICATION OF TRANSFERS IN CONNECTION WITH MILITARY CONSTRUCTION AUTHORITY.—

(1) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—Section 4219 of title 10, United States Code, is amended—

(A) by redesignating subsections (b) and (c) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (a) the following new subsection:

“(e) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—(1) Except as provided in paragraph (2), in the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $500,000,000.

(2) ADDITIONAL CONDITION ON SOURCE OF FUNDS.—Section 2808(a) of title 10, United States Code, is amended—

(A) in the second sentence—

(i) by striking “Such projects may” and inserting the following:

“(b) CONDITIONS ON SOURCE OF FUNDS.—(1) Military construction projects to be undertaken using the construction authority described in subsection (a) may; and

(ii) by inserting before the period at the end of the sentence the following: “and that the Secretary of Defense determines are otherwise unexecutable”; and

(B) by adding after the second sentence the following:

“(2) For purposes of paragraph (1), the Secretary may determine that funds appropriated for military construction are unexecutable if

(A) a military construction project for which the funds were appropriated has been cancelled, for a reason other than to provide for military construction under this section; or

(B) the cost of a military construction project for which the funds were appropriated has been reduced because of project modifications or other cost savings, for a reason other than to provide funds to carry
out military construction under this section.”.

(3) WAIVER OF OTHER PROVISIONS OF LAW.—Section 2808 of title 10, United States Code, is amended by inserting at the end of subsection (c), as added by paragraph (2)(B), the following new subsection:

“(d) WAIVER OF OTHER PROVISIONS OF LAW IN EVENT OF NATIONAL EMERGENCY.—In the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the authority provided by such subsection to waive or disregard another provision of law, or otherwise apply a construction project authorized by this section may be used only if—

(1) such other provision of law does not provide means by which compliance with the requirements of the law may be waived, modified, or explicated; and

(2) the Secretary of Defense determines that the nature of the national emergency necessitates the noncompliance with the requirements of the law.”.

(4) ADDITIONAL NOTIFICATION REQUIREMENTS.—Subsection (d) of section 2808 of title 10, United States Code, as redesignated by paragraph (1)(A), is amended—

(A) by striking “of the decision” and all that follows through the end of the subsection and inserting the following: “of the following:

(A) The reasons for the decision to use the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, the reasons why use of the armed forces is required in response to the declared national emergency.

(B) The construction projects to be undertaken using the construction authority described in subsection (a), including any real estate action pertaining to the construction projects, and certification of compliance with the funding conditions imposed by subsections (b) and (c).

(C) Any determination made pursuant to subsection (d)(2) to waive or disregard another provision of law to undertake any construction project using the construction authority described in subsection (a).

(E) The military construction projects, including any military family housing and ancillary supporting facility projects, to be canceled or deferred in order to provide funds to undertake construction projects using the construction authority described in subsection (a), and the probable impairments of the cancellation or deferral of such military construction projects on military readiness and the quality of life of members of the armed forces and their dependents.

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

“(2) In the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, a construction project to be undertaken using such construction authority may be carried out only after the end of the five-day period beginning on the date the notification is transmitted by paragraph (1)(A). In is received by the appropriate committees of Congress.”.

(5) CLERICAL AMENDMENTS.—Section 2808 of title 10, United States Code, is further amended—

(A) in subsection (a), by inserting “Construction Authority” after “(a)”; and

(B) in subsection (e), as redesignated by paragraph (1)(A), by inserting “NOTIFICATION REQUIREMENT.—(1) after “(e);” and

(C) in subsection (e), as redesignated, by inserting “TERMINATION OF AUTHORITY.—” after “(f)”.

SA 613. Mr. SULLIVAN 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 XII, insert the following:

SEC. 1272. REPORT ON ARCTIC CAPABILITIES OF THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report on the Arctic capabilities of the Armed Forces.

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

(1) A comparison of the capabilities of the United States, the Russian Federation, the People’s Republic of China, and other countries operating in the Arctic, including an assessment of the ability of the navy of each such country to operate in varying sea-ice conditions;

(2) A description of commercial and foreign military surface forces currently operating in the Arctic in conditions inaccessible to Navy surface forces;

(3) An assessment of the potential security risk posed to the Armed Forces (other than the Army, Navy, Air Force, and Marine Corps) by military activities of other countries operating in the Arctic in conditions inaccessible to Navy surface or aviation forces in the manner such forces currently operate;

(4) A comparison of—

(A) current Armed Forces (other than the Army, Navy, Air Force, and Marine Corps) domain awareness capabilities in the Arctic; and

(B) the effects of supplementing United States capabilities described in subparagraph (a) with Navy surface and aviation forces in the manner such forces currently operate;

(5) A comparison of—

(A) the current defensive capabilities of the Armed Forces (other than the Army, Navy, Air Force, and Marine Corps) in the Arctic; and

(B) the defensive capabilities of the Armed Forces (other than the Army, Navy, Air Force, and Marine Corps) in the Arctic in mutual defense with the military forces of other allies.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) DEPARTMENT OF DEFENSE.—In the case of—

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the congressional defense committees; and

(B) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) ARMED FORCES.—The term “Armed Forces” has the meaning given the term “armed forces” in section 101(a) of title 10, United States Code.

SA 615. Mr. SULLIVAN 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:

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At the end of subtitle F of title XII, insert the following:

SEC. 12. REPORT ON ARCTIC CAPABILITIES OF THE ARMED FORCES.

(a) Report required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security, the Director of National Intelligence, and the appropriate committees of Congress, shall submit a report on the Arctic capabilities of the Armed Forces.

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

(1) A comparison of the capabilities of the United States, the Russian Federation, the People’s Republic of China, and other countries operating in the Arctic, including an assessment of the ability of the navy of each such country to operate in varying sea-ice conditions.

(2) A description of commercial and foreign military surface forces currently operating in the Arctic in conditions inaccessible to Navy surface forces.

(3) An assessment of the potential security risk posed to the Armed Forces not under the authority of title 10, United States Code, by military forces of other countries operating in the Arctic.

(4) A comparison of—

(A) current defense capabilities of the Armed Forces not under the authority of title 10, United States Code; and

(B) the effects of supplementing United States domain awareness capabilities in the Arctic with Navy surface and aviation forces and the surface and aviation forces of other allies.

(5) A comparison of—

(A) current defensive capabilities of the Armed Forces not under the authority of title 10, United States Code, in the Arctic; and

(B) the defensive capabilities of the Armed Forces not under the authority of title 10, United States Code, in mutual defense with the Navy, other Armed Forces, and the military forces of allies.

(c) Form.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS—DEFINITION.—In this section, the term "appropri ate committees of Congress" means—

(1) the congressional defense committees;

(2) the Committee on Commerce, Science, and Transportation of the Senate; and

(3) the Committee on Commerce, Science, and Transportation of the House of Representatives.

SA 617. Mr. INhofe submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military construction, and for defense activities of the Department of Defense, for military 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. 13. ADDITIONAL AMOUNTS FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

(a) ADDITIONAL AMOUNT FOR WORKFORCE TRAINING INITIATIVE—PILOT PROGRAM.—The amount authorized to be appropriated for fiscal year 2020 by section 201 for research, development, test, and evaluation is hereby increased by $2,000,000, with the amount of the increase to be available for Information Systems Security Program (PE 0331416DBZ) for the National Security Agency's National Cyber Defense Initiatives; for cybersecurity and artificial intelligence curriculum development and establishment of a pilot program to enable workforce transformation certificate-based courses that are developed through this effort and then offered by Center of Academic Excellence Universities.

(b) ADDITIONAL AMOUNT FOR RESEARCH ON ADVANCED DIGITAL RADAR SYSTEMS.—The amount authorized to be appropriated for fiscal year 2020 by section 1405 for Defense Health Program is hereby decreased by $30,000,000, with the amount of the decrease to be taken from the amount made available for research, development, test, and evaluation is hereby increased by $5,000,000,  with the amount of the increase to be available for Universal Research (PE 0001103N) for continued research on advanced digital radar systems to meet the evolving goals of the Department of Defense to improve threat detection at greater stand-off distances.

(c) OFFSET.—The amount authorized to be appropriated for fiscal year 2020 by section 1405 for Defense Health Program is hereby decreased by $30,000,000, with the amount of the decrease to be taken from the amount made available for research, development, test, and evaluation is hereby increased by $5,000,000, with the amount of the increase to be available for Universal Research (PE 0001103N) for continued research on advanced digital radar systems to meet the evolving goals of the Department of Defense to improve threat detection at greater stand-off distances.
(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on the development and applications of explainable artificial intelligence.

(b) ELEMENTS.—The briefing required under subsection (a) shall address the following:

(1) The extent to which the Department of Defense curtails uses and prioritizes explainable artificial intelligence.

(2) The limitations of explainable artificial intelligence and the plans of the Department to address those limitations.

(3) The future plans of the Department to require explainable artificial intelligence, particularly in technologies that have warfare applications.

(4) Any potential roadblocks to the effective deployment of explainable artificial intelligence across the Department.

(5) Identification and description of programs and activities, including funding and schedule, to develop or procure explainable artificial intelligence to meet defense requirements and technology development goals.

(6) Such other matters as the Secretary considers appropriate.

(c) FORM OF BRIEFING.—The briefing required under subsection (a) shall be provided in unclassified form, but may include a classified supplement.

(d) DEFINITION OF EXPLAINABLE ARTIFICIAL INTELLIGENCE.—In this section, the term ‘‘explainable artificial intelligence’’ means artificial intelligence that has the ability to demonstrate the rationale behind its decisions in order for its human user to comprehend and characterize the strengths and weaknesses of its decisionmaking process, as well as anticipate how it will behave in the future in contexts in which it is used.

SEC. 619. Mr. GARDNER 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 E of title XII, add the following:

SEC. 12. IMPLEMENTATION OF THE ASIA REASSURANCE INITIATIVE ACT WITH REGARD TO TAIWAN ARMS SALES.

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

(1) The Department of Defense Indo-Pacific Strategy Report, released on June 1, 2019, states: ‘‘[T]he Asia Reassurance Initiative Act, a Taiwan related legislation, was signed into law by President Trump on December 31, 2018. This legislation enshrines a generational whole-of-government policy framework that establishes, for the first time, the Department of Defense as a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security. The Department of Defense is committed to providing Taiwan with defense articles and services as appropriate, and may be necessary to enable Taiwan to maintain a sufficient self-defense capability.’’

(b) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on the development and applications of explainable artificial intelligence.

(c) FORM OF BRIEFING.—The briefing required under subsection (a) shall address the following:

(1) The extent to which the Department of Defense curtails uses and prioritizes explainable artificial intelligence.

(2) The limitations of explainable artificial intelligence and the plans of the Department to address those limitations.

(3) The future plans of the Department to require explainable artificial intelligence, particularly in technologies that have warfare applications.

(4) Any potential roadblocks to the effective deployment of explainable artificial intelligence across the Department.

(5) Identification and description of programs and activities, including funding and schedule, to develop or procure explainable artificial intelligence to meet defense requirements and technology development goals.

(6) Such other matters as the Secretary considers appropriate.

SEC. 620. Mr. BROWN (for himself and Mr. PORTMAN) 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 E of title III, add the following:

SEC. 360. SENSE OF SENATE ON AIRCRAFT FOR MISSION REQUIREMENTS OF AIR FORCE RESERVE COMMAND.

It is the sense of the Senate that in order to maintain safety and increase mission readiness and interoperability of the weather reconnaissance, aerial survey, and firefighting system, the mission capabilities of the Air Force Reserve Command, the special mission units of the Air Force Reserve Command should maintain a minimum of 12 primary aircraft to meet mission requirements.

SEC. 621. Mr. BROWN (for himself and Mr. PORTMAN) 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. 622. Mr. COONS (for himself, Mr. TILLIS, Ms. KLOBUCHAR, Ms. SINEMA, Mr. YOUNG, Ms. DUCKWORTH, Mr. MARKEY, Mr. JONES, Ms. COLLINS, Mr. Kaine, Ms. Warren, Mr. Rubio, Mr. LANKFORD, 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 appropriate place in subtitle F of title X, insert the following:

SEC. 10. JOINT S. MCCAIN III HUMAN RIGHTS COMMISSION.

(a) COMMISSION ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the Senate the John S. McCain III Human Rights Commission (in this section referred to as the ‘‘Commission’’).

(2) DUTIES.—The Commission shall—

(A) serve as a forum for bipartisan discussion of international human rights issues relating to the jurisdictions of multiple committees of the Senate, and promotion of internationally recognized human rights as enshrined in the Universal Declaration of Human Rights;

(B) raise awareness of international human rights violations through regular briefings and hearings; and

(C) collaborate with the executive branch, human rights entities, and nongovernmental organizations to promote human rights initiatives within the Senate.

(b) MEMBERS.—There shall be 16 members of the Commission to be appointed by, and may be removed, by the majority leader of the Senate, and may be removed, by the minority leader of the Senate, as follows:

(1) One co-chairperson shall be appointed, and may be removed, by the majority leader of the Senate.

(2) One co-chairperson shall be appointed, and may be removed, by the minority leader of the Senate.

(c) CO-CHAIRPERSONS OF THE COMMISSION.—

(A) IN GENERAL.—Two members of the Commission shall be appointed to serve as co-chairpersons of the Commission, as follows:

(i) One co-chairperson shall be appointed, and may be removed, by the majority leader of the Senate.

