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 title C of title V, add the following:

SEC. 835. ESTABLISHMENT OF NATIONAL TECHNOLOGY INDUSTRIAL BASE QUADRILATERAL COUNCIL.—(1) The chairman of the National Defense Technology and Industrial Base Council shall meet with the equivalent councils in the countries that comprise the national technology industrial base to form the National Technology Industrial Base Quadrilateral Council.

“(2) The National Technology Industrial Base Quadrilateral Council shall meet biannually to harmonize respective policies and regulations, and to propose new legislation that increases the seamless integration between the persons and organizations comprising the national technology and industrial base.

“(3) The National Technology Industrial Base Quadrilateral Council shall—

(A) address and receive complaints related to industrial security, supply-chain security, cybersecurity, regulating foreign direct investment and foreign ownership, control and certification of technology, technology assessment, and research cooperation within and public and private research and development organizations and universities, technology and export control measures, acquisition processes and oversight, and management best practices; and

(B) establish a mechanism for National Technology Industrial Base Quadrilateral Council members to raise disputes that arise within the national technology industrial base at a government-to-government level.”.

SA 396. 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.—REPORT ON IMPROVEMENTS TO DETECTION 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) MATTER TO BE INCLUDED.—The report under subsection (a) shall—

(1) identify prioritized requirements for further improving the ability of the Armed Forces and North Atlantic Treaty Organization forces to detect the ability of the Russian Federation to execute a fait accompli against one or more Baltic allies.

(c) 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.

(d) 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. 12. REPORTS ON OPERATION 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 Navy, and the Secretary of the Army 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 description of the requirements to deter such opportunistic aggression.

(3) An assessment of the ability 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 subtitle D of title XVI, add the following:

SEC. 12. 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 shall submit to the congressional defense committees 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.—Each report required by subsection (a) shall include an unclassified summary appropriate for release to the public.

(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.

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, add the following:
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. 12. MODIFICATION OF SEMIANNUAL REPORT ON ENHANCING SECURITY IN AFghanistan.—Not later than 180 days after the date of 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, the United States, or 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 title XII, add the following:

SEC. 12C. REPORT ON OPERATIONS OF CERTAIN CONVENTIONAL FORCES UNDER EMPLOYMENT OR THREAT OF EMPLOYMENT OF NUCLEAR WEAPONS.

(a) In General.—Not later than 180 days after the date of 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 are 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 child care 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 title V of title V, add the following:

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

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of 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 are 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 need of military families described in subsection (a) for each of the following:

(A) Access to family counseling.

(B) Access to child care 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.
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 satellites in competition 1296 to the Department of Energy, to prescribe military personnel 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. 324. PAYMENTS TO STATES FOR THE TREATMENT OF PERFLUOROALKYL SUBSTITUTED ACIDS 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 Air Force, or a State in which the local water authority is located, for the treatment or mitigation of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water that the local water authority has reason to believe is contaminated by the local water authority to attain the lifetime health advisory level for such acids established by the Environmental Protection Agency, and in effect on October 1, 2017.

(b) ELIGIBILITY FOR PAYMENT.—To be eligible to receive payment under subsection (a),—

(1) a local water authority or State, as the case may be, must—

(A) have requested such a payment from the Secretary of the Air Force before the earlier of the date on which—

(i) cooperative agreements relating to treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid were entered into by the Secretary; or

(ii) funding was made available to the Secretary for payments relating to such treatment; and

(B) have requested such a payment from the Secretary of the Air Force before the earlier of the date on which—

(i) perfluorooctane sulfonic acid or perfluorooctanoic acid in drinking water that the local water authority has reason to believe is contaminated by the local water authority is located, for the treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water that the local water authority has reason to believe is contaminated by the local water authority to attain the lifetime health advisory level for such acids established by the Environmental Protection Agency, and in effect on October 1, 2017.

(c) BRIEFING ON NATIONAL SECURITY VULNERABILITIES AND OPPORTUNITIES IN ARTIFICIAL INTELLIGENCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide the congressional defense committees a briefing on—

(A) national security vulnerabilities and opportunities in artificial intelligence; and

(B) actions that have been undertaken to address the vulnerabilities and opportunities identified under subparagraph (A).

(2) CONSULTATION WITH EXPERTS.—In preparing the briefing required by paragraph (1), the Department of Defense shall consult with experts within the Department, other Federal agencies, academia, advisory committees, and the commercial sector, as the Secretary considers appropriate.

(3) ELEMENTS.—The briefing required by paragraph (1) shall include information on the following:

(A) Supply chain vulnerabilities for current and future 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.

(D) Identifying areas for Federal investment in artificial intelligence technologies.

(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 PERFLUOROALKYL SUBSTITUTED ACIDS 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 Air Force, or a State in which the local water authority is located, for the treatment or mitigation of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water that the local water authority has reason to believe is contaminated by the local water authority to attain the lifetime health advisory level for such acids established by the Environmental Protection Agency, and in effect on October 1, 2017.

(b) ELIGIBILITY FOR PAYMENT.—To be eligible to receive payment under subsection (a),—

(1) a local water authority or State, as the case may be, must—

(A) have requested such a payment from the Secretary of the Air Force before the earlier of the date on which—

(i) cooperative agreements relating to treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid were entered into by the Secretary; or

(ii) funding was made available to the Secretary for payments relating to such treatment; and

(B) have requested such a payment from the Secretary of the Air Force before the earlier of the date on which—

(i) perfluorooctane sulfonic acid or perfluorooctanoic acid in drinking water that the local water authority has reason to believe is contaminated by the local water authority is located, for the treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water that the local water authority has reason to believe is contaminated by the local water authority to attain the lifetime health advisory level for such acids established by the Environmental Protection Agency, and in effect on October 1, 2017.

(c) BRIEFING ON NATIONAL SECURITY VULNERABILITIES AND OPPORTUNITIES IN ARTIFICIAL INTELLIGENCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide the congressional defense committees a briefing on—

(A) national security vulnerabilities and opportunities in artificial intelligence; and

(B) actions that have been undertaken to address the vulnerabilities and opportunities identified under subparagraph (A).

(2) CONSULTATION WITH EXPERTS.—In preparing the briefing required by paragraph (1), the Department of Defense shall consult with experts within the Department, other Federal agencies, academia, advisory committees, and the commercial sector, as the Secretary considers appropriate.

(3) ELEMENTS.—The briefing required by paragraph (1) shall include information on the following:

(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.
Mr. UDALL 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. 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) under which drilling operations have not been commenced before the end of the primary term of the applicable lease; or

(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—

(1) 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.

(B) EXCLUSION.—The term ‘‘Federal land’’ does not include land (as defined in section 3765 of title 38, United States Code).

(C) MAP.—The term ‘‘Map’’ means the map prepared by the Bureau of Land Management entitled ‘‘Chaco Cultural Heritage Withdrawal Area’’ and dated April 2, 2019.

(d) EFFECT.—Nothing in this section—

(1) alters the status of any Federal land or interest in Federal land;

(2) limits the ability of the Secretary of the Interior to reorganize in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and any other applicable law;

(3) affects the ability of the Secretary, in accordance with a resource management plan that is approved as of the date of enactment of this Act, as subsequently developed, amended, or revised in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and any other applicable law;

(4) affects the ability of the Secretary to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle H of title X, add the following:

SEC. 11. 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 ‘‘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, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XI, add the following:

SEC. 12. LITTLE SHELL TRIBE OF CHIPEWPA 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 the Turtle Mountain Reservation, the Colville Tribe of the Rocky Boy’s Reservation of Montana, which also are political successors to the signatories of the Pembina Treaty of 1863, should be recognized as the Federal Government as distinct Indian tribes;

(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’’); the Federal agents of 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’’);

(5) due to a lack of Federal appropriations during the Great Depression, the Colville Tribal Business Committee lacked adequate financial resources to purchase land for the Tribe, and the members of the Tribe were denied the opportunity to reorganize;

(6) in spite of the failure of the Federal Government to appropriate adequate funding
to secure land for the Tribe as required for reorganization under the Act of June 18, 1994 (25 U.S.C. 5101 et seq.) (commonly known as the "Indian Reorganization Act"), the Tribe continuously maintained separate cultural ties and relationships 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. 476) (commonly known as the "Indian Claims Commission Act"), to petition for additional compensation for land ceded to the United States under the Penobscot 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.

(c) Federal Recognition.—Nothing in this section diminishes any right or privilege of the Tribe or any member thereof under federal law, including pursuant to section 5 of the Act of June 18, 1994 (25 U.S.C. 5108) (commonly known as the "Indian Reorganization Act")

SA 413. Ms. BALDWIN (for herself and Mr. JOHNSON) 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 subsection D of title VI, add the following:

SEC. 6. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERAN'S DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES WITH COMPLETELY CONNECTED DISABILITIES.

(a) Extension of Concurrent Receipt Authority to Retirees with Completely Connected Disabilities.—

"(a) Extension of Concurrent Receipt Authority to Retirees with Completely Connected Disabilities.—

(1) ELIGIBILITY.—Section 1414 of title 10, United States Code, is amended to read as follows:

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

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

(b) Special Rule for Retirees with Fewer Than 20 Years of Service.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

"(A) the amount of the reduction under subsection (a) of section 12731b of this title; and

"(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2/3 percent of the member's years of creditable service multiplied by the member's retired pay under such chapter that report readiness data.