(ii) One co-chairperson shall be appointed, and may be removed, by the minority leader of the Senate.

(B) TERM.—The term of a member as a co-chairperson of the Commission shall end on the last day of the Congress during which the member is appointed as a co-chairperson, unless the member ceases being a member of the Senate, leaves the Commission, resigns from the position of co-chairperson, or is removed.

(d) COMMISSION STAFF.—The Commission shall establish an appropriate staff, under the supervision of the co-chairpersons, as necessary to carry out the duties of the Commission.

(e) REPORT.—The Commission shall submit an annual report of its activities to the Senate.
employ such staff in the manner and at a rate not to exceed that allowed for employes of a committee of the Senate under section 105(e)(3) of the Legislative Branch Appropriations Act, 2019 (2 U.S.C. 437e(e)(3)); and
(ii) incur such expenses as may be necessary or appropriate to carry out its duties and functions.

SEC. 1086. AVIATION WORKFORCE DEVELOPMENT

(a) In general.—Section 625(c)(1) of the FAA Reauthorization Act of 2018 (Public Law 115–254) is amended—

(1) by striking subparagraph (C), by striking “or” after the semicolon;

(ii) to encourage covered centers to leverage existing workforce development programs across the Federal Government and State governments, to develop successful workforce development programs;

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the FAA Reauthorization Act of 2018 (Public Law 115–254).

SA 624. Mrs. GILLIBRAND (for herself, Mr. TILLIS, and Mr. COONS) submitted an amendment intended to be adopted by the Senate on 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. ______. ADMINISTRATION OF CENTERS FOR MANUFACTURING INNOVATION FUNDED BY THE DEPARTMENT OF DEFENSE.

(a) In general.—The Secretary of Defense shall make such changes to the administration of covered centers so that:

(1) to encourage covered centers to leverage existing workforce development programs across the Federal Government and State governments, to develop successful workforce development programs;

(2) to develop metrics to evaluate the workforce development performed by the covered centers, including metrics on job quality, career pathways, wages and benefits, and efforts to support veterans, and to develop workforce skillets with the current and long-term needs of the Department of Defense and the defense industrial base;

(3) to allow metrics to vary between covered centers and be updated and evaluated continuously in order to more accurately evaluate covered centers with different goals and missions;

(b) PAYMENT OF EXPENSES.—Amounts received as reimbursement for expenses described in clause (i) shall not be reported as income, and the expenses so reimbursed shall not be allowed as a deduction under the Internal Revenue Code of 1986.

(c) Designation of professional staff.—

(A) In general.—Each co-chairperson of the Commission may designate 1 professional staff member.

(B) Compensation of Senate employees.—In the case of the compensation of any professional staff member designated under subparagraph (A) who is an employee of a Member of the Senate or of a committee of the Senate and who has been designated to perform certain functions of the Commission, the professional staff member shall continue to be paid by the Member or committee, as the case may be, from the account from which the professional staff member is paid before being reimbursed for the services of the professional staff member (including agency contributions when appropriate) out of funds made available under subsection (c).

(C) Duties.—Each professional staff member designated under subparagraph (A) shall—

(i) serve all members of the Commission; and

(ii) carry out such other functions as the co-chairperson designating the professional staff member may specify.

(d) Payment of expenses.—

(i) In general.—The expenses of the Commission shall be paid from the Contingent Fund of the Senate, out of the account of Miscellaneous Items, upon vouchers approved by the co-chairperson of the Commission, provided that vouchers shall not be required for the disbursement of salaries of employees who are paid at an annual rate of pay.

(ii) Table.—For any fiscal year, not more than $300,000 shall be expended for employees and expenses.

SA 623. Ms. DUCKWORTH (for herself and Mr. INHOFE) 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. 1086. AVIATION WORKFORCE DEVELOPMENT

(a) In general.—Section 625(c)(1) of the FAA Reauthorization Act of 2018 (Public Law 115–254) is amended—

(1) by striking subparagraph (C), by striking “or” after the semicolon;

(ii) to encourage covered centers to leverage existing workforce development programs across the Federal Government and State governments, to develop successful workforce development programs;

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the FAA Reauthorization Act of 2018 (Public Law 115–254).

SA 624. Mrs. GILLIBRAND (for herself, Mr. TILLIS, and Mr. COONS) submitted an amendment intended to be adopted by the Senate on 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. ______. ADMINISTRATION OF CENTERS FOR MANUFACTURING INNOVATION FUNDED BY THE DEPARTMENT OF DEFENSE.

(a) In general.—The Secretary of Defense shall make such changes to the administration of covered centers so that:

(1) to encourage covered centers to leverage existing workforce development programs across the Federal Government and State governments, to develop successful workforce development programs;

(2) to develop metrics to evaluate the workforce development performed by the covered centers, including metrics on job quality, career pathways, wages and benefits, and efforts to support veterans, and to develop workforce skillets with the current and long-term needs of the Department of Defense and the defense industrial base;

(3) to allow metrics to vary between covered centers and be updated and evaluated continuously in order to more accurately evaluate covered centers with different goals and missions;

(4) to encourage covered centers to consider developing technologies that were previously funded by Federal Government investment for early-stage research and development and expand cross-government coordination and collaboration to achieve this goal;

(5) to provide an opportunity for increased Department of Defense input and oversight from senior-level military and civilian personnel on future technology roadmaps produced by covered centers;

(6) to reduce the barriers to collaboration between and among multiple covered centers;

(7) to use contracting vehicles that can increase flexibility, reduce barriers for contracting with subject-matter experts and small and medium enterprises, enhance partnership opportunities, and reduce the time to award contracts at covered centers; and

(8) to overcome barriers to the adoption of manufacturing processes and technologies developed by the covered centers by the defense and commercial industrial base, particularly small and medium enterprises, by engaging with public and private sector partners and appropriate government programs and activities, including the Hollings Manufacturing Innovation Program, and the Manufacturing Partnerships.

(b) Coordination with other activities.—

The Secretary shall carry out this section in coordination with activities undertaken under other headings:

(1) the Manufacturing Technology Program established under section 5221 of title 10, United States Code;

(2) the Manufacturing Engineering Education Program established under section 2196 of such title;

(3) the Defense Manufacturing Community Support Program established under section 866 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232); and

(4) manufacturing initiatives of the Secretary of Commerce, the head of the National Office of the Network for Manufacturing Innovation, the Secretary of Energy, and such other government and private sector organizations as the Secretary of Defense considers appropriate; and

(5) other activities as the Secretary considers appropriate.

(c) Definition of covered center.—In this section, the term ‘‘covered center’’ means a manufacturing innovation institute that is funded by the Department of Defense.

SA 625. Mr. WICKER (for himself and Ms. CANTWELL) 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 XXXV and insert the following:

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. SHORT TITLE.

This title may be cited as the ‘‘Maritime Administration Authorization and Enhancement Act of 2019.’’

Subtitle A—Maritime Administration

SEC. 3501. SHORT TITLE.

This title may be cited as the ‘‘Maritime Administration Authorization and Enhancement Act of 2019.’’

SEC. 3511. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

(a) In general.—There are authorized to be appropriated to the Department of Transportation for fiscal year 2020, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $77,944,000, of which—

(A) $77,944,000 shall remain available until September 30, 2021 for Academy operations; and

(B) $3,800,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $30,280,000, of which—

(A) $2,400,000 shall remain available until September 30, 2021, for the Student Incentive Program;

(B) $6,000,000 shall remain available until expended for direct payments to such academies;

(C) $10,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels; and

(D) $3,800,000 shall remain available until expended for training ship fuel assistance; and

(E) $8,000,000 shall remain available until expended for offsetting the costs of training ships.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $600,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $60,442,000, of which $5,000,000 shall remain available until expended.
(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $5,000,000, which shall remain available until expended.

(6) For expenses necessary to maintain and preserve a United States flag Merchant Marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $30,000,000, which shall remain available until expended.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, $33,000,000, of which—

(A) $30,000,000 may be used for the cost (as defined in section 51302 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program, which shall remain available until expended; and

(B) $3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide assistance to small shipyards and for maritime training programs under section 54101 of title 46, United States Code, $10,000,000, which shall remain available until expended.

(9) For expenses necessary to implement the Port and Intermodal Improvement Program, $500,000,000, except that no funds shall be used for a grant award to purchase fully autonomous or remotely operated landing equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary determines that such equipment would result in a net loss of jobs that relate to the movement of goods through a port and its intermodal connections.

SEC. 3514. MARITIME SECURITY PROGRAM.

(a) AWARD OF OPERATING AGREEMENTS.—Section 53103 of title 46, United States Code, is amended by striking “2025” each place it appears and inserting “2020”.

(b) EFFECTIVENESS OF OPERATING AGREEMENTS.—Section 53104(a) of title 46, United States Code, is amended by striking “2025” and inserting “2020”.

(c) PAYMENTS.—Section 53106(a)(1) of title 46, United States Code, is amended—

(1) in subparagraph (B), by striking “and after the semicolon,”;

(2) in paragraph (2), by striking “$3,700,000 for each of fiscal years 2022, 2023, and 2024,” and inserting “$3,500,000 for each of fiscal years 2022, 2023, 2024, and 2025;”;

and

(3) by adding at the end the following:

“(D) $6,500,000 for each of fiscal years 2022 through 2025.”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 53111 of title 46, United States Code, is amended—

(1) in paragraph (2), by striking “and after the semicolon,”;

(2) in paragraph (3), by striking “$322,000,000 for each fiscal year thereafter through fiscal year 2025.” and inserting “$314,007,780 for each of fiscal years 2022, 2023, 2024, and 2025;”;

and

(3) by adding at the end the following:

“(E) $314,007,780 for each of fiscal years 2022 through 2025.”.

SEC. 3515. DEPARTMENTS OF TRANSPORTATION, INSPECTOR GENERAL, AND OTHER AGENCIES.

(a) PEACE AND SECURITY.—The Secretary of Transportation shall—

(1) not later than 180 days after the date of enactment of this title, initiate an audit of the Maritime Administration’s actions to address only those recommendations from Chapter 1, recommendations 5-1, 5-2, 5-3, 5-4, 5-5, and 5-6 identified by a National Academy of Public Administration panel in the November 2017 report entitled “Maritime Administration: Aligning Its Missions, Aligning Its Programs, and Meeting Its Objectives”; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the results of that audit once the audit is completed.

SEC. 3516. THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) IN GENERAL.—The Secretary of Transportation shall conduct a study of the United States Merchant Marine Academy that consists of the following:

(1) A comprehensive assessment of the United States Merchant Marine Academy’s systems, training, facilities, infrastructure, information technology, and stakeholder engagement.

(2) Identification of needs and opportunities for modernization to help the United States Merchant Marine Academy keep pace with more modern campuses.

(3) Development of an action plan for the United States Merchant Marine Academy with specific recommendations for

(A) improvements or updates relating to the opportunities described in paragraph (3); and

(B) systemic changes needed to help the United States Merchant Marine Academy achieve modernization and educating the next generation of the mariner workforce on a long-term basis.

(c) DEADLINE AND REPORT.—Not later than 1 year after the date of enactment of this title, the Academy shall conduct a study of the United States Merchant Marine Academy and make a determination of whether such training and experience counts for credentialing purposes, as described in subsection (a), the Academy to attend preparatory school during the academic year prior to entrance in the Academy, and who have successfully met the terms and conditions of sponsorship set by the Academy.”.

(b) FEES AND SERVICES.—The Secretary of Defense, the Secretary of the Department in which the Coast Guard operates, and the Secretary of Commerce, with respect to the applicable services in their respective departments, shall—

(1) take all necessary and appropriate actions to provide for the waiver of fees through the National Maritime Center of Excellence for the purpose of issuance and renewal of merchant mariner credentials, as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantee evaluation, issuance, and examination for members of the uniformed services on active duty, if a waiver is approved and, if a waiver is not granted, take all necessary and appropriate actions to provide for the payment of fees for members of the uniformed services on active duty by the applicable service to the fullest extent permitted by law; and

(2) direct the applicable services to take all necessary and appropriate actions to provide for the use of the Credentialing Opportunities On-Line to support separating members of the uniformed services who are seeking information and assistance on merchant mariner credentialing; and

(3) ensure that members of the applicable services who are to be discharged or released from active duty and who request certification or verification of sea service be provided such certification or verification no later than one month after discharge or release;

(4) ensure the applicable services have developed, or continue to operate, as appropriate, the online service known as Credentialing Opportunities On-Line to support separating members of the uniformed services who are seeking information and assistance on merchant mariner credentialing; and

(5) not later than 1 year after the date of enactment of this section, take all necessary and appropriate actions to implement service-related medical certifications to merchant mariner credential requirements.

(d) ADVANCING MILITARY TO MARINER WITHIN THE EMPLOYER AGENCIES.—

(1) IN GENERAL.—The Secretary of Defense, the Secretary of the Department in which the Coast Guard operates, the Secretary of Commerce, and the Secretary of Health and Human Services shall have direct hiring authority to employ separated members of the uniformed services with valid merchant mariner licenses or sea service experience in support of United States maritime national maritime needs, including the Army Corps of Engineers, Customs and Border Protection, and the National Oceanic and Atmospheric Administration.
SEC. 3518. SALVAGE RECOVERIES OF FEDERALLY OWNED CARGOES.