SA 415. 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 subsection E of title III, add the following:

SEC. 360. REQUIREMENT TO INCLUDE FOREIGN LANGUAGES IN TESTING SYSTEMS OF DEPARTMENT OF DEFENSE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of each military department shall include in the Global Readiness and Force Management Enterprise, for the appropriate billets with relevant foreign language requirements, measures of foreign language as a mandatory element of unit readiness to include the Defense Readiness Reporting Systems-Strategic (DRRS-S) and all other subordinate systems that report readiness data.

SA 415. Mr. TESTER submitted an amendment intended to be proposed by
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. 102. 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 require that quality assurance staff of the Department of Defense:

(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 of Defense use an electronic tracking system 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 in subtitle H of title X, insert the following:

SEC. 103. 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 require that all polyfluoroalkyl substances that resulted from the use of aqueous film-forming foam, that if used was required pursuant to, and carried out in accordance with, the Department of Defense standards for the shipment of packages (such as standards used by FedEx Corporation and United Parcel Service).

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. 104. SUPPORT AND ENHANCEMENT OF DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE AND CRITICAL ELECTRIC INFRASTRUCTURE.

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.

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. 855. 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 broadband digital receiver and exciter (DREX) components and prototypes together with scalable and reconfigurable antennas.

(b) PORT VISITS.—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-tions authorities to support manufacturing and production capabilities in small and medium-sized manufacturers.

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

(3) Incentives, including purchase commitments and cost sharing with nongovernmental sources, for the private sector to develop manufacturing and production capabilities 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 interest.

(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-siles of the Department of Defense.

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

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

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. 105. MISSION PARTNER ENVIRONMENT.

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 sharing 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 military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. 824. PORT VISITS.

It is the sense of Congress that the Department of Defense should continue to make
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: “[T]he Asia Reassurance Initiative Act, a major bipartisan legislation, was signed into law by President Donald 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 rule-based international order that includes 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 and expand that Act with regard to regular defensive arms sales to Taiwan.

(c) BRIEFING.—Not later than 30 days after the date of the 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. SENSE OF CONGRESS ON POLICY TOWARD HONG KONG.

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

(1) The United States policy toward Hong Kong is guided by the United States-Hong Kong Policy Act of 1992 (Public Law 102–338; and 106 Stat. 1448) (referred to in this section as the “Act”), which reaffirms that “The Hong Kong Special Administrative Region of the People's Republic of China, beginning on July 1, 1997, will continue to enjoy a high degree of autonomy on all matters other than defense and foreign affairs.”

(2) The Act further states that “the human rights of the people of Hong Kong are of great importance to the United States and are directly relevant to United States interests in Hong Kong.”

(3) Pursuant to section 301 of the Act (22 U.S.C. 5731), the annual report issued by the Department of State on developments in Hong Kong (referred to in this section as the “Report”), released on March 21, 2019, states that “Cooperation between the United States Government and the Hong Kong government is imperative in many areas, providing significant benefits to the United States economy and homeland security.”

(b) REPORT.—The Report further states that “the Chinese mainland central government implemented or instigated a number of actions that appeared inconsistent with China's commitments in the Basic Law, and in the Sino-British Joint Declaration of 1984, to allow Hong Kong to exercise a high degree of autonomy.”

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

(1) the Department of State issued a statement expressing “grave concern about the Hong Kong government's proposed amendments to its Fugitive Offenders Ordinance, which, if passed, would permit Chinese authorities to request the extradition of individuals to mainland China.

(d) REPORT.—At media reports, in June 2019, over 1,000,000 residents of Hong Kong have taken part in demonstrations against the proposed amendments to the Fugitive Offenders Ordinance.

(2) In the Report, the Department of State issued a statement expressing “grave concern about the Hong Kong government's proposed amendments to its Fugitive Offenders Ordinance, which, if passed, would permit Chinese authorities to request the extradition of individuals to mainland China.

(e) 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.

(3) 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. 1656. 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.

(b) REPORT.—At President John F. Kennedy referred to the deployment of the first Minuteman missile during the Cuban Missile Crisis as his “ace in the hole”.

(c) MINUTEMAN MISSILES.—The Minuteman III missile entered service in 1970 and is still deployed in 2019, well beyond its originally intended service life.

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

(e) ROBUST ICBM FORCE.—The ICBM force of the United States currently consists of approximately 400 Minuteman III missiles deployed at ten operational missile sites, 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 even larger 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 mobile, road-mobile ICBMs that carry multiple warheads.

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

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

(10) 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.

(11) The ICBM force of the United States forces any would-be attacker to confront more than 400 discrete targets, thus creating an effectively insurmountable targeting problem for a potential adversary.

(12) 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.

(13) 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.

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

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

(16) The U.S. Strategic Command has validated military requirements for the unique capabilities of ICBMs.

(17) 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.

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

(19) The metrics used by the Department to track the effectiveness of health programs of the Department, including an assessment of how those metrics are tracked longitudinally.

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

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

(22) Recommendations for how the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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 inserting the following: “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 Funds 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:

(G) 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 Committees 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.”

(b) RETROACTIVE APPLICABILITY.—

(1) In general.—The amendments made by subsection (a) shall take effect as if enacted on the day after the date of enactment of the Multinational Species Conservation Funds Semipostal Stamp Reauthorization Act of 2013 (Public Law 113–165; 128 Stat. 1878).

(2) CONSEQUENCE OF DESTRUCTION OF STAMPS.—If the United States Postal Service destroys 1 or more Multinational Species Conservation Fund Semipostal Stamps before the date of enactment of this Act, the United States Postal Service shall print and sell the same number of such stamps on or after that date of enactment.

SA 431. Ms. MURKOWSKI 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. REPORT ON SUICIDE PREVENTION PROGRAMS AND ACTIVITIES FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

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

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

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

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

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

(B) are appropriately resourced; and

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

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

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

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

SA 432. Ms. MURKOWSKI 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 F of title XII, add the following:

SEC. 124. ANNUAL 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 February 15 each year, the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the congressional defense committees the following:

(1) A report on the military activities of the Russian Federation in the Arctic region.

(2) A report on the military activities of the People’s Republic of China in the Arctic region.

(b) Matters to be included.—Each report 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 in the preceding calendar year, including—

(A) the emplacement of military infrastructure, equipment, or forces; and

(B) any exercises or other military activities.

(2) A description of future plans and requirements related to such military activities.

(c) Form.—Each report under subsection (a) shall be submitted in classified form, but may include an unclassified executive summary.

SA 433. Ms. STABENOW (for herself and Mr. MURPHY) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 811. GUIDANCE ON BUY AMERICAN ACT AND BERRY AMENDMENT REQUIREMENTS.

(a) Finding.—Congress finds that the Inspector General of the Department of Defense has issued a series of reports finding deficiencies in the adherence to the provisions of the Buy American Act and the Berry Amendment and recommending improvements in training for the Defense acquisition workforce.

(b) Buy American Act Guidance.—

(1) In General.—Not later than 30 days after the date of the enactment of this Act, the Director of Defense Pricing/Defense Procurement Acquisition Policy shall issue guidance to Department of Defense contracting officials on requirements related to chapter 83 of title 41, United States Code (commonly referred to as the “Buy American Act”).

(2) Elements.—The guidance issued under paragraph (1) shall cover—

(A) the requirement to incorporate and enforce the Buy American Act provisions and clauses in applicable solicitations and contracts; and

(B) the requirements of the Buy American Act, such as inclusion of clauses, into the electronic contract writing systems used by the military departments and the Defense Logistics Agency.

(c) Berry Amendment and Specialty Metals Clause Guidance.—

(1) In general.—Not later than 30 days after the date of the enactment of this Act, the Director of Defense Pricing/Defense Procurement Acquisition Policy shall issue guidance to Department of Defense contracting officials on requirements related to section 2533a of title 10, United States Code (commonly referred to as the “Berry Amendment” and section 2533a of title 10, United States Code (commonly referred to as the “specialty metals clause”).

(2) Elements.—The guidance issued under paragraph (1) shall cover—

(A) the requirement to incorporate and enforce the Berry Amendment and the specialty metals clause provisions and clauses in applicable solicitations and contracts; and

(B) the requirements of the Berry Amendment and the specialty metals clause, such as inclusion of clauses, into the electronic contract writing systems used by the military departments and the Defense Logistics Agency.

SA 434. Ms. STABENOW (for herself and Mr. MURPHY) 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:
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 REQUIREMENTS TO ITEMS USED OUTSIDE THE UNITED STATES.

Section 3302(a)(2)(A) of title 41, United States Code, is amended by inserting “need-
ed on an urgent basis or for national security reasons (as determined by the head of a Fed-
eral 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 De-
partment of Energy, to prescribe military personnel 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 ensur-
ing—

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

and

(2) compliance with chapter 83 of title 41, United States Code (commonly referred to as the “Buy American Act”) and section 2533a United States Code (commonly referred to as the “Berry Amendment”), in-
cluding by limiting the use of waivers.

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

(1) allowing Department of Defense person-

nel to consult with the National Institute of Standards and Technology (NIST) Manu-
facturing Extension Partnership (MEP) when conducting market research; and

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

SA 436. Mr. TESTER (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 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:

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 sec-
cion 105 of title 5, United States Code; and

(2) an independent regulatory agency, as defined in section 3502 of title 41, United States Code.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Director of the Of-

fice of Management and Budget shall submit to Congress a report of the Office of Management and Budget a report on each project funded by a covered agency—

(1) that is more than 5 years behind sched-
ule; 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, in-
cluding—

(A) the purpose of the project;

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

(C) the year in which the project was initi-
ated;

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

(E) each primary contractor, subcontract-

or, grant recipient, and subcontractee re-

sponsible for the project;

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

(3) the original expected date for comple-
tion of the project;

(4) the current expected date for comple-
tion of the project; and

(5) the original cost estimate for the

project, as adjusted to reflect increases in the Consumer Price Index for All Urban Con-
sumers, 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 Con-
sumers, as published by the Bureau of Labor Statistics;

(7) an explanation for a delay in comple-
tion 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
1086(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 defense activities of the De-
partment of Energy, to prescribe military personnel 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 DE-
FENSE TO CONSOLIDATE INFRA-
STRUCTURE DISTRIBUTION CENTERS TO IMPROVE ECONOMICS AND EFFICIENCY 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 ef-
fectiveness and efficiency of the supply chain and inventory management of the Depart-
ment 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 sec-
tion 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 Vic-
tims’ Counsel; and

(B) expand the individuals eligible for ser-

vices of Special Victims’ Counsel to include victims of domestic violence.

(2) REPORT.—Not later than 2 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 Vic-
tims’ Counsel to be used under paragraph (1); and

(B) the number of claims that were ad-
dressed with that amount.

(c) PLAN.—

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

(2) ELEMENTS.—Any plan submitted under paragraph (1) with respect to consolidation under subsection (a) shall include the fol-
lowing:
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:

“(A) IN GENERAL.—For purposes of paragraphs (1), (2), and (3) of subsection (b), the amount by which—

(i) the annual 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 exceed the amount by which—

(1) 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 paragraphs (1), (2), and (3) of subsection (b), 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—

(1) 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

(ii) any interest excluded from the gross income of the modern former President under section 105 of such Code for such taxable year, exceeds (if at all)

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

(B) joint return.—In the case of a joint return, subparagraph (I) and (II) of subparagraph (A)(i) 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.

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

“(3) DISCLOSURE REQUIREMENT.—

(A) DEFINITIONS.—In this paragraph—

(i) the term ‘term Secretary’ means the Secretary of the Treasury or the Secretary of the Treasury’s delegate.

(B) REQUIREMENT.—A modern former President to whom a monetary allowance under subsection (a)(2) unless the modern former President discloses to the Secretary, upon the request of the Secretary, any information the modern former President, or spouse of the modern former President that the Secretary determines is necessary for purposes of calculating the monetary allowance under subsection (b) of this section.

“(4) CONFIDENTIALITY.—Except as provided in section 6103 of the Internal Revenue Code of 1986 and any other provision of law, the Secretary may, with respect to a return or return information disclosed to the Secretary under paragraph (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).

“(5) INCREASED COSTS DUE TO SECURITY NEEDS.—With respect to the monetary allowance that would be payable to a modern former President under subsection (a)(2) for any 12-month period after the limitation under subsection (a)(2) of this act, the Administrator of General Services, in coordination with the Director of the United States Secret Service, shall determine the amount of the allowance that is needed to pay the increased cost of doing business that is attributable to the security needs of the modern former President.

“(6) WIDOWS AND WIDOWERS.—The widow or widower of each modern former President shall be entitled to receive from the United States a monetary allowance at a rate of $100,000 per year (subject to paragraph (4)), payable monthly by the Secretary of the Treasury, if such widow or widower shall waive the right to each other annuity or pension to which she or he is entitled under any other Act of Congress. The monetary allowance of such widow or widower—

(A) commences on the day after the modern former President dies;

(B) terminates on the last day of the month before such widow or widower dies;

(C) other than by removal pursuant to section 4 of article II of the Constitution of the United States; and

“(7) who does not then currently hold such office.”

(b) Technical and Conforming Amendments.—The Former Presidents Act of 1958 is amended—

(1) in section 1(f)(2), as designated by this section—

(A) by striking “terminated other than” and inserting the following: “terminated—

“(A) other than”; and

(B) by adding at the end the following:

“(B) on or before the date of enactment of the Presidential Allowance Modernization Act of 2019; and”;

(2) in section 3, as redesignated by this section—

(A) by inserting after the section numerator the following: “AUTHORIZATION OF APPROPRIATIONS.”; and

(B) by inserting “or modern former President” after “former President” each place that term appears.

SEC. 1093. RULE OF CONSTRUCTION.

Nothing in this subtitle or an amendment made by this subtitle shall be construed to affect—

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

(2) the Under the Former Presidents Act of 1958 or any other law, to carry out any provision of law described in paragraph (1).
SEC. 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.—May 1 is Silver Star Service Banner Day.

(c) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 36, United States Code, is amended by adding at the end the following:

“§ 1146. Silver Star Service Banner Day

“(a) DESIGNATION.—May 1 is Silver Star Service Banner Day.

“(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.”.

SEC. 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 441. Mr. BARRASSO 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 III, insert the following:

SEC. 3. PUBLIC AUKTION FOR CH–46E SURPLUS SPARE PARTS.
The Secretary of Defense shall direct the Defense Logistics Agency to catalog and redeploy CH–46E surplus spare parts for public auction.

SA 442. Mr. MORAN (for himself, Mr. ROBERTS, 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:

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SEC. 3. PUBLIC AUKTION FOR CH–46E SURPLUS SPARE PARTS.
The Secretary of Defense shall direct the Defense Logistics Agency to catalog and redeploy CH–46E surplus spare parts for public auction.

SA 442. Mr. MORAN (for himself, Mr. ROBERTS, 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 appropriate place in title III, insert the following:

SEC. 3. PUBLIC AUKTION FOR CH–46E SURPLUS SPARE PARTS.
The Secretary of Defense shall direct the Defense Logistics Agency to catalog and redeploy CH–46E surplus spare parts for public auction.

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

SEC. 3. PUBLIC AUKTION FOR CH–46E SURPLUS SPARE PARTS.
The Secretary of Defense shall direct the Defense Logistics Agency to catalog and redeploy CH–46E surplus spare parts for public auction.

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

SEC. 3. PUBLIC AUKTION FOR CH–46E SURPLUS SPARE PARTS.
The Secretary of Defense shall direct the Defense Logistics Agency to catalog and redeploy CH–46E surplus spare parts for public auction.

SA 442. Mr. MORAN (for himself, Mr. ROBERTS, 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 appropriate place in title III, insert the following:

SEC. 3. PUBLIC AUKTION FOR CH–46E SURPLUS SPARE PARTS.
The Secretary of Defense shall direct the Defense Logistics Agency to catalog and redeploy CH–46E surplus spare parts for public auction.

SA 442. Mr. MORAN (for himself, Mr. ROBERTS, 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 appropriate place in title III, insert the following:

SEC. 3. PUBLIC AUKTION FOR CH–46E SURPLUS SPARE PARTS.
The Secretary of Defense shall direct the Defense Logistics Agency to catalog and redeploy CH–46E surplus spare parts for public auction.
SA 445. Ms. ERNST (for herself, Ms. DUCKWORTH, and Mrs. CAPITO) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. 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), by striking "$5,000,000" and inserting "$7,000,000"; and

(b) in subsection (m)—

(1) in paragraph (7)(B)(i), by striking "$6,500,000" and inserting "$7,000,000"; and

(2) in paragraph (8)(B)(i), by striking "$6,500,000" and inserting "$7,000,000"; and

(c) in section 36(a)(2)(A) (15 U.S.C. 657a(b)(2)(A)(i)), by striking "$5,000,000" and inserting "$7,000,000"; and

(d) in section 36(a)(2)(A) (15 U.S.C. 657a(b)(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. 2. TREATMENT OF LAW FIRM Mergers AS COVERED TRANSACTIONS BY CONSUMER ON FOREIGN INVESTMENT IN THE UNITED STATES.

Section 721(a)(4)(B)(1) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)(B)(1)) is amended by striking "takeover carried out through a joint venture." and inserting the following: "takeover—"

"(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 related to the supply chain for rare earth materials.

(b) ELEMENTS.—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.

(2) A assessment of the needs of the United States for such materials—

(A) in general; and

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

(3) 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. 3. ALLOWING CLAIMS AGAINST THE UNITED STATES FOR PERSONAL 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 38; and

"(2) the term 'covered military medical treatment facility'—

"(A) means 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 any duty related to health care functions (including clinical studies and investigations) that is provided at a covered military medical treatment facility by the Secretary of Defense, acting through the Office or employment of that person by or at the direction of the Government of the United States and 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.

"(c) A claim under this section shall not be barred by the provisions of any other Act of Congress, or any law of any State, or any regulation or contract of the Department of Energy, or by reason of any immunity from suit granted to Servicemembers' Group Life Insurance) of chapter 19 of title 38.

"(d) Notwithstanding section 2401(b)—

(1) except as provided in paragraph (2), a claim arising under this section may not be commenced later than 3 years after the date on which the claim is 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.

For purposes of claims brought under this section—

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

(2) in the case of an act or omission occurring outside the United States, the law of the place where the act or omission occurred shall be deemed to be the law of the State of domicile of the claimant discovered, or by reasonable diligence should have discovered, the injury and the cause of the injury.

"(f) Not later than 2 years after the date of the enactment of this section, and every 2 years thereafter, the Secretary of Defense shall submit to Congress a report on the number of claims filed under this section.

(b) CLERICAL AMENDMENT.—The table of sections for 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

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall apply to—

(1) a claim arising on or after the date of the enactment of this Act; and

(2) a pending claim arising before the date of the enactment of this Act.