Section 57100 of title 46, United States Code, is amended by adding at the end the following:

...'

"(h) FUND'S TRANSFER AUTHORITY RELATED TO THE USE OF NATIONAL DEFENSE RESERVE FLEET VESSELS AND THE PROVISION OF MARITIME-RELATED SERVICES.—"(1) In general.—When the Secretary of Transportation provides for the use of its vessels or maritime-related services and goods and services under a reimbursable agreement with a Federal entity, or State or local entity, authorized to receive goods and services from the Maritime Administration for programs, projects, activities, and expenses related to the National Defense Reserve Fleet or maritime-related services:

(A) Federal entities are authorized to transfer funds to the Secretary in advance of expenditure or upon providing the goods or services ordered, as determined by the Secretary.

(B) The Secretary shall determine all other terms and conditions under which such payments should be made and provide such goods and services using its existing or new contracts, including general agency agreements, memoranda of understanding, or similar agreements.

(2) REIMBURSABLE AGREEMENT WITH A FEDERAL ENTITY.—

(A) IN GENERAL.—The Maritime Administration is authorized to provide maritime-related services and goods under a reimbursable agreement with a Federal entity, or State or local entity, authorized to receive such goods and services from the Maritime Administration.

(B) MARITIME-RELATED SERVICES DEFINED.—For the purposes of this subsection, maritime-related services includes the acquisition, operation, maintenance, preservation, sale, lease, charter, construction, reconstruction, or reconditioning (including outfitting and equipping incidental to construction, reconstruction, or reconditioning) of a merchant vessel or shipyard, ship site, terminal, pier, dock, warehouse, or other installation related to the maritime function of a Federal entity.

(C) SALVAGING CARGOES.—

(A) IN GENERAL.—The Maritime Administration may provide services and purchase goods relating to the salvaging of cargoes afloat or aground, including but not limited to services in the custody or control of the Maritime Administration or its predecessor agencies and receive and retain reimbursement from Federal entities for all such costs as it may incur.

(B) REIMBURSEMENT.—Reimbursement as provided for in subparagraph (A) may come from—

(i) the proceeds recovered from such salvage; or

(ii) the Federal entity for which the Maritime Administration has or will provide such goods and services, depending on the agreement of the parties involved.

(4) AMOUNTS RECEIVED.—Amounts received as reimbursements under this subsection shall be credited to the fund or account that was used to cover the costs incurred in providing such services and goods. The Secretary shall notify the Congress of the availability of obligations for that appropriation that has expired, to the appropriation of funds that is currently available to the Secretary, any remaining appropriation funds, and the amount of obligations remaining. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same restrictions, as amounts in such fund or account.

(5) ADVANCE PAYMENTS.—Payments made in advance shall be for any part of the estimated expenditures for services provided by the Secretary of Transportation. Adjustments to the amounts paid in advance shall be made as agreed to by the Secretary of Transportation and the head of the ordering agency or unit based on the actual cost of goods or services provided.

(6) BILL OR REQUEST FOR PAYMENT.—A bill submitted or a request for payment is not subject to audit or certification in advance of payment.

SEC. 3519. SALVAGE RECOVERIES FOR SUBROGATED OWNERSHIP OF VESSELS AND CO-GOVERNORS.

Section 53909 of title 46, United States Code, is amended by adding at the end the following:

...'

"(e) SALVAGE AGREEMENTS.—The Secretary of Transportation is authorized to enter into marine salvage agreements for the recoveries, sale, and disposal of sunken or damaged vessels, cargoes, or properties owned or insured by or on behalf of the Maritime Administration, the United States Shipping Board, the U.S. Shipping Bureau, the United States Maritime Commission, or the War Shipping Administration:

(A) for a project, or package of projects, in which—

(i) is either—

(I) within the boundary of a port; or

(II) outside the boundary of a port, but is directly related to port operations or to an intermodal connection to a port; and

(ii) will be used to improve the safety, efficiency, or reliability of—

(I) the loading and unloading of goods at the port, such as for marine terminal equipment; or

(II) the movement of goods into, out of, around, or within a port, such as for highway or rail infrastructure, intermodal facilities, freight handling systems, and digital infrastructure systems;

(E) An Indian Tribe (as defined in section 537, unless the Secretary determines that—

(i) is necessary for a project described in paragraph (3)(A)(ii)(III) of this subsection; and

(ii) is not receiving assistance under chapter 537; or


SEC. 3520. PORT OPERATIONS, RESEARCH, AND TECHNOLOGY.

(a) SHORT TITLE.—This section may be cited as the "Port Innovative Operations, Resilience, and Technology Act."
shall consider reserving an amount equal to not more than 5 percent of the amounts made available for grants under this subsection to make grants for projects described in paragraph (3)(A)(ii)(IV) for research harbors.

(ii) Applicants.—Notwithstanding paragraph (2), the Secretary may allow entities to be eligible applicants for grants under this subparagraph.

(iii) Federal share of total project costs.—(A) Total project costs.—To be eligible for a grant under this subsection, an eligible project sponsor shall submit to the Secretary an estimate of the total costs of a project under this subsection based on the best available information, including any available engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

(B) Federal share.—(i) In general.—Except as provided in clauses (ii) and (iii), the Federal share of the total costs of a project under this subsection shall not exceed 75 percent.

(ii) Additional considerations.—The Federal share of the total costs of a project described in paragraph (3)(A)(ii)(III) shall not exceed 50 percent.

(iii) Dredging projects.—The Federal share of the total costs of a project described in paragraph (3)(A)(ii)(III) shall not exceed 50 percent.

(iv) Rural areas.—The Secretary may increase the Federal share of costs above 80 percent for a project located in a rural area.

(v) Procedural safeguards.—The Secretary shall establish guidelines to establish appropriate accounting, reporting, and review procedures to ensure that:

(A) grant funds are used for the purposes for which those funds were made available;

(B) each grantee properly accounts for all expenditures of grant funds; and

(C) grant funds not used for such purposes and amounts not obligated or expended are returned.

(vi) Conditions.—(A) In general.—The Secretary shall require as a condition of making a grant under this subsection that a grantee—

(i) maintain such records as the Secretary considers necessary.

(ii) make the records described in clause (i) available for review and audit by the Secretary and the Comptroller General of the United States;

(iii) periodically report to the Secretary such information as the Secretary considers necessary to assess project progress.

(B) Labor.—The Federal wage rate requirements of subchapter IV of chapter 31 of title 40 shall apply, in the same manner as such requirements apply to contracts subject to such subchapter, to—

(i) each project for which a grant is provided under this subsection; and

(ii) all portions of a project described in clause (i), regardless of whether such a portion is funded using—

(I) other Federal funds; or

(II) non-Federal funds.

(ii) Limitation on statutory construction.—Nothing in this subsection shall be construed to affect existing authorities to conduct port infrastructure programs in—

(A) Hawaii, as authorized by section 9008 of the SAFEFTEA-LU Act (Public Law 109–99; 119 Stat. 2028);

(B) Alaska, as authorized by section 10205 of the SAFEFTEA-LU Act (Public Law 109–99; 119 Stat. 1934); or


(ii) Reports.—The Secretary shall make available on the web site maintained by the Department of Transportation at the end of each fiscal year an annual report that lists each project for which a grant has been provided under this subsection during that fiscal year.

(13) Administration.—(A) Administrative and oversight costs.—The Secretary may—

(i) waive the determination under subparagraph (A)(ii), and establish a simplified,

(ii) refuse to carry out the project,

(iii) make the records described in clause (i) available for review and audit by the Secretary and the Comptroller General of the United States;

(iv) periodically report to the Secretary such information as the Secretary considers necessary to assess project progress.

(B) Port.—The term 'port' includes—

(i) a seaport; and

(ii) an inland waterways port.

(C) Project.—The term 'project' includes construction, reconstruction, environmental protection, acquisition of property, including land related to the project and improvements to the land, equipment acquisition, and operational improvements.

(D) Research harbor.—The term 'research harbor' includes a harbor that supports or will support a federal owned vessel operated by a State maritime academy (as defined in section 30901(a)(1) of title 46, United States Code, as in effect on the date of enactment of this Act), or a non-Federal oceanographic research facility.

(E) Rural area.—The term 'rural area' means an area that is outside an urbanized area.

(F) Additional authority of the Secretary.—In carrying out this section, the Secretary may—

(i) receive funds from a Federal or non-Federal entity that has a specific agreement with the Secretary to further the purposes of this section;

(ii) coordinate with other Federal agencies to expedite the process established under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the improvement or construction of port facilities to improve the efficiency of the transportation system, to increase port security, or to provide greater access to port facilities;

(iii) seek to coordinate all reviews or requirements with appropriate Federal, State, and local agencies; and

(iv) in addition to any financial assistance provided under subsection (c), provide such technical assistance to port authorities or commissions or their subdivisions and agents as needed for project planning, design, and construction.

(c) Savings Clause.—A repeal made by subsection (b) of this section shall not affect any appropriation or allocation before the effective date of the repeal. Such appropriation or allocation funds shall continue to be subject to the requirements to which the funds were subject under section 5002(c) of title 46, United States Code, in effect on the day before the date of enactment of this Act.

SEC. 3521. ASSESSMENT AND REPORT ON STRATEGIC SEAPORTS.

(a) In general.—(I) The Secretary of Defense shall submit to the congressional defense committees a report...
on port facilities used for military purposes at ports designated by the Department of Defense as strategic seaports.

(b) ELIMINATE.—The report required by subsection (a) shall include, with respect to port facilities included in the report, the following:

(1) An assessment whether there are structural integrity or other deficiencies in such facilities;

(2) If there are such deficiencies—

(A) an assessment of infrastructure improvements to such facilities that would be needed to be directly or indirectly, national security and readiness requirements;

(B) an assessment of the impact on operational readiness of the Armed Forces if such improvements are undertaken; and

(C) an identification of, to the maximum extent practical, all potential funding sources for such improvements from existing authorities;

(3) An identification of the support that would be appropriate for the Department of Defense to provide in the execution of the Secretary of Transportation’s responsibilities under section 50302 of title 46, United States Code, with respect to such facilities.

(4) An identification of statutory or administrative authorities that would be required for the provision of support as described in paragraph (3), recommendations for legislative or administrative action to establish such authorities;

(c) CONSULTATION.—The Secretary of Defense shall prepare the report required by subsection (a) in consultation with the Maritime Administrator, and the individual responsible for each port facility described in such subsection.

SEC. 3522. MARITIME TECHNICAL ASSISTANCE PROGRAM.

Section 50307 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “The Secretary of Transportation may engage in the environmental study” and inserting “The Maritime Administrator, on behalf of the Secretary of Transportation, shall engage in the study”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “may” and inserting “shall”; and

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “that are likely to achieve improvements to such facilities” and inserting “that is to improve”;

(ii) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively;

(iii) by inserting before clause (i), the following:

“(A) environmental performance to meet United States Federal and international standards and guidelines, including—”;

and

(iv) by redesigning by clause (ii), by striking “species; and” and all that follows through the end of the subsection and inserting “species; or

“(iv) reducing propeller cavitation; and

“(B) the efficiency and safety of domestic maritime industries; and

“(2) in subparagraph (c)(2), by striking “benefits and inserting “other benefits to domestic maritime industries”; and

(4) by adding at the end the following:

“(e) LIMITATIONS ON THE USE OF FUNDS.—Not more than 3 percent of funds appropriated to carry out this program may be used for administrative purposes.”;

SEC. 3523. REQUIREMENT FOR SMALL SHIPYARD GRANTEES.

Section 5410(d) of title 46, United States Code, is amended—

(1) by striking “Grants awarded” and inserting the following:

“(1) IN GENERAL.—Grants awarded;” and

(2) by adding at the end the following:

“(2) BUY AMERICA.—

“(A) IN GENERAL.—Subject to subparagraph (B), no funds may be obligated by the Administrator of the Maritime Administration under this section, unless each product and material purchased with those funds (including products and materials purchased by a grantee), and including any commercially available off-the-shelf item, is—

“(i) an unmanufactured article, material, or supply that has been mined or produced in the United States; or

“(ii) a manufactured article, material, or supply that has been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States.

“(B) EXCEPTIONS.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), the requirements of that subparagraph shall not apply with respect to a particular product or material if the Administrator determines—

“(I) that the application of those requirements would be inconsistent with the public interest;

“(II) that such product or material is not available in the United States in sufficient and reasonably available quantities, of a satisfactory quality, or on a timely basis; or

“(III) that inclusion of a domestic product or material will increase the cost of that product or material by more than 25 percent, with respect to a certain contract between a grantee and the grantee’s supplies.

“(ii) FEDERAL REGISTER.—A determination made by the Administrator under this subparagraph shall be published in the Federal Register.

“(C) DEFINITIONS.—In this paragraph:

“(i) the term ‘commercially available off-the-shelf item’ means—

“(aa) a commercial item, as defined by section 251 of title 48, Code of Federal Regulations (as determined in accordance with section 2.101 of title 48, Code of Federal Regulations and Enhanced Act of 2019); and

“(bb) sold in substantial quantities in the commercial market, as determined by the Administrator.

“(ii) does not include bulk cargo, as defined in section 401(2) of this title, such as agricultural products and petroleum products.