(d) RULE OF CONSTRUCTION.—Nothing in the section or the amendments made by this section shall be construed to limit the application of the administrative process and procedures of chapter 20 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. 1. 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, the Principal Cyber Advisor, and the Director of Operational Test and Evaluation—

(1) conduct a joint assessment of Department of Defense 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) to the congressional defense committees on the results of the joint assessment.
(b) Elements.—The joint assessment required by paragraph (1) shall:
(1) specify demand for cyber red team support for acquisition and operations;
(2) specify shortfalls in meeting demand and future requirements, disaggregated by the Department of Defense and by each of the military departments;
(3) examine funding and retention initiatives to address red team shortfalls; determine demand and future requirements identified to support the testing, training, and development communities;
(4) examine the feasibility and benefits of developing and procuring a common Red Team Integrated Capabilities Stack that better utilizes increased capacity of cyber ranges and better models the capabilities and tactics, techniques, and procedures of adversaries;
(5) examine the establishment of oversight and joint assessment metrics for Department cyber red teams;
(6) assess the implementation of common development for tools, techniques, and training;
(7) assess potential industry and academic partnerships and services;
(8) assess the mechanisms and procedures in place for red team activities and defensive cyber operations on active networks;
(9) assess the use of Department cyber personnel in training as red team support;
(10) assess the use of industry and academic partners and contractors as red team support and the cost- and resource-effectiveness of such support;
(11) assess the need for permanent, high-end dedicated red-teaming activities to model sophisticated adversaries’ attacking critical Department systems and infrastructure.

SA 450. 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 defense activities of the Department of Energy, to prescribe military 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 H of title X, add the following:

SEC. 1086. ESTABLISHMENT OF MODELING FOR DETERMINING ADVISORY EFFECT ON WIND TURBINES ON AIR COMMERCE, MILITARY TRAINING ROUTES, OR SPECIAL USE AIRSPACE.

(a) Analytical Model.—
(1) In general.—Not later than September 30, 2021, the Secretary of Defense, in coordination with the Secretary of Transportation and the heads of such other Federal agencies as the Secretary of Defense considers appropriate, shall develop and establish a wind turbine structure contour analytical model that shall consider and analyze wind turbine structures that interfere with air commerce, military training routes, or special use airspace.

(b) Elements.—The wind turbine structure contour analytical model required under paragraph (1) shall include an analysis of the following:

(A) The height and blade dimension of wind turbine structures, the energy generated by such structures, and other factors relating to such structures as the Secretary of Defense determines appropriate.
(B) Topographical and environmental considerations, including with the location of wind turbine projects.
(C) The impact of individual wind turbine structures and the combined impact of proposed wind turbine structures within a 50-mile radius of commercial or military airfields or military training routes, including the amount and pattern of turbulence from wind turbine structures in a horizontal and vertical direction.
(D) The proximity of wind turbine structures to general aviation, commercial or military airfields or military training routes, and special use airspace.
(E) The impact of wind turbine structure operation, individually or collectively, on:
(i) approach and departure corridors;
(ii) established military training routes;
(iii) military 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. HEALTH AND SAFETY OF EMPLOYEES AND CONTRACTORS AT DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

Section 3212(a) of the Atomic Energy Act of 1954 (42 U.S.C. 2286a(a)) is amended by inserting before the period at the end the following: 
“, including with respect to the health and safety of employees and contractors at such facilities”; and

SEC. 3205. ACCESS OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD TO FACILITIES, PERSONNEL, AND INFORMATION.

Section 314 of the Atomic Energy Act of 1954 (42 U.S.C. 2286c) is amended—
(1) in subsection (a)—
(A) by striking “The Secretary of Energy” and inserting “Except as specifically provided by this section, the Secretary of Energy”;
(B) by striking “ready access” both places it appears and inserting “prompt and unfettered access”;
(C) by adding at the end the following new sentence: “The access provided to facilities, personnel, and information under this subsection shall be provided without regard to the hazard or risk category assigned to a facility by the Secretary.”; and

SEC. 453. 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:

At the end of title XXXII, add the following:

SEC. 3204. HEALTH AND SAFETY OF EMPLOYEES AND CONTRACTORS AT DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

Section 3212(a) of the Atomic Energy Act of 1954 (42 U.S.C. 2286a(a)) is amended by inserting before the period at the end the following:

It is the sense of the Senate that—
(1) the Armed Services Committees on Armed Services of the Senate and the House of Representatives a report on the progress of the establishment of the analytical model required under subsection (a), including any requirements needed to complete the model by September 30, 2021.

SA 451. Ms. Duckworth submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for defense activities of the Department of Energy, to prescribe military 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. 322. 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;
(3) there are significant logistics shortfalls, as outlined in the November 2018 final report of the Defense Science Board (DSB) on existence and implications, 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.
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 140.1.

The Secretary of Energy shall suspend implementation of Department of Energy Order 140.1 (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. HEINICHI, Mrs. CAPITO, 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 10, United States Code, is amended by—

(1) in paragraph (2), by striking ‘‘or’’ at the end and inserting ‘‘; or’’; and

(2) 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.

(c) CREDIT CLAIMED.—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 ended.

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

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

(e) CREDIT FOR SERVICES IN THE UNITED STATES.—Section 12733 of such title is amended by—

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

(B) by inserting after paragraph (5) the following new paragraph (6):

‘‘(6) One day for each point credited to the person under paragraph (F) of section 12732(a)(2) of this title.’’

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

SA 455. Mr. WHITEHOUSE (for himself, Mr. COTTON, Mr. BROWN, 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. 1086. ELIMINATION OF WAITING PERIOD FOR SOCIAL SECURITY DISABILITY INSURANCE BENEFITS FOR DISABLED VETERANS WITH AMOTYROTIC 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 manner 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. 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 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. 396. ENERGETICS PLAN.

(a) PLAN REQUIRED.—The Secretary of Defense shall submit to the congressional defense committees on the plan developed under subsection (a).

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on the plan developed under subsection (a).

SA 459. 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. 397. 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:

‘‘(yy) ANNUAL LIST OF LOW PARTICIPATION STATES.—Each Federal agency participating in the SBIR program shall, in the report required under subsection (b)(7), for the preceding 12-month period—’’
“(1) a list of the number of SBIR awards provided to small business concerns in each State; and
“(2) a plan to increase the number of SBIR applications submitted by small business concerns located in the 20 States listed under paragraph (1) with the lowest number of SBIR awards.”

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. 3007. 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 D of title XXX, add the following:

SEC. 3057. USE OF COST SAVINGS REALIZED FROM INTERGOVERNMENTAL SERVICES AGREEMENTS FOR INSTALLATION-SUPPORT SERVICES.

(a) REQUIREMENT.—Section 2679 of title 10, United States Code, is amended—

(1) in subsections (d) and (e) as subsections (d) and (e), respectively; and

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

“(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 make not less than 25 percent of the amount of such savings available for use by the transfer of the savings from the installation to carry out activities described in section 2679(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.”.

(b) 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 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 in 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,
committees a comprehensive report on current United States-funded Central American aid programs. The report shall—
(1) identify all United States-funded Central American aid programs;
(2) consider whether each program is consistent with the strategy;
(3) provide measurable outcomes on programming performance;
(4) recommend whether each program should be maintained, modified, or eliminated.
(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—
(1) the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, the Select Committee on Intelligence, the Committee on the Budget, 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 Budget, and the Committee on Appropriations of the House of Representatives.

SA 465. Ms. McSALLY 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:

SEC. 568. RULE REGARDING MEMBERS OF THE ARMED FORCES PARTICIPATING IN ARMED CONFLICT.

(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) Chapter IV of chapter 31 of title 40, United States Code.
(3) Chapter 67 of title 41, United States Code.
(4) Chapter 37 of title 40, United States Code.

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. 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. 1068. INCLUSION UNDER THE RADIATION EXPOSURE COMPENSATION ACT.

Section 4(b)(1)(C) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note; Public Law 101–203) is amended by inserting "all acreage in any county all or part of which is located in" before "that part".

SEC. 1069. REPORTS BY MILITARY DEPARTMENTS ON OPERATION 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 Commandant of the Marine Corps shall each submit to Congress 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 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.

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 208 of the Immigration and Nationality Act (8 U.S.C. 1158) during the fiscal year, conditions 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.

(2) PERSONNEL.—The Secretary of State shall ensure that sufficient personnel in the Department of State are available to compile the report required under paragraph (1).

(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 consideration of personnel 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. 1143. NATIONAL CENTER FOR EXCELLENCE FOR PATHOGEN AND MICROBIOME ANALYSIS.

(a) DESIGNATION.—Not later than 60 days after the date of the enactment of this Act, the Director of the Defense Threat Reduction Agency shall designate an existing research entity as a National Center of Excellence for Pathogen and Microbiome Analysis.

(b) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated $12,500,000 to carry out this section.

SA 466. Ms. McSALLY 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 XII, add the following:

SEC. 1143(e) of title 10, United States Code.

of Defense, for military construction, and for defense activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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 PERSONAL CHARACTER.

(a) PRIORITY AND EMPHASIS.—(1) In general.—In making selection for promotion, each Secretary of a military department shall place priority on the following:
   (i) Warrant officers.
   (ii) Enlisted members.
   (iii) Performance in operations and campaigns.
   (iv) Prior operational experience.
   (v) Other factors specified by the Secretary.

(b) SPECIFIED SKILLS, TRAINING, AND OTHER MATTERS.—The 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. Personnel responsible for determinations regarding promotion.
5. Guidance.

(c) GUIDANCE.—Promotion selection boards and personnel responsible for determinations regarding promotion of members of the Armed Forces shall carry out subsection (a) in accordance with guidance issued by the Secretary of the military department concerned for purposes specified in this subsection. 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 of subsection (b)—

"(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 fulfilled operational experience, as the board considers appropriate in accordance with the guidance issued pursuant to paragraph (3)."

"(c) OPERATIONAL EXPERIENCE.—In this section, the term 'operational experience' means, in the case of an officer, service of the officer that is creditable toward the award of a campaign, combat, or valor medal, ribbon, or device."

SA 472. 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. 588. 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; 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. 134. DISCLOSURE REQUIREMENT.

"Section 134 of title 12, United States Code (as added by section 1248 of the Secure Our Children's Act of 2012; as amended by section 104(a) of the Surface Transportation Bill Act of 2018; as amended by section 901 of the Prison Reentry Reform Act of 2019; and as amended by section 1345 of the Coronavirus Aid, Relief, and Economic Security Act; and as amended by section 134 of title 12, United States Code, as added by title II of the Water Resources Reform and Development Act of 2018; and as amended by section 1248 of the Secure Our Children's Act of 2012; and as amended by section 134 of title 12, United States Code, as added by title II of the Water Resources Reform and Development Act of 2018) is amended by adding at the end of the section the following:

"'(d) Definition.—In this section—

"'(1) 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

"'(2) the term 'non-inspection year' means, with respect to a covered issuer, a year 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 that year, and

"'(ii) that begins after the date of the enactment of this subsection."
At the end of subtitle E of title V, add 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 652 of the National Defense Authorization Act for Fiscal Year 2006 (10 U.S.C. 10101 note) is amended—

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

(2) by inserting after subsection (m) the following new subsection (n):

"(n) 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 support deployment cycle information, service members, 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."
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 defense committees in unclassified form a report setting forth an assessment and analysis of the effects of continuing resolutions on readiness and planning of the Department of Defense.

(b) CONTENT.—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, and 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 contracts 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 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:

(A) 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.

(B) 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 extent to which the Department associated with continuing resolutions, including the extent to which the Department has requested so-called “anomalies” or exceptions to 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 new starts.

(B) The total cumulative value of programs affected by continuing resolutions restrictions on production increases.

(C) The number and absolute value of such exceptions as required 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) Any other data on which the budget of the Department has been misaligned either between or within accounts due to continuing resolutions, set forth by budget category 050 and any other adjustments and 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 applicable committees of Congress a report setting forth the following:

(1) A determination as to whether, if its status as a least-developed beneficiary, 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 determination 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 an 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 ACCESSION PHYSICALS.

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

(1) The United States Military Entrance Processing Command (USEMPCOM) 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 the location of MEPS that have fewest wait times, and then receive free lodging at a nearby hotel paid by the Armed Force concerned.

(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 applicant 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 I of title X, add the following:

SEC. 589. 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 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons serving 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 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 XII, 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:

(1) 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 applicant visits to such Processing Stations in that fiscal year.

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

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

(4) Any other data on which the budget of the Department has been misaligned either between or within accounts due to continuing resolutions, set forth by budget category 050 and any other adjustments and the length of the continuing resolution concerned.
The Castro regime has used arbitrary incarcerations, harassment, and intimidation to deny basic freedoms to thousands of Cubans since the Cuban Revolution. In April 2019, a family was sent to prison by authorities in Cuba for homeschooling their children.

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.

The United States Commission on International Religious Freedom formerly condemned Cuba for actions pertaining to the April 2019 imprisonment of those who homeschool their children.

The United States has instituted an embargo on Cuba in 1960.

The Cuba Liberty and Democratic Solidarity (Libertad) Act of 1996 (22 U.S.C. 6021 et seq.) does not permit these sanctions to be lifted until the Castro regime has been deposed and Cuba has legalized political activity, allowed a free media, and the Cuban people have been permitted to freely elect their representatives.

Mrs. CAPITO, Mr. TESTER, Mr. BOOZMAN, Ms. COLLINS (for herself and Mr. DAINES), Mr. Hoeven, Mr. Udall, Ms. Warren, Mr. Rounds, 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, to prescribe military personnel 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. MODIFICATION OF PERIOD AFTER RETIREMENT FOR AUTHORITY OF DEPARTMENT OF DEFENSE TO APPOINT RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS WITHIN THE DEPARTMENT AFTER RETIREMENT.

(a) In General.—Section 3326 of title 5, United States Code, is amended—

(b) Technical Amendments.—Section 3326(b) of title 5, United States Code, is amended—

(b) The grades at retirement from the armed forces of the individuals subject to such appointments.

(c) The job titles, pay grades, and locations of employment at the appointment of the individuals subject to such appointments.

Section 3116(d)(1) of title 5, United States Code, is amended—(1) in paragraph (1), by striking “his retirement” and inserting “the member’s retirement”; and (2) in paragraph (2), by striking “his designee” and inserting “the Secretary’s designee.”

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 appropriate place in title X, insert the following:

SEC. REPORT ON APPRENTICESHIPS AND ON-THE-JOB TRAINING FOR MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) In General.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense, in collaboration with the Secretary of Veterans Affairs and Secretary of Labor, shall submit to the congressional defense committees a report on the efforts of the Department of Defense to promote the utilization of apprenticeships and on-the-job training by members of the Armed Forces transitioning from service in the Armed Forces to civilian life.

(b) Elements Required by Subsection (a) Shall Include the Following:

(1) An evaluation of the success of the job training, employment skills training, applied academic training, internships, and skillsBridge initiatives of the Department, including recommendations by the Secretary of Defense on ways in which such initiatives could be improved.

(2) An assessment of outreach efforts to members of the Armed Forces with respect to the initiatives referred to in paragraph (1) and utilization of such initiatives, disaggregated by military department.

(3) An explanation of efforts undertaken by the Secretary of Defense to coordinate and collaborate with the Secretary of Veterans Affairs with respect to apprenticeships and on-the-job training in order to maximize utilization of job training and education programs provided under laws administered by either the Secretary of Defense or the Secretary of Veterans Affairs, including efforts to highlight apprenticeship and on-the-job training opportunities in the Transition Assistance Program.

(4) Recommendations for legislative or administrative action to improve the transition of members of the Armed Forces to civilian life.

SA 484. Mr. DAINES (for himself, Mr. MANCHIN, Mr. CRAPO, Ms. BALDWIN, Mrs. CAPITO, Mr. TRSTER, Mr. BOOZMAN, Ms. SHAHEEN, Mr. MORAN, Mr. JONES, Mr. COONS, Ms. SINEMA, Mr. BLUMENTHAL, Mr. CRAMER, Mr. LEAHY, Ms. KLOBUCHAR, Mr. HOEVEN, Mr. UDALL, Ms. WARREN, Mr. ROUNDS, 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 A of title VII, add the following:

SA 485. Mr. LANKFORD (for himself, Mr. LEE, and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, which was ordered to lie on the table; as follows:

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

SA 486. 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 A of title VII, add the following:

SA 487. 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 appropriate place in title XI, insert the following:

Section 508. PERMANENT AUTHORITY TO DEFER PAST AGE 64 THE RETIREMENT OF CHAPLAINS IN GENERAL AND FLAG OFFICER GRADES.

Section 123(c) of title 10, United States Code, is amended by striking paragraph (3).
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 appointed to the previous 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 activities of the Department of Energy, to 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 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 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.

(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 chain activities, 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.

(3) To perform tasks assigned to the National Supply Chain Intelligence Center by relevant Government supply chain task forces, including the Department of Energy, and the Department of Defense, the Federal Acquisition Security Council, and other Federal agencies;

(b) at-risk industry partners; and

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

(5) To perform tasks assigned to the National Supply Chain Intelligence Center by relevant Government supply chain task forces, including the Department of Energy, and the Department of Defense, the Federal Acquisition Security Council, and other Federal agencies;

(c) primary missions of the National Counterintelligence and Security Center in the Office of the Director of National Intelligence a National Supply Chain Intelligence Center.

(d) 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.

"(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.
"(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) REGULAR EMPLOYMENT.—Any Federal Government employee detailed or assigned under subparagraph (A) shall retain the rights, status, and privileges of his or her regular employment without interruption.

"(e) 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 acquisition and replenishment as of the date of the submittal of the report.

"(f) 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 102 of the National Security Act of 1947 (50 U.S.C. 403a)).

SEC. 569. MODIFICATION OF ELEMENTS OF RE-LOCATION 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 item relating to section 1142(e) of this title, as amended, the following:

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

"(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 availability of 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 in order 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 and instruction, and matters 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 reenlistment.

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

"(d) SINGLE 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.

"(e) TECHNICAL 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.—
(1) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the program of education required by section 2015a of title 10, United States Code (as added by subsection (a)), including the following:

(A) A comprehensive description of the actions taken to implement the program of education.

(B) A comprehensive description of the program of education.

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

(A) the Armed Services Committee;

(B) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(C) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

SA 493. Mr. CRAPO (for himself, Ms. STABENOW, Mrs. SHAHEEN, Mr. RISCH, Ms. ROSEN, and Mr. PETTERS) 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. 509. CONTROLLER GENERAL OF THE UNITED STATES REPORT ON PARTICULAR PROGRAMS IN COMMAND CLIMATE ASSESSMENTS.

(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 the participation in covered transition assistance programs of members of the Armed Forces 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 (JTESP–AI)” or “Skill Bridge”).

(3) Any program of apprenticeship, on-the-job training, internship, education, or transition assistance offered (whether by public or private entities) in the vicinity of the military installation concerned in which members of the Armed Forces at the installation are eligible to participate.