“(iii) the term ‘product or material’ means an article, material, or supply brought to the site by the grantee, or for incorporation into the building, work, or project. The term also includes an item brought to the site preassembled from articles, materials, or supplies. Hydrokinetic life safety system, such as emergency lighting, fire alarm, and audio evacuation systems, that are discrete systems incorporated into a public building or workplace and that are produced as complete systems, are evaluated as a single and distinct construction material regardless of when or how the individual parts or components of those systems are delivered to the construction site.

“(iii) The term ‘United States’ includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Virgin Islands.”.

SEC. 3524. IMPROVEMENT OF NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.

(a) ADDITIONAL MEANS OF ACHIEVEMENT OF GOALS OF PROGRAM THROUGH OCEANOGRAPHIC EFFORTS.—Section 833(b)(2) of title 10, United States Code, is amended—

(1) in subparagraph (A)—

(A) by inserting “, creating,” after “identifying”; and

(B) by inserting “science,” after “areas of”; and

(2) by striking subparagraph (B) and inserting the following:

“(B) soliciting, accepting, and executing oceanographic research and observational projects funded by private grants, contracts, or cooperative agreements that contribute to such goals.”;

(b) NATIONAL OCEAN RESEARCH LEADERSHIP COUNCIL MEMBERSHIP.—Section 8932 of title 10, United States Code, is amended—

(1) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively;

(2) in subsection (b)—

(A) by striking paragraph (10); and

(B) by redesigning paragraphs (11) through (14) as paragraphs (12) through (15), respectively; and

(C) by inserting after paragraph (9) the following new paragraphs:

“(10) The Director of the Bureau of Ocean Energy Management of the Department of the Interior;”;

“(11) The Director of the Bureau of Safety and Environmental Enforcement of the Department of the Interior.”.

(3) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “broad participation within the oceanographic community” and inserting “appropriate participation within the oceanographic community, which may include public, academic, commercial, and private participation or support”; and

(ii) in subparagraph (E), by striking “peer”; and

(B) in paragraph (3), by striking subparagraph (D) and inserting the following:

“(D) Preexisting facilities”; such as regional data centers operated by the integrated ocean observing system, and expertise

(4) in subsection (e)—

(A) in the subsection heading by striking “REPORT” and inserting “BRIEFING”;

(B) in the matter preceding paragraph (1), by inserting “to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Armed Services of the House of Representatives a briefing”;

(C) by striking “report” and inserting “briefing” each place the term appears;

(D) by striking paragraph (6) and inserting the following:

“(6) A description of the involvement of Federal agencies and non-Federal contributors participating in the program.”;

and

(E) in paragraph (5), by striking “and inserting “the estimated expenditures under such programs, projects, and activities during such following fiscal year” and inserting “the estimated expenditures under such programs, projects, and activities of the program during such following fiscal year”;

(5) by inserting after subsection (e) the following:

“(f) REPORT.—Not later than March 1 of each year, the Council shall on a publically available website a report summarizing the briefing described in subsection (e).”;

(6) in subsection (g), as redesignated by paragraph (1)—

(A) by striking paragraph (1) and inserting the following:
“(1) The Secretary of the Navy shall establish an office to support the National Oceanographic Partnership Program. The Council shall use competitive procedures in selecting an organization for the partnership program office; and

(B) in paragraph (2)(B), by inserting “, where appropriate,” before “managing”; and

(1) in paragraph (a)(1) and subparagraph (A), by striking the following, and replacing them with—

(1) PROVISIONS.—The Secretary of Defense, the Secretary of the Department in which the Coast Guard Operates, or the heads of other Federal agencies, as described in section 53703(d), may designate an individual, as they may determine, to serve as the Program Director of the Council to enter into contracts and make grants, loans, or cooperative agreements to establish and manage new collaborative programs as considered appropriate, to address emerging science priorities using both donated and appropriated funds.

(2) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to solicit, accept, and execute oceanographic research projects for purposes of the National Oceanographic Partnership Program that are funded by private grants, contracts, or donations.

(3) To transfer funds to other Federal and State departments and agencies in furtherance of the purposes of the National Oceanographic Partnership Program.

(4) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, loans, or cooperative agreements; and

(5) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to award grants and enter into contracts for purposes of the National Oceanographic Partnership Program.

(D) To recommend financial covenants or financial ratios to be met by the applicant during the time a guarantee under this chapter is outstanding.

(E) To analyze and review aspects of, structure, and document the obligation guarantee during the term of the guarantee.

(F) To represent the Secretary or Administrator in structuring and documenting the obligation guarantee.

(G) To analyze and review aspects of, structure, and document the obligation guarantee during the term of the guarantee.

(H) To prepare the application and provide the security interests of the Government relating to an obligation guarantee.

(I) To prepare the application and provide the security interests of the Government relating to an obligation guarantee.

(J) To prepare the application and provide the security interests of the Government relating to an obligation guarantee.

(K) To prepare the application and provide the security interests of the Government relating to an obligation guarantee.

(1) IN GENERAL.—To assess and mitigate the risks due to factors associated with markets, technology, financial, or legal structures related to an application or guarantee under this chapter, the Secretary or Administrator may utilize third party experts, including legal counsel, to—

(A) process and review applications under this chapter, conducting independent analysis and review of aspects of an application;

(B) represent the Secretary or Administrator in structuring and documenting the obligation guarantee;

(C) analyze and review aspects of, structure, and document the obligation guarantee during the term of the guarantee;

(D) recommend financial covenants or financial ratios to be met by the applicant during the time a guarantee under this chapter is outstanding;

(i) based on the financial covenants or financial ratios, if any, that are then applicable to the obligor under private sector credit agreements, and

(ii) in lieu of other financial covenants applicable to the obligor under this chapter with respect to requirements regarding long-term debt-to-equity, minimum working capital, or minimum amount of equity; and

(E) represent the Secretary or Administrator to protect the financial interests of the Government relating to an obligation guarantee.

(2) PRIVATE SECTOR EXPERT.—Independent analysis, review, and representation conducted under this paragraph shall be performed by a private sector expert in the applicable field who is selected by the Secretary or Administrator.

(a) VESSELS OF NATIONAL INTEREST.—

(1) NOTICE OF FUNDING.—The Secretary or Administrator may post a notice in the Federal Register regarding the availability of funding for obligation guarantees under this chapter for the construction, reconstruction, or reconditioning of a Vessel of National Interest and include a timeline for the submission of applications for the guarantee.

(2) VESSEL CHARACTERISTICS.—

(A) IN GENERAL.—The Secretary or Administrator, in consultation with the Secretary of Commerce, in carrying out the responsibilities of the Council.

(B) To authorize the program office to solicit, accept, and execute oceanographic research projects for purposes of the National Oceanographic Partnership Program that are funded by Federal, State, local government, Tribal government, or private entities, personnel, facilities, advice, and information provided by a Federal agency or entity, State, local government, Tribal government, or any combination of those agencies.

(C) To transfer funds to other Federal and State departments and agencies in furtherance of the purposes of the National Oceanographic Partnership Program.

(D) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, loans, or cooperative agreements; and

(E) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to award grants and enter into contracts for purposes of the National Oceanographic Partnership Program.

(F) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, loans, or cooperative agreements; and

(G) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to award grants and enter into contracts for purposes of the National Oceanographic Partnership Program.

(H) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, loans, or cooperative agreements; and

(I) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to award grants and enter into contracts for purposes of the National Oceanographic Partnership Program.

(J) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, loans, or cooperative agreements; and

(K) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to award grants and enter into contracts for purposes of the National Oceanographic Partnership Program.

(L) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, loans, or cooperative agreements; and

(M) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to award grants and enter into contracts for purposes of the National Oceanographic Partnership Program.

(N) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, loans, or cooperative agreements; and

(O) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to award grants and enter into contracts for purposes of the National Oceanographic Partnership Program.

(P) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, loans, or cooperative agreements; and

(Q) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to award grants and enter into contracts for purposes of the National Oceanographic Partnership Program.

(R) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, loans, or cooperative agreements; and

(S) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to award grants and enter into contracts for purposes of the National Oceanographic Partnership Program.
(B) by redesigning paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(C) by striking ’’The Secretary’’ and inserting the following in its place:

‘‘(1) IN GENERAL.—The Secretary’’; and

(D) by adding at the end the following:

‘‘(2) FEE LIMITATION INAPPLICABLE.—Fees collected under subsection (c) are not subject to the limitation of subsection (b).’’.

(1) BEST PRACTICES; ELIGIBLE EXPORT VESSELS.—Chapter 537 of title 46, United States Code, is amended by inserting the following new section:

‘‘§ 53719. Best practices

‘‘The Secretary or Administrator shall ensure that all standard documents and agreements that require to loan guarantees made pursuant to this chapter are reviewed and updated every four years to ensure that such documents and agreements meet the current commercial best practices to the extent permitted by law.’’; and

(2) in subchapter III, by striking section 5372.

(3) EXPRESS CONSIDERATION OF LOW-RISK APPLICATIONS.—Not later than 180 days after the date of enactment of this title, the Administrator of the Maritime Administration shall, in coordination with affected stakeholders, create a process for express processing of low-risk maritime guaranteed loan applications under chapter 537 of title 46, United States Code, without limiting the applicability of Federal and industry best practices, including proposals to better assist applicants to submit complete applications within 6 months of the initial application.

(k) CONGRESSIONAL NOTIFICATION.—

(1) NOTIFICATION.—Not less than 60 days before reorganizing or consolidating the activities described in section 3573 of title 46, United States Code, the Secretary of Transportation shall notify, in writing, the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the proposed reorganization or consolidation.

(2) CONTENTS.—Each notification under paragraph (1) shall include an evaluation of, and justification for, the reorganization or consolidation.

(1) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of chapter 537 of title 46, United States Code, is amended by inserting after the item relating to section 53717 the following new item:

‘‘§ 53719. Best practices.’’

(2) The table of sections at the beginning of chapter 537 of title 46, United States Code, is further amended by striking the item relating to section 5372.

SEC. 3528. REPORT ON VESSELS FOR EMERGING OFFSHORE ENERGY INFRASTRUCTURE.

(a) IN GENERAL.—The Secretary of Transportation, in consultation with the Secretary of Energy, the Secretary of the Interior, and the heads of other relevant agencies, shall prepare and submit a report to Congress including an explanation of why such recommendations have been implemented or not, and a description of the resources that are needed to fully implement such recommendations.

(b) CONTENTS.—Such report shall include:

(1) an inventory of vessels (including existing vessels that have the potential to be refurbished) to install, operate, and maintain such emerging offshore energy infrastructure, including offshore wind energy;

(2) a projection of existing vessels needed to meet such emerging offshore energy needs over the next 10 years; and

(3) policy recommendations to ensure the vessel capacity to support such emerging offshore energy.

(c) TRANSMITTAL.—Not later than 3 months after the date of enactment of this title, the Secretary of Transportation shall submit such report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

Subtitle B—Maritime SAFE Act

SEC. 3531. SHORT TITLES.

(a) SHORT TITLE.—This subtitle may be cited as the ’’Maritime Security and Fisheries Enforcement Act’’ or the ’’Maritime SAFE’’ Act.

(b) DEFINITIONS. In this subtitle:

(1) AIS.—The term ’’AIS’’ means Automatic Identification System (as defined in section 164.46 of title 33, Code of Federal Regulations, or a similar successor regulation).

(2) COMBINED MARITIME FORCES.—The term ’’Combined Maritime Forces’’ means the 33-nation naval partnership, originally established in February 2002, which promotes security, stability, and prosperity across approximately 3,200,000 square miles of international waters.

(3) EXCLUSIVE ECONOMIC ZONE.—

(A) IN GENERAL.—Unless otherwise specified by the President as being in the public interest, the term ’’exclusive economic zone’’ means—

(i) the area within a zone established by a maritime boundary that has been established by a treaty in force or a treaty that is being provisionally applied by the United States; or

(ii) in the absence of a treaty described in clause (i)—

(I) a zone, the outer boundary of which is 200 nautical miles from the baseline from which the breadth of the territorial sea is measured; or

(II) if the distance between the United States and another country is less than 400 nautical miles, a zone, the outer boundary of which is represented by a line equidistant between the United States and the other country.

(B) INNER BOUNDARY.—Without affecting any Presidential Proclamation with regard to the establishment of the United States territorial sea or exclusive economic zone, the term ’’exclusive economic zone’’ includes—

(i) in the case of coastal States, a line co-terminous with the seaward boundary of such zone.

(ii) in the case of the Commonwealth of Puerto Rico, a line that is 3 marine leagues from the coastline of the Commonwealth of Puerto Rico.

(iii) in the case of American Samoa, the United States Virgin Islands, Guan, and the Northern Mariana Islands, a line that is 3 geographical miles from the coastline of American Samoa, the United States Virgin Islands, Guan, or the Northern Mariana Islands, respectively; or

(iv) for any possession of the United States not referred to in clause (ii) or (iii), the coastline of such possession.

(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to diminish the authority of the Department of Defense, the Department of the Interior, or any other Federal department or agency.

(d) FISH SECURITY.—The term ’’food security’’ means access to, and availability, utilization, and stability of, sufficient food to meet caloric and nutritional needs for an adequate healthy life.

(e) GLOBAL RECORD OF FISHING VESSELS, REFRIGERATED TRANSPORT VESSELS, AND SUPPLY VESSELS.—The term ’’global record of fishing vessels, refrigerated transport vessels, and supply vessels’’ means the Food and Agriculture Organization of the United Nations’ initiative to rapidly make available certified information on vessels related activities.

(f) IUU FISHING.—The term ’’IUU fishing’’ means illegal fishing, unreported fishing, or unregulated fishing (as such terms are defined in paragraph 3 of the International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing, adopted at the 23rd Session of the Commission on Fisheries in Rome on March 2, 2001).

(g) PORT STA T MEASURES AGREEMENT.—The term ’’Port State Measures Agreement’’ means the Agreement on Port State Measures to Prevent, Deterr, and Eliminate Ille gle, Unreported, and Unregulated Fishing, adopted at the 24th Session of the Committee on Fisheries in Rome on April 4, 2012.

(h) PORT STATE MEASURES AGREEMENT.—The term ’’Port State Measures Agreement’’ means the Agreement on Port State Measures to Prevent, Deterr, and Eliminate Illegal, Unreported, and Unregulated Fishing set forth by the Food and Agriculture Organization of the United Nations, done at Rome, Italy November 22, 2009, and entered into force June 5, 2016, which offers standards for reporting and inspecting fishing activities of foreign-flagged fishing vessels at port.

(i) PRIO RITY FLAG STATE.—The term ’’priority flag state’’ means a country selected in accordance with section 3552(b)(3).

(j) PREVENTION AND RESPONSE PROGRAM.—The term ’’Prevention and Response program (mandated under section 3514.46 of title 33, Code of Federal Regulations, or a similar successor regulation).’’

(k) PRIORITY FLAG STATE.—The term ’’priority flag state’’ means a country selected in accordance with section 3552(b)(3).
(B) that is willing, but lacks the capacity, to monitor or take effective enforcement action against its fleet.

(9) PRIORITY REGION.—The term ‘priority region’ means a region selected in accordance with section 3552(b)(2)—

(A) that is at high risk for IUU fishing activity or the entry of illegally caught seafood into the markets of countries in the region; and

(B) in which countries lack the capacity to fully address the illegal activity described in subparagraph (A).

(10) REGIONAL FISHERIES MANAGEMENT ORGANIZATION.—The term ‘Regional Fisheries Management Organization’ means an intergovernmental fisheries organization or arrangement, as appropriate, that has the competence to establish conservation and management measures.

(11) SEAFOOD.—The term ‘seafood’—

(A) means marine finfish, mollusks, crustaceans, and all other forms of marine animal and plant life, including those grown, produced, or reared through marine aquaculture operations or techniques; and

(B) does not include marine mammals, turtles, or birds.

(12) TRANSNATIONAL ORGANIZED ILLEGAL ACTIVITY.—The term ‘transnational organized illegal activity’ means criminal activity conducted, exploiting associations of individuals who operate transnationally for the purpose of obtaining power, influence, or monetary or commercial gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption or violence or through a transnational organizational structure and the exploitation of transnational commerce or communication mechanisms.

(13) TRANSSHIPMENT.—The term ‘transshipment’ means the use of refrigerated vessels that—

(A) collect catch from multiple fishing boats;

(B) carry the accumulated catch back to port; and

(C) deliver supplies to fishing boats, which allows fishing vessels to remain at sea for extended periods without coming into port.

SEC. 3533. PURPOSES.

The purposes of this subtitle are—

(1) to support a whole-of-government approach by the Federal Government to counter IUU fishing and related threats to maritime security;

(2) to exchange information that enhances surveillance, enforcement, and prosecution against IUU fishing and related activities at a global level;

(3) to support coordination and collaboration to counter IUU fishing within priority regions;

(4) to increase and improve global transparency and traceability across the seafood supply chain as—

(A) a deterrent to IUU fishing; and

(B) a tool for strengthening fisheries management capacity;

(5) to improve global enforcement operations against IUU fishing through a whole-of-government approach by the United States; and

(6) to prevent the use of IUU fishing as a financing source for transnational organized groups that undermine United States and global security interests.

SEC. 3534. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to take action to curtail the global trade in seafood and seafood products derived from IUU fishing, including its links to forced labor and transnational organized illegal activity;

(2) to support whole of government, diplomatic, military, law enforcement, economic, and capacity-building tools to counter IUU fishing;

(3) to provide technical assistance to countries in priority regions and priority flag states to combat IUU fishing, including assistance—

(A) to increase local, national, and regional level capacities to counter IUU fishing through the engagement of law enforcement and security forces;

(B) to enhance legal capacity and security, including by supporting other countries in working toward the adoption and implementation of the Port State Measures Agreement;

(C) to combat corruption and increase transparency and traceability in fisheries management regimes that promote legal and safe fisheries and act as a deterrent to IUU fishing;

(D) to provide technical assistance to countries in priority regions and priority flag states to combat IUU fishing within priority regions;

(E) to ensure transparency and traceability across the seafood supply chain as—

(A) a deterrent to IUU fishing; and

(B) a tool for strengthening fisheries management capacity;

(4) to continue to coordinate and use the Purple Hull strategy to prevent IUU fishing;

(5) to continue to deploy resources to combat IUU fishing, including assets deployed by the Secretary of State, the Secretary of Defense, and the Commandant of the Coast Guard;

(6) to engage with multilateral organizations, including Regional Fisheries Management Organizations and the Food and Agriculture Organization of the United Nations, to combat and deter IUU fishing;

(7) to advance information sharing across governments and multilateral organizations in areas that cross multiple jurisdictions, through efforts to improve and use an agreed standard for information sharing;

(8) to continue to use existing and future trade agreements to combat IUU fishing;

(9) to employ appropriate assets and resources of the United States Government in a coordinated manner to disrupt the illicit networks involved in IUU fishing;

(10) to continue to declassify and make available, as appropriate and practicable, technologies developed by the United States Government that can be used to help counter IUU fishing;

(11) to recognize the ties of IUU fishing to transnational organized illegal activity, including trafficking in narcotics and arms, and as applicable, to focus on illicit activity in a coordinated, cross-cutting manner;

(12) to respond to poor working conditions, labor abuses, and other violent crimes in the fishing industry;

(13) to increase and improve global transparency and traceability along the seafood supply chain as—

(A) a deterrent to IUU fishing; and

(B) an approach for strengthening fisheries management capacity;

(14) to promote technological investment and innovation to combat IUU fishing.

PART I—PROGRAMS TO COMBAT IUU FISHING AND INCREASE MARITIME SECURITY

SEC. 3541. COORDINATION WITH INTERNATIONAL ORGANIZATIONS.

The Secretary of State, in conjunction with the Secretary of Commerce, shall coordinate with Regional Fisheries Management Organizations and the Food and Agriculture Organization of the United Nations, and may coordinate with other relevant international governmental or nongovernmental organizations, or the private sector, to support additional responses to IUU fishing and related transnational organized illegal activities.
countries, as appropriate, to increase the capacity of IUU fishing enforcement and customs and border security officers to improve their ability—

(1) to conduct effective investigations, including using law enforcement techniques such as undercover investigations and the development of informer networks and actionable intelligence;

(2) to conduct vessel boardings and inspections at sea and associated enforcement actions;

(3) to exercise existing shiprider agreements and to enter into and implement new shiprider agreements, as appropriate, including in those countries that have not adopted the Partners Agreement;

(4) to conduct vessel inspections at port and associated enforcement actions;

(5) to assess technology needs and promote the use of technology to improve monitoring, enforcement, and prosecution of IUU fishing;

(6) to conduct DNA-based and forensic identification of seafood used in trade;

(7) to conduct training on techniques, such as collecting electronic evidence and using computer forensics, for law enforcement personnel;

(8) to assess financial flows and the use of financial institutions to launder profits related to IUU fishing;

(9) to conduct training on the legal mechanisms that can be used to prosecute those identified in the investigations as alleged perpetrators of IUU fishing and other associated crimes such as trafficking and forced labor;

(10) to conduct training to raise awareness of the use of whistleblower information and ways to incentivize whistleblowers to come forward with original information related to IUU fishing.

(e) CAPACITY BUILDING FOR INFORMATION SHARING.—The Secretary of State, in consultation with the Department of Defense, the Commandant of the Coast Guard, the Secretary of Commerce, and the heads of other relevant Federal agencies, as appropriate, shall—

(1) expand the extent and scope of international partnerships to provide assistance, as appropriate, to key countries in priority regions and priority flag states that ensure information sharing related to maritime enforcement and port security.

(2) UTILIZE AND SHARE INFORMATION RELATED TO IUU FISHING.

(3) To provide assistance, as appropriate, with priority flag states and key countries in priority regions—

(I) to increase knowledge within such countries about the United States transparency and traceability standards for imports of seafood and seafood products;

(II) to improve the capacity of seafood industries within such countries through information sharing and training to meet the requirements of transparency and traceability standards for seafood and seafood product imports, including catch documentation and trade tracking programs adopted by relevant regional fisheries management organizations;

(III) to improve the capacities of governments, industry, and civil society groups to develop and implement comprehensive traceability systems, if needed;

(IV) to improve drug trafficking and transhipment in priority regions—

(A) to maintain knowledge on information sharing and training to meet the requirements of transparency and traceability standards for seafood and seafood products;

(B) to strengthen fisheries management and enforcement;

(C) to enhance maritime domain awareness; and

(D) to support the implementation of seafood traceability standards in such countries to prevent IUU fishing products from entering the global market and assess capacity and training needs in those countries.

SEC. 3545. IMPROVEMENT OF TRANSPARENCY AND TRACEABILITY PROGRAMS.

The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard, the Secretary of Defense, and the heads of other Federal agencies, as appropriate, shall—

(1) to expand capacity and training needs in such countries;

(2) to recognize the mandates of United States international sales agreements for enhanced international trade enforcement;

(3) to assess areas for increased interagency information sharing related to maritime enforcement;

(4) to engage in programs to expand the role of technology for combating IUU fishing, including by—

(I) promoting the use of technology to combat IUU fishing;

(II) assessing the technology needs, including vessel tracking technologies and data sharing, in priority regions and priority flag states;

(III) engaging with priority flag states to encourage the mandated use of vessel tracking technologies, including vessel monitoring systems, AIS, or other vessel movement monitoring technologies on fishing vessels and transshipment vessels at all times, as appropriate, while at sea as a means to identify IUU fishing activities and the shipment of illegally caught fish products; and

(IV) building partnerships with the private sector, including NGOs, to improve international coordination among national security, law enforcement, and the technology, transportation and logistics sectors, to leverage new and existing technologies and data analytics to address IUU fishing.

SEC. 3546. INFORMATION SHARING.

The Director of National Intelligence, in consultation with other agencies, as appropriate, shall develop an enterprise approach to appropriately share information and data related to IUU fishing and other connected transnational organized illegal activity occurring in relevant countries, including big data analytics and machine learning.

SEC. 3548. SAVINGS CLAUSE.

Nothing in this part shall create an obligation for the Secretary of the Navy when the Coast Guard is operating as a service of the Navy.

PART II—ESTABLISHMENT OF INTERAGENCY WORKING GROUP ON IUU FISHING

SEC. 3551. INTERAGENCY WORKING GROUP ON IUU FISHING.

(a) IN GENERAL.—There is established a collaborative interagency working group on IUU fishing enforcement and intelligence, referred to in this subtitle as the “Working Group”.

(b) MEMBERS.—The members of the Working Group shall be—

(1) 1 chair, who shall rotate between the Coast Guard, the Department of State, and the National Oceanographic and Atmospheric Administration on a 3-year term; and

(2) 2 deputy chairs, who shall be appointed by their respective agency heads and shall be from a different Department than that of the chair, from—

(A) the Coast Guard;

(B) the Department of State; and

(C) the National Oceanic and Atmospheric Administration.

(3) 12 members, who shall be appointed by their respective agency heads, from—

(A) the Department of Defense;

(B) the United States Navy;

(C) the United States Agency for International Development;

(D) the United States Fish and Wildlife Service;

(E) the Department of Justice;

(F) the Department of the Treasury;

(G) U.S. Customs and Border Protection;

(H) U.S. Immigration and Customs Enforcement;

(I) the Federal Trade Commission;

(J) the National Institute of Food and Agriculture;

(K) the Food and Drug Administration; and

(L) the Department of Labor;

(4) 1 or more members from the intelligence community as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003), who shall be appointed by the Director of National Intelligence;

(5) 5 members, who shall be appointed by the President, from—

(A) the National Security Council;

(B) the Council on Environmental Quality;

(C) the Office of Management and Budget;

(D) the Office of Science and Technology Policy; and

(E) the Office of the United States Trade Representative.