(4) Any other program of apprenticeship, on-the-job training, internship, education, or transition assistance specified by the Secretary of Defense for purposes of this section.

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, 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 B of title XIV, 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, 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 H of title X, add the following:

SEC. 1437. COMMAND MATTERS IN CONNECTION WITH TRANSITION ASSISTANCE PROGRAMS.

(a) INCORPORATION OF SUPPORT FOR PARTICIPATION IN PROGRAMS IN COMMAND CLIMATE ASSESSMENTS.—Each command climate assessment for the commander of a military installation shall include an assessment of the extent to which the commander and other command personnel at the installation encourage participation in covered transition assistance programs of members of the Armed Forces at the installation who are eligible for participation in such programs.

(b) TRAINING ON PROGRAMS.—The training provided a commander of a military installation in connection with the commencement of assignment to the installation shall include a module on the covered transition assistance programs available for members of the Armed Forces assigned to the installation.

(c) DEADLINE FOR IMPLEMENTATION.—The requirements of subsections (a) and (b) shall be fully implemented by not later than 180 days after the date of the enactment of this Act.

(d) COVERED TRANSITION ASSISTANCE PROGRAMS DEFINED.—In this section, the term “covered transition assistance programs” means 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 (JTESP–AI)” or “Skill Bridge”).

(3) Any program of apprenticeship, on-the-job training, internship, education, or transition assistance specified by the Secretary of Defense for purposes of this section.

CONGRESSIONAL RECORD — SENATE
June 13, 2019

S3512

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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. 8084a) is amended—

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

(B) in subsection (a)(1), by striking “and 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”;

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

(D) in subsection (c)—

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

(ii) in paragraph (2)—

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

(ii) in subparagraph (C)(i), by striking “or shipbuilding” and inserting “shipbuilding, or civil nuclear”; and

(E) by inserting after subparagraph (B) the following:

“(D) in subsection (c)—

(i) by striking “or shipbuilding” and inserting “shipbuilding, or civil nuclear”;

(ii) by striking “or shipbuilding” and inserting “shipbuilding, or civil nuclear”.

(2) CLEVER AMENDMENT.—The table of contents for the Iran Freedom and Counter-Proliferation Act of 2012 is amended by striking the item relating to section 1244 and inserting the following:

“Sec. 1244. Imposition of sanctions with respect to the energy, shipping, shipbuilding, and civil nuclear sectors of Iran.”

(b) SANCTIONS WITH RESPECT TO SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS.—Section 1246(a)(1)(C)(i)(I) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8084a(a)(1)(C)(i)(I)) is amended by striking “or shipbuilding” and inserting “shipbuilding, or civil nuclear”.

(c) SANCTIONS WITH RESPECT TO UNDERWRITING INSURANCE OR REINSURANCE.—Section 1246(a)(1)(B)(i) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8084a(a)(1)(B)(i)) is amended by striking “or shipbuilding” and inserting “shipbuilding, or civil nuclear”.

SA 497. 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 section G of title XII, add the following:

SEC. 1226. 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 blocking property and prohibiting 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 title G, add the following:

SEC. 1086. IMPOSITION OF SANCTIONS WITH RESPECT TO SPECIAL TRADE AND FINANCE INSTITUTE OF IRAN.

(a) REPEAL.—Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended by striking paragraph (2) and inserting the following:

“(2) 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 paragraph (1); and

(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 blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(c) LEAD AGENCY.—The Secretary of Defense shall designate 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) ANNUAL REPORT.—The Secretary of Defense shall submit to the appropriate committees of Congress on an annual basis a report that contains a copy of the most recent annual report provided by the Government of Israel to the Department of Defense pursuant to subsection (a)(2)(B)(ii).

(e) DEFINITION OF 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;

(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.

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 section F of title VIII, add the following:

SEC. 866. MODIFICATION OF PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE EQUIPMENT.

Section 899 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 Hydrogen Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company” and inserting “produced by Huawei Technologies Company, Hydrogen Communications Corporation, Hangzhou Hikvision Digital Technology Company, Dahua Technology Company, or HiSilicon Technologies Co., Ltd.”;

(B) by striking “and” and inserting “or”;

(C) by striking “or HiSilicon Technologies Co., Ltd.”; and

(D) by striking “A.” and inserting “The following new subparagraphs shall be added:

“(C) Components of telecommunications equipment or video surveillance equipment produced by Huawei Technologies Company, Hydrogen Communications Corporation, Hangzhou Hikvision Digital Technology Company, Dahua Technology Company, or HiSilicon Technologies Co., Ltd.”;

and

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

“(4) the Committee on Armed Services, and the Select Committee on Intelligence of the Senate.”

June 13, 2019

CONGRESSIONAL RECORD — SENATE
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 prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1412. 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 Energy Secretary, should use full authority provided under section 15 of the Strategic and Critical Materials Stock Piling Act (90 U.S.C. 96b–7) to ensure the United States has sufficient stockpile resources 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. 1424. PLAN ON SUSTAINMENT OF ROUGH TERRAIN CONTAINER HANDLER Fleets.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) give preference to filtration products manufactured in the United States, containing water filtration techniques that include water filtration, including methods;

(B) prescribe military personnel 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. 1477. BRIEFING ON PLANS TO INCREASE READINESS OF B–1 BOMBER AIRCRAFT.

(a) In General.—Not later than January 31, 2020, the Secretary of the Air Force shall provide the congressional defense committees a briefing on the Air Force’s plans to increase the readiness of the B-1 bomber aircraft.

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

(1) A description of aircraft structural issues.

(2) A plan for continued structural deficiency data analysis and testing.

(3) Projected repair timelines.

(4) Future mitigation strategies.

(5) An aircrew maintainer training plan, including a plan to ensure that the training pipeline remains steady, for any degradation period.

(6) A recovery timeline to meet future deployment requirements.

(7) A plan for continued upgrades and improvements.

SA 504. Ms. COLLINS (for herself, Mrs. Shaheen, Mr. King, 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:

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

SEC. 1423. CONTRACT CRITERIA FOR REMEDIATION OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

(a) Establishment of Criteria.—Not later than 90 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, contained in chapter 83 of title 10, United States Code (commonly referred to as the ‘‘Buy American Act’’); and
(B) require that—
(1) filtration materials may be recycled for extended use; and
(2) filtration materials demonstrate long-term performance and life; and
(4) require the submission and consideration of filtration material performance data such as performance curves and operations cost projections to the interested parties; and
(c) REPORTING REQUIREMENT.—If the Department of Defense enters into a contract for treatment and remediation services pursuant to this section that does not utilize filtration products made from materials mined, produced, or manufactured in the United States or United States allies, the Secretary of Defense shall submit to the congressional defense committees a report justifying the use of such products, including an explanation of the circumstances that necessitate the use of such products despite the preference established pursuant to subsection (b)(3)(A).

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 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. BROWN, 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. ENACTING TITLES LOCAL AND FEDERAL LAW ENFORCEMENT OFFICERS MAY COOPERATE TO SAFE GUARD CITIES.

(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) LEGAL PROCEEDINGS.—In any legal proceeding brought against a State, a political subdivision of 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 or any political subdivision for actions 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 1983(b) and chapter 171 of title 28, United States Code;
(B) section 1346(b) of title 28, United States Code, shall provide the exclusive remedy for the plaintiff; and
(C) the United States shall be substituted as defendant in the proceeding.

SEC. 03. SANCTUARY JURISDICTION DEFINED.
(a) IN GENERAL.—Except as provided under subsection (b), for purposes of this subtitle, the term “sanctuary jurisdiction” means any State or political subdivision of a State that has in effect a statute, ordinance, policy, or practice that prohibits or restricts any government entity or official from—
(1) sending, receiving, maintaining, or exchanging with any Federal, State, or local government entity information regarding the citizenship or immigration status (lawful or unlawful) of any individual; or
(2) complying with a request lawfully made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to comply with a detainer for, or notify about the release of, an individual.

(b) EXCEPTION.—A State or political subdivision of a State shall not be deemed a sanctuary jurisdiction based solely on its having a policy whereby its officials will not share information regarding the citizenship or immigration status (lawful or unlawful) of any individual; or
(c) SANCTUARY JURISDICTIONS INELIGIBLE FOR CERTAIN FEDERAL FUNDS.

(a) ECONOMIC DEVELOPMENT ADMINISTRATION GRANTS.
(b) GRANTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT.—Section 201(b) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141(b)) is amended—
(A) in paragraph (2), by striking “and” and inserting “, or”;
(B) in paragraph (3), by striking the period at the end and inserting “, and”;
and
(C) by adding at the end the following:
“(4) the area in which the project is to be carried out is not a sanctuary jurisdiction (as defined in section 03 of the Stop Dangerous Sanctuary Cities Act).”

2) GRANTS FOR PLANNING AND ADMINISTRATIVE EXPENSES.—Section 203(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3143(a)) is amended by adding at the end the following: “A sanctuary jurisdiction (as defined in section 03 of the
Stop Dangerous Sanctuary Cities Act) may not be deemed an eligible recipient under this subsection."

(c) REALLOCATION RULES.—In reallocating amounts under subparagraphs (A) and (B), the Secretary shall—

(i) apply the relevant allocation formula under subsection (a); and

(ii) shall not be subject to the rules for reallocation under subsection (c).

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on October 1, 2019.

SA 510. 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 A of title VIII, add the following:

SEC. 811. GUIDANCE ON BUY AMERICAN ACT AND RELATIONSHIP TO MATERIEL DEVELOPMENT.