(c) RESPONSIBILITIES.—The Working Group shall—

(1) improve the coordination of Federal agencies to identify, interdict, investigate, prosecute, and dismantle IUU fishing operations and organizations perpetrating and knowingly benefiting from IUU fishing;

(2) increase maritime domain awareness related to IUU fishing and related crimes;

(3) establish standards for information sharing related to maritime enforcement;

(4) assess areas for increased interagency information sharing on matters related to IUU fishing and related crimes;

(5) improve the coordination of Federal agencies to identify, interdict, investigate, prosecute, and dismantle IUU fishing operations and organizations perpetrating and knowingly benefiting from IUU fishing; and

(6) support the adoption and implementation of the Port State Measures Agreement or other relevant conventions and implementing agreements in relevant countries and assessing the capacity and training needs in such countries;
(7) outlining a strategy to coordinate, increase, and use shiprior agreements between the Department of Defense or the Coast Guard and relevant countries; (8) an assessment of cooperation with partner governments to combat IUU fishing; (9) identifying opportunities for increased information sharing between Federal agencies and partner governments to combat IUU fishing; (10) consulting and coordinating with the seafood industry and nongovernmental stakeholders that work to combat IUU fishing; (11) supporting the work of collaborative initiatives to make exclusively certified data from state authorities about vessel and vessel-related activities related to IUU fishing; (12) supporting the identification and certification procedures to address IUU fishing in accordance with the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826d et seq.); and (13) publishing annual reports summarizing nonsensitive information about the Working Group’s efforts to investigate, enforce, and pursue groups and individuals engaging in IUU fishing.

SEC. 3552. STRATEGIC PLAN.

(a) STRATEGIC PLAN.—Not later than 2 years after the date of the enactment of this title, the Working Group, after consultation with the relevant stakeholders, shall submit to Congress a 5-year integrated strategic plan for combating IUU fishing and enhancing maritime security, including specific strategies with monitoring benchmarks for addressing IUU fishing in priority regions.

(b) IDENTIFICATION OF PRIORITY REGIONS AND PRIORITY FLAG STATES.—

(1) IN GENERAL.—The strategic plan submitted under subsection (a) shall identify priority regions and priority flag states to be the focus of assistance coordinated by the Working Group under section 3551.

(2) PRIORITY REGION SELECTION CRITERIA.—In selecting priority regions under paragraph (1), the Working Group shall select regions that—

(A) are at high risk for IUU fishing activity or the entry of illegally caught seafood into their markets; and

(B) lack the capacity to fully address the issues described in paragraph (A).

(3) PRIORITY FLAG STATES SELECTION CRITERIA.—In selecting priority flag states under paragraph (1), the Working Group shall selecting priority flag states to—

(A) the flagged vessels of which actively engage in, knowingly profit from, or are complicit in IUU fishing; and

(B) that lack the capacity to police their fleet.

SEC. 3553. REPORTS.

Not later than 5 years after the submission of the 5-year integrated strategic plan under section 3552, and 5 years after the Working Group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, the Committee on Natural Resources of the House of Representatives, and the Committee on Appropriations of the House of Representatives that contains—

(1) a summary of global and regional trends in IUU fishing; (2) an assessment of the extent of the convergence between transnational organized illegal activity, including human trafficking and IUU fishing; (3) an assessment of the topics, data sources, and strategies that would benefit from increased information sharing and recommendations regarding harmonization of data collection and sharing; (4) an assessment of assets, including military assets which could be used for either enforcement operations or strategies to combat IUU fishing; (5) summaries of the situational threats which may impact priority regions; (6) an assessment of the capacity of countries within such regions to respond to those threats; (7) an assessment of the progress of countries in priority regions in responding to those threats as a result of assistance by the United States pursuant to the strategic plan developed under section 3552, including—

(A) the identification of—

(i) relevant supply routes, ports of call, methods of landing and entering illegally caught product into legal supply chains, and financial institutions used in each country by participants engaging in IUU fishing; and

(ii) indicators of IUU fishing that are related to money laundering; (B) an assessment of the adherence to, or progress toward adoption of, international treaties related to IUU fishing; (C) an assessment of the implementation of priority flag states selection, including the Port State Measures Agreement, by countries in priority regions; (D) an assessment of the capacity of countries in priority regions to implement shippri agreements; (E) an assessment of the capacity of countries in priority regions to increase maritime domain awareness; and

(F) an assessment of the capacity of governments of relevant countries in priority regions to support programs for which the United States has provided assistance under this subtitle;

(8) an assessment of the capacity of priority flag states to track the movement of and police their fleet, prevent their flagged vessels from engaging in IUU fishing, and enforce applicable laws and regulations; and


SEC. 3554. GULF OF MEXICO IUU FISHING SUB-WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this title, the Administrator of the National Oceanic and Atmospheric Administration, in coordination with the Coast Guard and the Department of State, shall establish a subworking group to address IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico.

(b) FUNCTIONS.—The subworking group established under subsection (a) shall identify—

(1) Federal actions taken and policies established during the 5-year period immediately preceding the date of the enactment of this title with respect to IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico, including such actions and policies related to—

(A) the surveillance, interdiction, and prosecution of any foreign nationals engaged in such fishing; and

(B) the application of the provisions of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826d et seq.) to any relevant nation, including the status of any past or ongoing consultations and certification proceedings; (2) actions and policies, in addition to the actions and policies described in paragraph (1), each of the Federal agencies described in subsection (a) can take, using existing resources, to combat IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico; and

(3) any additional authorities that could assist each such agency in more effectively addressing such IUU fishing.

(b) Not later than 1 year after the IUU Fishing Subworking Group is established under subsection (a), the group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives that contains—

(1) the findings identified pursuant to subsection (b); and

(2) a timeline for each of the Federal agencies described in subsection (a) to implement each policy identified pursuant to subsection (b).

PART III—COMBATING HUMAN TRAFFICKING IN CONNECTION WITH THE CATCHING AND PROCESSING OF SEAFOOD PRODUCTS

SEC. 3561. FINDING.

Congress finds that human trafficking is a pervasive problem in the catching and processing of certain seafood products imported into the United States, particularly seafood products obtained through illegal, unreported, and unregulated fishing.

SEC. 3562. ADDING THE SECRETARY OF COMMERCE TO THE INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

Section 1606(b) of title 31, United States Code, is amended by inserting “the Secretary of Commerce,” after “the Secretary of State,”.

SEC. 3563. HUMAN TRAFFICKING IN THE SEAFOOD SUPPLY CHAIN REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, the Administrator of the National Oceanic and Atmospheric Administration and the Commissioner of the Food and Drug Administration shall jointly submit a report to Congress that describes the existence of human trafficking in the supply chains of seafood products imported into the United States.

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

(1) a list of the countries at risk for human trafficking in their domestic catching and processing industries, and an assessment of such risk for each listed country; (2) a description of the quantity and economic value of seafood products imported into the United States from the countries on the list compiled pursuant to paragraph (1); (3) a description and assessment of the methods, if any, in the countries on the list compiled pursuant to paragraph (1) to trace and account for the manner in which seafood is caught; (4) a description of domestic and international enforcement mechanisms to deter illegal practices in the catching of seafood in the countries on the list compiled pursuant to paragraph (1); and

(5) such recommendations as the Administrator and the Commissioner jointly consider appropriate for legislative or administrative action to eliminate and combat actions against human trafficking in the catching and processing of seafood products outside of United States waters.

PART IV—AUTHORIZATION OF APPROPRIATIONS

SEC. 3571. AUTHORIZATION OF APPROPRIATIONS.

(a) FUNDING.—Amounts made available to carry out this subtitle shall be derived from
amounts appropriated or otherwise made available to the relevant agencies and departments.

(b) No Increase in Contributions.—Nothing in this subtitle shall be construed to authorize an increase in required or voluntary contributions paid by the United States to any multilateral or international organization.

SEC. 3572. ACCOUNTING OF FUNDS.

By not later than 180 days after the date of enactment of this title, the head of each Federal agency receiving or allocating funds to carry out activities under this subtitle shall, to the greatest extent practicable, prepare and submit to Congress a report that provides an accounting of all funds made available under this subtitle to the Federal agencies.

SA 626. 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 appropriate place in title X, insert the following:

SEC. 8. JOHN S. MCCAIN COMMISSION ON THE SUSTAINABILITY OF THE ALL-VOLUNTEER FORCE.

(a) Establishment of Commission.—

(1) Establishment.—

(A) In general.—There is established a commission to carry out a comprehensive examination of—

(1) the sustainability and underpinnings of the all-volunteer nature of the Armed Forces from the perspective of the needs of the Armed Forces and veterans, with respect to all phases of the lives of such members and veterans, from service in the Armed Forces through civilian life, including recruiting, retention, transition, and end-during vigilance.

(B) Designation.—The commission established by subparagraph (A) shall be known as the “John S. McCain Commission on the Sustainability of the All-Volunteer Force” (in this section referred to as the “Commission”).

(2) Membership.—

(A) Composition.—The Commission shall be composed of 12 members of whom—

(i) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(ii) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(iii) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives;

(iv) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives;

(v) one shall be appointed by the Chairperson and vice Chairperson of the House of Representatives;

(vi) one member appointed by the majority leader of the Senate;

(vii) one member appointed by the majority leader of the House of Representatives;

(viii) one member appointed by the Speaker of the House of Representatives; and

(x) one member appointed by the minority leader of the Senate;

(xii) one member appointed by the minority leader of the House of Representatives; and

(xii) one member appointed by the Speaker of the House of Representatives; and

(C) Requirements.—The members of the Commission appointed under subparagraph (A)—

(1) shall be a citizen of the United States;

(2) may not be a member of Congress; and

(iii) may not be an employee of the Federal Government.

(D) Veteran Status.—To the extent practicable, the members appointed under subparagraph (A) shall be veterans.

(E) Nongovernment Liaisons.—In addition to the members appointed under subparagraph (A), the following shall be nonvoting members of the Commission:

(i) The Under Secretary for Benefits of the Department of Veterans Affairs.

(ii) The Under Secretary of Defense for Personnel and Readiness.

(iii) The Assistant Secretary of Defense for Reserve Affairs.

(iv) The Associate Administrator for Veterans Business Development at the Small Business Administration.

(F) Liaisons.—

(i) Government Liaisons.—The Secretary of Veterans Affairs, the Secretary of Defense, the Secretary of Labor and the Administrator of the Small Business Administration shall each designate at least one officer or employee of the Veterans Benefits Administration, Department of Defense, the Department of Labor, and the Small Business Administration, respectively, to serve as a liaison to the Commission.

(ii) Nongovernment Liaisons.—Personnel associated with nongovernmental organizations with expertise or experience in the purpose and scope of the Commission may be assigned to support and serve the duties of the Commission.

(G) Appointment Date.—The appointments of the members of the Commission shall be made not later than 60 days after the date of the enactment of this Act.

(H) Effect of Lack of Appointment by Appointment Date.—If the authority to make such appointment or appointments shall expire; and

(i) the number of members of the Commission shall be reduced to the number so appointed.

(3) Period of Appointment.—Members of the Commission shall be appointed for the life of the Commission.

(4) Vacancies.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(5) Meetings.—

(A) Initial Meeting.—The Commission shall hold its first meeting not later than 30 days after a majority of members are appointed to the Commission.

(B) Meeting.—

(i) In General.—The Commission shall regularly meet at the call of the chairperson of the Commission.

(ii) Telecommunications Technology.—Meetings of the Commission may be carried out through telephonic or other appropriate telecommunication technology if the Commission determines that such technology will allow the Commission to communicate simultaneously.

(C) Chairperson and Vice Chairperson.—A chairperson and vice chairperson of the Commission shall be selected from among the members of the Commission jointly by—

(A) the Chairman of the Committee on Armed Services of the Senate;

(B) the Ranking Member of the Committee on Armed Services of the Senate;

(C) the Chairman of the Committee on Veterans’ Affairs of the Senate;

(D) the Ranking Member of the Committee on Veterans’ Affairs of the Senate;

(E) the Chairman of the Committee on Armed Services of the House of Representatives;

(F) the Ranking Member of the Committee on Armed Services of the House of Representatives;

(G) the Chairman of Committee on Veterans’ Affairs of the House of Representatives;

(H) the Ranking Member of Committee on Veterans’ Affairs of the House of Representatives;

(I) the majority leader of the Senate;

(J) the minority leader of the Senate;

(K) the Speaker of the House of Representatives; and

(L) the minority leader of the House of Representatives.

(7) Panels.—

(A) In General.—The Commission may establish panels composed of less than the full membership of the Commission for the purpose of carrying out the Commission’s duties.

(B) Duties.—

(i) General Duties.—

(A) Review of the All-Volunteer Force.—

(i) In general.—The Commission shall review the adequacy and effectiveness of all aspects of the lifecycle of members of the Armed Forces as a critical aspect of the all-volunteer nature of the Armed Forces, including recruiting, retention, and the assistance services provided by government and nongovernmental entities to members of the Armed Forces in making the transition and adjustment to and throughout civilian life.

(ii) Holistic Focus on Care.—The review required by clause (i) shall include a holistic focus on care from inception into the Department of Defense until death.

(iii) Lines of Effort.—The review required by clause (i) shall include establishment of particular lines of effort with a focus on the Department of Defense, the Department of Veterans Affairs, and nongovernmental organizations.

(B) Identification of Best Practices and Critical Failures.—

(i) List.—

(A) In General.—The Commission shall identify and compile a list of best practices and critical failures in meeting the needs of national security, members of the Armed Forces, and veterans at each phase of a transition from service in the Armed Forces to and throughout civilian life.

(B) Resources.—In carrying out subclause (A), the Commission shall identify contemporary resource owners, both government and nongovernmental, who affect the population of members of the Armed Forces and veterans at each phase of a transition from service in the Armed Forces to and throughout civilian life.