(a) BUY AMERICAN ACT GUIDANCE.—

(1) In general.—More than 30 days after the date of the enactment of this Act, the Director of Defense Pricing/Defense Procurement Acquisition Policy shall issue guidance to Defense contracting officials on requirements related to chapter 83 of title 41, United States Code (commonly referred to as the "Buy American Act").

(2) ELEMENTS.—The guidance issued under paragraph (1) shall cover—

(A) the requirement to incorporate and enforce the Buy American Act provisions and clauses in applicable solicitations and contracts; and

(B) the requirements of the Buy American Act, such as inclusion of clauses, into the electronic contract writing systems used by the military departments and the Defense Logistics Agency.

(b) BERRY AMENDMENT AND SPECIALTY METALS CLAUSE GUIDANCE.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of Defense Pricing/Defense Procurement Acquisition Policy shall issue guidance to Defense contracting officials on requirements related to section 2533a of title 10, United States Code (commonly referred to as the "Berry Amendment").

(2) ELEMENTS.—The guidance issued under paragraph (1) shall cover—

(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 requirements 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.

(c) ENERGY EFFICIENCY MEASURES.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that any construction or renovation of a privatized military housing unit after the date of the enactment of this Act uses energy efficiency measures described in subsection (b).

(2) Exclusion of measures.

(Sec. 811. Analysis of alternatives pursuant to materiel development decisions.)

SA 511. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 811. PILOT PROGRAM ON IMPLEMENTING TRANSPORT ACCESS CONTROL CAPABILITIES.

The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of implementing a Transport Access Control capability that uses identity and noninteractive authentication at the first packet of transmission control protocol or Internet Protocol request to validate machine-to-machine communications hosted by cloud providers.
"§3206d. Analysis of alternatives pursuant to material development decisions

(a) TIMELINE.—(1) Any analysis of alternatives conducted pursuant to a material development decision for a major defense acquisition program shall be completed not later than 9 months after the initiation of such analysis.

(b) REPORTING.—If the analysis of alternatives cannot be completed within the allotted time, the milestone decision authority for the designated acquisition program, upon learning of the breach in schedule, shall report to the Under Secretary of Defense for Research and Engineering, the Director, Cost Assessment and Program Evaluation, the Chairman, Joint Requirements Oversight Council, and the congressional defense committees the following information:

(1) The reasons why the analysis cannot be completed within the allotted time.

(2) An estimate of when the analysis will be completed.

(3) An estimate of any additional costs to complete the analysis.

(c) REPORTS.—The Under Secretary of Defense for Research and Engineering may waive the requirements of subsection (a) on a case-by-case basis, following 30 days notification to the congressional defense committees, if—

(1) the subject of the analysis is of extreme technical complexity;

(2) collection of additional intelligence is required to inform the analysis; or

(3) insufficient technical expertise is available to complete the analysis.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to "SA 516. Mr. DURBIN (for himself, Mr. UDALL, Mr. LEAHY, Mr. SCHATZ, Mr. TESTER, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to describe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

"SA 516. Analysis of alternatives pursuant to material development decisions."

SA 514. Mr. DURBIN (for himself, Mr. UDALL, Mr. LEAHY, Mr. SCHATZ, Mr. TESTER, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. 2. PROHIBITION ON USE OF NATIONAL DEFENSE FUNDS FOR PHYSICAL BARRIER ALONG THE SOUTHERN BORDER.

(a) PROHIBITION.—National defense funds may not be obligated, expended, or otherwise used to design or carry out a project to construct, replace, or modify a wall, fence, or other physical barrier along the international border between the United States and Mexico.

(b) NATIONAL DEFENSE FUNDS DEFINED.—In this section, the term ‘national defense funds’ means—

(1) amounts authorized to be appropriated for any purpose under this division or authorized to be appropriated in division A of any National Defense Authorization Act for any of fiscal years 2015 through 2019, including any amounts of such an authorization made available to the Department of Defense and transferred to another authorization by the Secretary of Defense pursuant to transfer authority available to the Secretary; and

(2) amounts appropriated in any Act pursuant to an authorization of appropriations described in paragraph (1).

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, not later than 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, 2020, and annually thereafter for the duration of phase 2, 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) any 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.

(2) COMPTROLLER GENERAL REVIEW.—Not later than 90 days after the date on which the Secretary submits a report under paragraph (1) the Comptroller General of the United States shall—

(A) review the report; and

(B) submit to Congress—

(i) findings with respect to the accuracy and adequacy of the report; and

(ii) recommendations to improve the administration of the National Security Space Launch program, including sustained competition for launch service procurement.

SA 516. Mr. KING (for himself and 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 E of title XII, add the following:

SEC. 1262. RESTRICTIONS ON EXPORT OF SURVEILLANCE TECHNOLOGY AND RELATED SERVICES.

(a) REQUIREMENT FOR A LICENSE TO EXPORT SURVEILLANCE TECHNOLOGY AND RELATED SERVICES.

(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) RESTRICTION 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 180 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 interests;

(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 jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 1263. DISCLOSURES RELATING TO CONTRIBUTIONS TO SURVEILLANCE CAPABILITIES OF PEOPLES REPUBLIC OF CHINA.


SEC. 14C. DISCLOSURES RELATING TO CONTRIBUTIONS TO SURVEILLANCE CAPABILITIES OF PEOPLES REPUBLIC OF CHINA.

‘Not later than one year after the date of the enactment of this section, the Commission shall issue final rules to require each
SA 517. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriation of funds to support emergency military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSIFIED INFORMATION. (a) DEFINITIONS.—(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

(b) IN GENERAL.—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 who seeks access to classified information is denied or revoked by the agency determines that denial or revocation is consistent with the interests of national security and as permitted by other applicable provisions of law; and

(c) EXCLUSIVITY.—Except as provided in subsection (c), is further amended by inserting after section 801 the following:

SEC. 801B. RIGHT TO APPEAL. (a) DEFINITIONS.—In this section:

(3) to include a strategy to assure that the procedures currently in effect that govern access to classified information as described in subsection (b) are not limited to—

(1) a review of the procedures, with a recommendation as to whether the procedures should be modified or eliminated; and

(2) a determination that the procedures are consistent with the requirements of subsection (a).

SEC. 801C. RIGHT TO APPEAL. (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.

(b) IN GENERAL.—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 who seeks access to classified information is denied or revoked by the agency determines that denial or revocation is consistent with the interests of national security and as permitted by other applicable provisions of law; and

(c) EXCLUSIVITY.—Except as provided in subsection (c), is further amended by inserting after section 801 the following:
The head of an agency that establishes a panel under subparagraph (A) shall affirm access to classified information to the members of the panel as the head determines—

(i) necessary for the panel to hear and review an appeal under this subsection; and

(ii) consistent with the interests of national security.

(4) REPRESENTATION BY COUNSEL.—

(A) In general.—In any agency that shall ensure that, under this subsection, a covered person appealing a decision of the agency under this subsection, the head of the agency shall sponsor an application by the covered person with a written notice of the result of an improperly conducted review under subsection (b).

(B) Access to classified information.—

(i) IN GENERAL.—If, in the course of proceedings under this subsection, the head of an agency or a panel established by the head 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 correct the improper denial or revocation.

(5) 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 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 correct the improper denial or revocation.

(B) NATURE OF REMANDS.—In remanding a decision under subparagraph (A), the panel shall provide a written notice of the decision.

(6) NATURE OF REMANDS.—In remanding a decision under subparagraph (A), the panel shall provide a written notice of the decision.

(7) FINALITY.—Each decision of a panel established under paragraph (1) shall be final but subject to appeal under this subsection.

(8) REPRESENTATION BY COUNSEL.—

(A) IN GENERAL.—Each panel established under subparagraph (A) shall be composed of at least three employees of the agency selected by the head of the agency.

(B) Access to classified information.—

(i) IN GENERAL.—If, in the course of proceedings under this subsection, the head of an agency or a panel established by the head 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 correct the improper denial or revocation.

(ii) COMPOSITION.—Each panel established under subparagraph (A) shall be composed of at least three employees of the agency selected by the head of the agency.

(9) NOTICE OF DECISIONS.—For each decision of a panel established under paragraph (1) decisions to publish the decision under subsection (b), the panel shall publish the decision under subsection (b).
of the reasons for the decision, consistent with the interests of national security and applicable provisions of law.

(4) REPRESENTATION BY COUNSEL.—(A) In general.—The Security Executive Agent shall ensure that, under this subsection, a covered person appealing a decision under subsection (b) has an opportunity to retain or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

(2) 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.

(5) 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 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, to the degree 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.

(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 access to classified information and sensitive program information; and may not be reviewed by any other official or by any court.

(C) 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 in an exceptional case, the Security Executive Agent shall submit 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.

(4) DENIALS AND REVOCATIONS UNDER OTHER PROVISIONS OF LAW.—

(A) 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 determine eligibility for access to classified information in the interest of national security.

(B) DENTAL AND REVOCATION.—The power and responsibilities required under other provisions of law relating to a denial or revocation of eligibility for access to classified information pursuant to any other provision of law or Executive order may be 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.

(C) CONTENTS.—Each report submitted under paragraph (2) shall be final and conclusive and may not be reviewed by any other official or by any court.

(4) REPORTING.—

(A) CASE-BY-CASE.—In each case in which the head of an agency determines under paragraph (2) that a 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 Security Executive Agent and 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.

(III) 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 (2), disaggregated by agency.

(IV) SUCH OTHER MATTERS AS THE SECURITY EXECUTIVE AGENT CONSIDERS APPROPRIATE.
(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. 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 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 best practices.