(C) Panels.—

(i) In general.—The Commission shall—

(A) analyze the Department of Defense National Resource Directory and the Department of Veterans Affairs databases that map
the benefits available to veterans and their families; and
(II) determine where such directory and
database fall short of meeting the transition
needs of such veterans and families through-
out civilian life.
(C) EVALUATION.—The Commission shall
evaluate proposals for improving recruiting,
retention, and transition assistance programs,
including proposals for alternative
means of providing resources fur-
ished by such programs.
(D) COMMISSION.—The Commission shall
develop recommendations for legisla-
tive or administrative action to improve sus-
tainability of the all-volunteer nature of the
Armed Forces.
(2) REPORTS.—
(A) INTERIM REPORT.—Not later than 90
days after the date on which all members
of the Commission have been appointed
under subsection (b)(2), the Commission shall
submit to the appropriate committees of Con-
gress a report setting forth a plan for the
work of the Commission.
(B) FINAL REPORT.—Not later than two
years after the date of the first meeting of the
Commission and thereafter at such times and
places, take such testimony, and receive
such hearings, sit and act at such times and
places, and hold such meetings as it finds
necessary to fulfill the purposes of this
section. The Secretary shall make such
recommendations for legislation as the
Commission considers advisable to carry out the
duties of the Commission.
(2) INFORMATION FROM FEDERAL AGENCIES.—
The Commission may secure directly from
any department or agency of the Federal
Government such information as the Com-
mision considers necessary to carry out the
duties of the Commission. Upon request of
the Chair of the Commission, the head of
such department or agency shall furnish
such information to the Commission.
(3) INFORMATION FROM NONGOVERNMENTAL
ORGANIZATIONS.—The Commission may seek
guidance and information through the consult-
tation with foundations, veterans services organizations,
nonprofit groups, faith-based organizations,
private and public institutions of higher edu-
cation, and such other organizations as the
Commission considers appropriate.
(4) COMMISSION RECORDS.—The Commission
shall keep an accurate and complete record
of the actions and meetings of the Commis-
sion. Such records shall be available for
public inspection and the Comptroller
General of the United States may audit and
examine such records.
(4) COMMISSION PERSONNEL MATTERS.—
(1) COMPENSATION OF MEMBERS.—Each
member of the Commission may be com-
 pensated at a rate equal to the daily equiva-
 lent of the annual rate of basic pay pre-
scribed for level V of the Executive Schedule
under section 5316 of title 5, United States Code,
for each day (including travel
time) during which such member
is engaged in
performing the duties of the Commission.
(2) TRAVEL AND TRAVEL EXPENSES.—The
members of the Commission may incur
travel expenses, including per diem in lieu of
subsistence, at rates authorized for employ-
ees of agencies under chapter 57 of title 57
of title 5, United States Code, for each day (including travel
time) during which such member
is engaged in
performing the duties of the Commission.
(3) STAFF.—
(A) IN GENERAL.—The chairperson of the
Commission may, without regard to civil
services laws and regulations, appoint and
terminate an executive director and such
other additional personnel as may be nec-
 essary to enable the Commission to perform
its duties. Employment of an executive
director shall be subject to confirmation by
the Commission.
(B) COMPENSATION.—The chairperson of the
Commission may fix the compensation of the
executive director and other personnel with-
out regard to chapter 51 and subchapter III of
chapter 35 of title 5, United States Code, re-
lating to classification of positions and Gen-
eral Schedule pay rates, except that the rate
of pay for the executive director and other
personnel may not exceed the rate payable
for level V of the Executive Schedule
under section 5316 of such title.
(4) DETAIL OF GOVERNMENT EMPLOYEES.—
Any Federal Government employee may be
detalled to the Commission without reim-
bursement, and such detail shall be without
interruption or loss of civil services status or
privileges.
(5) PROCUREMENT OF TEMPORARY AND INTER-
MITTENT SERVICES.—The chairperson of the
Commission may procure temporary and
intermittent services under section 3109(b)
of title 5, United States Code, for indivi-
duals which do not exceed the daily equiva-
 lent of the annual rate of basic pay pre-
scribed for level V of the Executive Schedule
under section 5316 of such title.
(e) TERMINATION OF THE COMMISSION.—The
Commission shall terminate 30 days after the
date the final report under subsection (b)(3).B.
Members of the Commission may be consulted as
necessary by the Departments of Defense and
Veterans Affairs to carry out the strategy
submitted under subsection (b)(4).
(f) FUNDING.—
(1) IN GENERAL.—The Secretary of Defense
shall, upon the request of the chairperson of
the Commission, make available to the
Commission such amounts as the Commission
may require to carry out its duties under this
section. The Secretary shall make such
amounts available from amounts appro-
 priated for the Department of Defense,
except that such amounts may not be from
amounts appropriated for the Transition As-
sistance Program (TAP), or any similar pro-
gram.
(2) AVAILABILITY.—Any sums made avail-
able to the Commission under paragraph (1)
shall remain available, without fiscal year
limitation, until the termination of the
Commission.
(g) DEFINITIONS.—In this section:
(1) APPROPRIATE COMMITTEES OF CON-
gress.—The term "appropriate committees of
Congress" means—
(A) the Committee on Armed Services and
the Committee on Veterans' Affairs of the
Senate; and
(B) the Committee on Armed Services and
the Committee on Veterans' Affairs of the
House of Representatives.
(2) ARMED FORCES AND VETERANS.—The
terms "Armed Forces" and "veteran" have the
meanings given such terms in section 101
of title 38, United States Code.
SEC. 627. 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 mili-
tary personnel strength for the fiscal
year, and for other purposes; which was
ordered to lie on the table; as follows:
At the end of subtitle D of title III, add the
following:
SEC. 342. REPORT ON MIDWEST INTEGRATED
AIRSPACE CORRIDOR.
Not later than 180 days after the date of the
enactment of this Act, the Secretary of
Defense shall submit to the congressional de-
fense committees a report on—
(1) the current and future needs for estab-
ilished Military Operating Areas (MOA) for
manned or unmanned aircraft;
(2) the training and readiness benefits of a
single, continuous east-west airspace cor-
ridor involving Colorado, Oklahoma, and
Kansas that would facilitate the controlled
airspace of military manned or unmanned
aircraft to replicate real-world operations;
and
(3) the training and readiness benefits of a
single, continuous north-south airspace cor-
ridor involving North Dakota, South Da-
 kota, Nebraska, and Kansas that may inter-
sect in conjunction with the east-west airspace corridor.
SEC. 628. Mr. WARNER submitted an
amendment intended to be proposed by
him to the bill S. 1790, to authorize
appropriations for fiscal year 2020 for
the life-cycle of members of the Armed
Forces, veterans, and their families.
(b) ELEMENTS.—The strategy submitted
under subsection (a) shall include the fol-
lowing:
(1) An action plan for implementing the
recommendations developed by the Commis-
sion such solutions for sustain-
ing the all-volunteer nature of the
Armed Forces for the contemporary mili-
itary.
(2) A feasible timeframe for implementing
changes in the Department of Defense and
the Department of Veterans Affairs, depart-
ment-wide, that the Commission considers
necessary to improve the transition of mem-
ers of the Armed Forces and veterans
from service in the Armed Forces to civilian life.
(3) A plan to engage with nongovernmental
organizations to maximize civil initiatives
and continuity of engagement on issues rele-
vant to such transition.
(4) A plan to update, expand, and maximize
the capabilities of the National Resource Di-
rectory, including recommendations for the
proper use of the Directory, the enactment
of real-time updating, and full avail-
ability to those in need.
(c) DESIGNATION.—The strategy submitted
under subparagraph (A) shall be known as the
"National Strategy for Sustainment of the
All-Volunteer Force".
(d) DEFINITIONS.—In this section:
(1) APPROPRIATE COMMITTEES OF CON-
gress.—The term "appropriate committees of
Congress" means—
(A) the Committee on Armed Services and
the Committee on Veterans' Affairs of the
Senate; and
(B) the Committee on Armed Services and
the Committee on Veterans' Affairs of the
House of Representatives.
(2) ARMED FORCES AND VETERANS.—The
terms "Armed Forces" and "veteran" have the
meanings given such terms in section 101
of title 38, United States Code.
military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military 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. 118. CYBERSECURITY COORDINATOR AT NATIONAL SECURITY COUNCIL.

Section 101 of the National Security Act of 1947 (50 U.S.C. 2021 et seq.) is amended—

(1) by redesignating subsection (h) as subsection (i); and

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

"(h) CYBERSECURITY COORDINATOR.—

"(1) IN GENERAL.—The President shall designate an employee of the National Security Council to be the Cybersecurity Coordinator.

"(2) REPORTING.—The Cybersecurity Coordinator shall report directly to the President.

"(3) RESPONSIBILITIES.—The responsibilities of the Cybersecurity Coordinator are as follows:

"(A) To coordinate the interagency process for addressing the defense of information infrastructure by agencies in the case of a large-scale attack on information infrastructure.

"(B) To review agency information security programs and ensure that they are complementary.

"(C) To ensure each agency provides reporting on the adequacy of protections for privacy and civil liberties.

"(D) To ensure, in consultation with the agencies, that the efforts of agencies related to the development of regulations, rules, requirements, or other actions applicable to the national information infrastructure are complimentary.

"(E) To coordinate, certify, and provide guidance for the budgetary process for each agency so that resources are streamlined and consistent across the necessary agencies.

"(F) To provide a report of information security vulnerabilities presented by each agency, as well as a review of the compliance efforts of other agencies.

"(G) To ensure information security resilience and compliance for each agency.

"(H) To establish a national strategy for improving agency information security.

SA 629. Mr. WARNER 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. 118. PILOT PROGRAM ON CYBER THREAT DETECTION IN A REAL ENVIRONMENT.

(a) PILOT PROGRAM REQUIRED.—The Secretary shall carry out a pilot program to assess the feasibility and advisability of using leading commercial technologies to identify cyber threats within moments and enabling personnel of the Security Operations Center to investigate issues almost immediately thereafter and then isolate or remediate any issues within an hour of detection.

(b) REPORT.—At the end of the pilot program required by subsection (a), the Secretary shall submit to the congressional defense committees a report on the security outcomes of the pilot program against a control group using traditional security protocols elsewhere in the Department of Defense.

SA 630. Mr. CASSIDY 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. 1307. PROHIBITION ON SALES AND TRANSFERS TO SAUDI ARABIA AND THE UNITED ARAB EMIRATES.

(a) RESTRICTION ON TRANSFER.—Except as provided in paragraph (2), beginning on the date of the enactment of this Act and ending on September 30, 2020, the United States Government—

(i) may not sell, transfer, or authorize licenses for export to a covered foreign country for any item designated under Category 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. 2778(a)(1)); and

(ii) shall suspend any licenses or other approvals that were issued before the date of the enactment of this Act for the export to a covered foreign country of any item designated under Category IV of the United States Munitions List.

(b) PROHIBITION ON TRANSFER OF COMPONENTS OR TECHNOLOGIES.—Except as provided in subsection (c), beginning on the date of the enactment of this Act—

(i) any entity in the United States shall not sell or transfer intellectual property, electronic components, or related technologies to a covered foreign country for any item designated under Category IV of the United States Munitions List; and

(ii) any licenses or other approvals that were issued before the date of the enactment of this Act for assembly or production in a covered foreign country for any item designated under Category IV of the United States Munitions List shall be void.

(c) EXCEPTION.—The prohibitions under subsections (a) and (b) shall not apply to sales, transfers, or export licenses relating to ground-based missile defense systems.

(d) DEFINITIONS.—In this section:

(1) COVERED FOREIGN COUNTRY.—The term "covered foreign country" means Saudi Arabia and the United Arab Emirates.

(2) ENTITY IN THE UNITED STATES.—The term "entity in the United States" means an officer or employee of the United States Government acting in an official capacity or a person engaged in the business of brokering activities with respect to the manufacture, export, import, or transfer of any defense article or defense service in the United States.

(3) GROUND-BASED MISSILE DEFENSE SYSTEM.—The term "ground-based missile defense system" mean an anti-ballistic missile system for intercepting or destroying an incoming short-, medium-, or long-range ballistic missile.

SA 632. Mr. KENNEDY 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. 1315. REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.

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

(1) in subsection (m), by adding at the end the following:

"(l) SBIR and STTR PROGRAMS.—

"(A) DEFINITION.—In this paragraph, the term "covered Federal agency" means a Federal agency that—

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

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

"(B) REQUIREMENT.—Each covered Federal agency shall provide an amount equal to 15 percent of the funds that are used for the purposes described in paragraph (1) to the Administration—

(i) for the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (v); and

(ii) to support the Office of the Administrator that administers the SBIR program and the STTR program; but no agreement from other agencies about how the funds will be used, in carrying out those programs and the program described in clause (i) of this paragraph.

(b) PILOT PROGRAM.—

"(A) IN GENERAL.—Of amounts provided to the Administration under paragraph (7), not less than $5,000,000 shall be used to provide awards under the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (v) for each fiscal year in which the program is in effect.

"(B) DISBURSEMENT FLEXIBILITY.—The Administration may use any unused funds made available under subparagraph (A) of this paragraph to make awards under the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (v) for each fiscal year in which the program is in effect.

"(C) EQUITY.—The award amounts provided under this paragraph shall be used for awards to small business concerns and small businesses in rural areas and areas of high economic distress.
“(i) the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate; and
“(ii) the Committee on Small Business and the Committee on Appropriations of the House of Representatives.”; and

(2) by adding at the end the following:

“(vii) the SBIR/STTR State Collaborative Initiative Pilot Program.—

“(1) Definitions.—In this subsection—

“(A) the term ‘eligible entity’ means—

“(i) a research institution; and

“(ii) a small business concern;

“(B) the term ‘eligible State’ means—

“(i) a State that the Administrator determines based on the average number of annual SBIR program awards made to companies in the State for the preceding 3 years for which the Administration has awarded SBIR program and STTR program funds to the State, and

“(ii) an EPSCoR State that—

“(I) is a State described in clause (i); or

“(II) is—

“(aa) not a State described in clause (i); and

“(bb) invited to participate in a regional collaborative;

“(C) the term ‘EPSCoR State’ means a State that participates in the Established Program to Stimulate Competitive Research of the National Science Foundation established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862q); and

“(D) the term ‘Regional SBIR Collaborative’ means the Regional SBIR State Collaborative Initiative Pilot Program established under paragraph (2).

“(2) The term ‘regional collaborative’ means a collaborative consisting of eligible entities that are located in not less than 3 eligible States; and

“(E) the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

“(2) ESTABLISHMENT.—The Administrator shall establish a pilot program, to be known as the Regional SBIR State Collaborative Initiative Pilot Program, under which the Administrator shall provide awards to regional collaboratives to address the needs of small business concerns in order to be more competitive in the proposal and selection process for awards under the SBIR program and the STTR program and to increase technology transfer and commercialization through increased awards under those programs;

“(A) to create regional collaboratives that allow eligible entities to work cooperatively to leverage resources to address the needs of small business concerns;

“(B) to grow SBIR program and STTR program cooperative research and development and commercialization through increased awards under those programs;

“(C) to increase the participation of States that have historically received a lower level of awards under the SBIR program and the STTR program;

“(D) to utilize the strengths and advantages of regional collaboratives to better leverage resources, best practices, and economies of scale in a region for the purpose of increasing awards and increasing the commercialization of the SBIR program and STTR program;

“(E) to increase the competitiveness of the SBIR program and the STTR program;

“(F) to identify sources of outside funding for applicants for an award under the SBIR program or the STTR program, including venture capitalists, angel investor groups, private industry, crowdfunding, and special loan programs; and

“(G) to offer increased one-on-one engagement with companies and entrepreneurs for SBIR program and STTR program education, assistance, and successful outcomes.

“(4) APPLICATION.—

“(A) IN GENERAL.—A regional collaborative that desires to participate in the pilot program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) INCLUSION OF LEAD ELIGIBLE ENTITIES AND COORDINATOR.—A regional collaborative shall include in an application submitted under paragraph (1) for such collaborative—

“(i) the name of each lead eligible entity from each eligible State in the regional collaborative, as designated under paragraph (5)(A); and

“(ii) the name of the coordinator for the regional collaborative, as designated under paragraph (5)(B).

“(C) AVOIDANCE OF DUPLICATION.—A regional collaborative shall include in an application submitted under subparagraph (A) an explanation as to how the activities of the regional collaborative under the pilot program would differ from other State and Federal outreach activities in each eligible State in the region, respectively.

“(D) TO OFFER INCREASED ONE-ON-ONE ENGAGEMENT WITH COMPANIES AND ENTREPRENEURS.—

“(i) means a collaborative consisting of eligible States, based on the average number of annual SBIR program awards made to companies in the State for the preceding 3 years for which the Administration has awarded SBIR program and STTR program funds to the State, and

“(ii) an EPSCoR State that—

“(I) is a State described in clause (i); or

“(II) is—

“(aa) not a State described in clause (i); and

“(bb) invited to participate in a regional collaborative;

“(C) the term ‘EPSCoR State’ means a State that participates in the Established Program to Stimulate Competitive Research of the National Science Foundation established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862q); and

“(D) the term ‘Regional SBIR Collaborative’ means the Regional SBIR State Collaborative Initiative Pilot Program established under paragraph (2).

“(2) The term ‘regional collaborative’ means a collaborative consisting of eligible entities that are located in not less than 3 eligible States; and

“(E) the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

“(2) ESTABLISHMENT.—The Administrator shall establish a pilot program, to be known as the Regional SBIR State Collaborative Initiative Pilot Program, under which the Administrator shall provide awards to regional collaboratives to address the needs of small business concerns in order to be more competitive in the proposal and selection process for awards under the SBIR program and the STTR program and to increase technology transfer and commercialization through increased awards under those programs;

“(A) to create regional collaboratives that allow eligible entities to work cooperatively to leverage resources to address the needs of small business concerns;

“(B) to grow SBIR program and STTR program cooperative research and development and commercialization through increased awards under those programs;

“(C) to increase the participation of States that have historically received a lower level of awards under the SBIR program and the STTR program;

“(D) to utilize the strengths and advantages of regional collaboratives to better leverage resources, best practices, and economies of scale in a region for the purpose of increasing awards and increasing the commercialization of the SBIR program and STTR program;

“(E) to increase the competitiveness of the SBIR program and the STTR program;

“(F) to identify sources of outside funding for applicants for an award under the SBIR program or the STTR program, including venture capitalists, angel investor groups, private industry, crowdfunding, and special loan programs; and

“(G) to offer increased one-on-one engagement with companies and entrepreneurs for SBIR program and STTR program education, assistance, and successful outcomes.

“(4) APPLICATION.—

“(A) IN GENERAL.—A regional collaborative that desires to participate in the pilot program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) INCLUSION OF LEAD ELIGIBLE ENTITIES AND COORDINATOR.—A regional collaborative shall include in an application submitted under subparagraph (A) for such collaborative—

“(i) the name of each lead eligible entity from each eligible State in the regional collaborative, as designated under paragraph (5)(A); and

“(ii) the name of the coordinator for the regional collaborative, as designated under paragraph (5)(B).

“(C) AVOIDANCE OF DUPLICATION.—A regional collaborative shall include in an application submitted under subparagraph (A) an explanation as to how the activities of the regional collaborative under the pilot program would differ from other State and Federal outreach activities in each eligible State in the region, respectively.

“(D) TO OFFER INCREASED ONE-ON-ONE ENGAGEMENT WITH COMPANIES AND ENTREPRENEURS.—

“(i) means a collaborative consisting of eligible States, based on the average number of annual SBIR program awards made to companies in the State for the preceding 3 years for which the Administration has awarded SBIR program and STTR program funds to the State, and

“(ii) an EPSCoR State that—

“(I) is a State described in clause (i); or

“(II) is—

“(aa) not a State described in clause (i); and

“(bb) invited to participate in a regional collaborative;

“(C) the term ‘EPSCoR State’ means a State that participates in the Established Program to Stimulate Competitive Research of the National Science Foundation established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862q); and

“(D) the term ‘Regional SBIR Collaborative’ means the Regional SBIR State Collaborative Initiative Pilot Program established under paragraph (2).

“(2) The term ‘regional collaborative’ means a collaborative consisting of eligible entities that are located in not less than 3 eligible States; and

“(E) the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

“(2) ESTABLISHMENT.—The Administrator shall establish a pilot program, to be known as the Regional SBIR State Collaborative Initiative Pilot Program, under which the Administrator shall provide awards to regional collaboratives to address the needs of small business concerns in order to be more competitive in the proposal and selection process for awards under the SBIR program and the STTR program and to increase technology transfer and commercialization through increased awards under those programs;

“(A) to create regional collaboratives that allow eligible entities to work cooperatively to leverage resources to address the needs of small business concerns;

“(B) to grow SBIR program and STTR program cooperative research and development and commercialization through increased awards under those programs;

“(C) to increase the participation of States that have historically received a lower level of awards under the SBIR program and the STTR program;

“(D) to utilize the strengths and advantages of regional collaboratives to better leverage resources, best practices, and economies of scale in a region for the purpose of increasing awards and increasing the commercialization of the SBIR program and STTR program;

“(E) to increase the competitiveness of the SBIR program and the STTR program;

“(F) to identify sources of outside funding for applicants for an award under the SBIR program or the STTR program, including venture capitalists, angel investor groups, private industry, crowdfunding, and special loan programs; and

“(G) to offer increased one-on-one engagement with companies and entrepreneurs for
§1605C. Torture exception

(a) Definitions.—In this section—

(1) the term ‘armed forces’ has the meaning given that term in section 101 of title 10;

(2) the term ‘national of the United States’ has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)); and

(3) ‘torture’ has the meaning given that term in section 3 of the Torture Victim Protection Act of 1991 (28 U.S.C. 1350 note).

(b) Exception to immunity.—In addition to any other exception to immunity under this chapter, a foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case in which money damages are sought against the armed forces who was in the custody of the foreign state that was caused by an act of torture of the foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency.

(c) Retroactive application.—A civil action relating to a death described in subsection (a) that occurred before the date of enactment of this section may be brought under this section if the civil action is commenced not later than 5 years after the date of enactment of this section.

(d) Private right of action.—A foreign state and any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, shall be liable for a death described in subsection (b) to a legal representative of a national of the United States or a member of the armed forces.

(e) Attachment of property.—Section 1619(a)(7) of title 28, United States Code, is amended by inserting ‘; §1605C,’ after ‘1965A,’.

(f) Technical and conforming amendment.—The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605B the following: ‘§1605C. Torture exception.’.

SA 634. Mr. CASSIDY (for himself and Mr. TESTER) 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 VII, add the following:

SEC. 729. REVIEW OF RECORDS OF FORMER MEMBERS OF THE ARMED FORCES WHO DIED BY SUICIDE WITHIN ONE YEAR OF SEPARATION FROM THE ARMED FORCES.

(a) In General.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly and retrospectively review the records of each former member of the Armed Forces who died by suicide within one year of separation from the Armed Forces during the five-year period preceding the date of the enactment of this Act.

(b)要素.—This review required by subsection (a) with respect to a former member of the Armed Forces shall include consideration of the following:

(1) whether or not the Department of Defense had previously identified the former member as being at risk for suicide and if so, what risk factors were present and how those risk factors correlated to the circumstances of the death of the former member;

(2) if the former member was eligible to receive health care services from the Department of Veterans Affairs;

(3) if the former member received health care services, including mental health care services and Readjustment Counseling Services, from a facility of the Department of Veterans Affairs, following their separation from the Armed Forces;

(4) if the former member had received a mental health waiver during service in the Armed Forces;

(5) the employment status, housing status, marital status, and armed forces status of the Armed Forces (such as enlisted and officer), and branch of the Armed Forces of the former member;

(6) if support services, specified by the type of service (such as employment, mental health, etc.), were provided to the former member during the one-year period after separation from the Armed Forces, disaggregated by—

(A) services from the Department of Defense;

(B) services from the Department of Veterans Affairs; and

(C) services provided by another entity.

(c) Report.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the aggregate results of the review performed under subsection (a).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘appropriate committees of Congress’ means—

(A) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

SA 635. Mr. KENNEDY 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. MODIFICATION OF DEFENSE UNIVERSITY RESEARCH INSTRUMENTATION PROGRAM.

The Secretary of Defense shall take such actions as may be necessary to ensure that the amount of funding made available under the Defense University Research Instrumentation Program is $10,000,000 for a proposal to acquire a transmission electron microscope to be used for purposes relating to quantum engineering, bioengineering, national defense priorities, and aerospace.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 5 requests for committees to meet during today’s session of the Senate. They are the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, June 13, 2019, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, June 13, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, June 05, 2019, at 10 a.m., to conduct a hearing pending legislation and the following nominations: Adam J. Wood, to be United States District Judge for the Northern District of Texas, Jason K. Pulliam, to be United States District Judge for the Western District of Texas, Steven D. Grimberg, to be United States District Judge for the Northern District of Georgia, David John Novak, to be United States District Judge for the Eastern District of Virginia, Matthew H. Solomon, of Maryland, and David Austin Tapp, of Kentucky, both to be a Judge of the United States Court of Federal Claims, Daniel Aaron Bress, of California, to be United States Circuit Judge for the Ninth Circuit, Mary S. McElroy, to be United States District Judge for the District of Rhode Island, Gary Richard Brown, Diane Gujarati, Eric Ross Komitee, and Rachel P. Kovner, all to be a United States District Judge for the Eastern District of New York, Lisa M. G. Lymann, to be United States District Judge for the District of Virginia, Kay Vyskocil, both to be a United States District Judge for the Southern District of New York, John L. Sinatra, Jr., to be United States District Judge for the Western District of New York, Stephanie Dawkins Davis, to be United States District Judge for the Eastern District of Michigan, Stephanie A. Gallagher, to be United States District Judge for the District of Maryland, Marcus E. Ellis, Maria Felicidad Facold, Mary M. Rowland, and Steven C. Seeger, all to be a United States District Judge for the Northern District of Illinois, Frank William Volk, to be United States District Judge for the Southern District of West Virginia, William D. Hyslop, to be United States Attorney for the Eastern District of Washington, Gary B. Burman, to be United States Marshal for the Western District of Kentucky, Randall P. Huf, to be United States Marshal for the District of Wyoming, and Edward W. Felten, of New Jersey, to be a Member of the Privacy and Civil Liberties Oversight Board.