(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) DUTIES.—The advisory group under paragraph (1) shall ensure that agreements with landlords of privatized military housing require the following:

(A) the disclosure 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) Clear penalties for the landlord when the landlord does not meet its obligations under the agreement.

(4) TERMINATION.—The advisory group established under paragraph (1) shall terminate on the date that is one year after the date of the enactment of this Act.

(c) TRAINING OF PRIVATIZED MILITARY HOUSING PROFESSIONALS.—The Secretary of Defense shall require that military housing professionals at each installation of the Department of Defense be trained on issues relating to environmental and safety hazards and State and local laws.

(d) ROLES OF STATE AND LOCAL HOUSING AUTHORITIES.—The Secretary of Defense shall clarify to each landlord of privatized military housing and each State in which privatized military housing is located the roles and responsibilities of State and local housing authorities in the oversight of privatized military housing units.

(e) SECRETARY CONCERNED DEFINED.—In this section, the term “Secretary concerned” has the meaning given that term in section 101(b) of title 10, United States Code.

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 PERSONNEL 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 3(b)(2), and 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 including an estimate of the number of people in each group, who are affected by Federal Government nuclear testing but are not compensated under such Act, of the approximate number of people in 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 IMPROVISED-
THREAT DEFENSE ORGANIZATION RE-
SEARCH RELATING TO HUMANI-
TARIAN DEMINING EFFORTS.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a review of the research of the Joint Improvised-Threat Defeat Organization to identify information that may be released to United States human mine action 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).

SA 555. Mr. VAN HOLLEN (for himself, Mr. TOOMEY, Mr. BROWN, Mr. PORTMAN, Mr. GARDNER, and Mr. MARKEY) introduced the following bill:

TITLE XVII—OTTO WARMBIER BANKING RESTRICTIONS INVOLVING NORTH KOREA ACT OF 2019

SEC. 1701. SHORT TITLE.

This title may be cited as the “Otto Warmbier Banking Restrictions Involving North Korea Act of 2019”.

Subtitle A—Sanctions With Respect to North Korea

SEC. 1711. FINDINGS.

Congress finds the following:

(1) Since 2006, the United Nations Security Council has adopted 10 resolutions imposing sanctions against North Korea under chapter VII of the United Nations Charter, which—

(A) prohibit the use, development, and proliferation of weapons of mass destruction by North Korea;

(B) prohibit the supply, sale, or transfer of arms and related materiel to or from North Korea;

(C) prohibit the transfer of luxury goods to North Korea;

(D) restrict access by North Korea to financial services that could contribute to nuclear, missile, or other programs related to the development of weapons of mass destruction;

(E) restrict North Korean shipping, including the registration,flagging, or insuring of North Korean flagged vessels;

(F) prohibit, with limited exceptions, North Korean exports of coal, precious metals, iron, vanadium, and rare earth minerals;

(G) prohibit the transfer to North Korea of rocket, aviation, or jet fuel, as well as gasoline, condensate, and natural gas liquids;

(H) prohibit new nuclear authorization for North Korea and require the repatriation of all North Korean laborers by December 2019;

(I) prohibit exports of North Korean food and agricultural products, including seafood;

(J) prohibit joint ventures or cooperative commercial entities or expanding joint ventures with North Korea;

(K) prohibit exports of North Korean textiles;

(L) require member countries of the United Nations to seize, inspect, and impound any ship in its jurisdiction that is suspected of violating Security Council resolutions with respect to North Korea and to intercept and inspect all air traffic entering or leaving North Korea by land, sea, or air;

(M) limit the transfer to North Korea of refined petroleum products and crude oil;

(N) ban the sale or transfer to North Korea of industrial machinery, transportation vehicles, electronics, iron, steel, and other materials;

(0) reduce North Korean diplomatic staff numbers in member countries of the United Nations and expel any North Korean diplomats found to be working on behalf of or in the interest of a person subject to sanctions or assisting in sanctions evasion;

(P) limit North Korean diplomatic missions abroad to staff size and access to banking privileges and prohibit commerce from being conducted out of North Korean consular or diplomatic offices;

(Q) require member states of the United Nations to close representative offices, subsidiaries, and bank accounts in North Korea;

(R) prohibit countries from providing or receiving military supplies or equipment from North Korea or hosting North Koreans for specialized training or teaching that could contribute to the programs of North Korea related to the development of weapons of mass destruction;

(S) ban countries from granting landing and flyover rights to North Korean aircraft; and

(T) prohibit trade in statutory of North Korea.

(2) The Government of North Korea has threatened to carry out nuclear attacks against the United States, South Korea, and Japan.

(3) The Government of North Korea tested its sixth and largest nuclear device on September 3, 2017.

(4) According to a report by the International Atomic Energy Agency released in August 2018, “The continuation and further development of the DPRK’s nuclear program is driven by the belief that the DPRK’s nuclear weapons are a means of keeping the United States in check, and that such weapons are essential to the efforts of the international community to achieve the peaceful, complete, verifiable, and irreversible dismantlement of North Korea’s nuclear weapon programs.”

(5) According to a report by the International Atomic Energy Agency released in August 2018, “The continuation and further development of the DPRK’s nuclear program is driven by the belief that the DPRK’s nuclear weapons are a means of keeping the United States in check, and that such weapons are essential to the efforts of the international community to achieve the peaceful, complete, verifiable, and irreversible dismantlement of North Korea’s nuclear weapon programs.”

(6) The 2019 Missile Defense Review conducted by the Department of Defense states that North Korea’s “continued pursuit of missile and nuclear weapons, and its use of advanced rockets, can provide an adversary situated in the Asia-Pacific region with an ability to strike the U.S. homeland.”

(7) Financial transactions and investments that provide financial resources to the Government of North Korea, and that fail to identify and take adequate safeguards against the misuse of those financial resources, pose an undue risk to contributing to—

(A) weapons of mass destruction programs of that Government;

(B) efforts to evade restrictions required by the United Nations Security Council on imports and exports of arms and related materiel, services, or technology by that Government;

(8) The Federal Bureau of Investigation has determined that the government of North Korea was responsible for cyberattacks against entities in the United States, South Korea, and around the world.

(9) In November 2017, President Donald Trump designated the government of North Korea as a state sponsor of terrorism pursuant to authorities under the Export Administration Act of 1979 (22 U.S.C. 5601 et seq.), as continued in effect at the time under the International Energy Policies Act (50 U.S.C. 2151 et seq.), and the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(10) On February 21, 2018, the Secretary of State determined that the Government of North Korea was responsible for the lethal nerve agent attack in 2017 on Kim Jong Nam, the half-brother of North Korean leader Kim Jong-un, in Malaysia, triggering sanctions required under the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (22 U.S.C. 2751 et seq.).

(11) The strict enforcement of sanctions is essential to the efforts of the international community to achieve the peaceful, complete, verifiable, and irreversible dismantlement of weapons of mass destruction programs of the Government of North Korea.

SEC. 1712. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States is committed to working with its allies and partners to halt the nuclear and ballistic missile programs of North Korea through a policy of maximum pressure and diplomatic engagement;

(2) the imposition of sanctions, including those under this title, should not be construed as limiting the President to fully engage in diplomatic negotiations to further the policy objective described in paragraph (1);

(3) the successful use of sanctions to halt the nuclear and ballistic missile programs of North Korea is part of a broader diplomatic and economic strategy that relies on effective coordination among relevant Federal agencies and officials, as well as with international partners of the United States; and

(4) the coordination described in paragraph (3) should include provisions for enhanced messaging and communications from all parts of the Executive branch to ensure that those communications are an intentional component of and aligned with the strategy of the United States with respect to North Korea.

SEC. 1713. DEFINITIONS.

(a) In General.—In this subtitle, the terms “applicable Executive order”, “applicable United Nations Security Council resolution”, “appropriate congressional committees”, “Government of North Korea”, “North Korea”, and “North Korean financial institution” have the meanings given those terms in (3) of the North Korea Sanctions and Policy Enhancement Act of 2016 (2 U.S.C. 9202), as amended by subsection (b).
(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 “in violation of an applicable United Nations Security Council resolution” and inserting the following—“Executive Order 13964 (50 U.S.C. 1701 note; relating to blocking the property of the Government of North Korea and the Workers’ Party of Korea in certain transactions with respect to North Korea), or 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 in certain transactions with respect to North Korea), or Executive Order 13810 (82 Fed. Reg. 47705; relating to imposing additional sanctions with respect to North Korea), to the extent that those terms are used through the date of the enactment of this Act;” and

(2) in paragraph (2)(A), by striking “or 2321 (2016)” and inserting “2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017), or 2397 (2017)”; and

PART I—ENFORCEMENT

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 sanctions with respect to North Korea, to the extent that those terms are used through the date of the enactment of this Act, the following:

“201B. Sanctions with respect to foreign financial institutions that provide financial services to certain sanctioned persons.—

(1) ASSET BLOCKING.—The Secretary may block and prohibit, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of 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 to violate any provision of this section or any regulations, 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.

(4) 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.

(ee) DEFINITIONS.—For purposes of this section:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ‘account’, ‘correspondent account’, and ‘payable-through account’ mean those 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 of, or reason to know of, the conduct, the circumstance, or the result.”.

(b) CONFORMING AMENDMENT.—The table of contents for the North Korea Sanctions and Policy Enhancement Act of 2016 is amended by striking the item relating to section 210 and inserting the following:

“Sec. 210. Codification of Executive orders relating to sanctions with respect to North Korea.”.

SEC. 1722. CODIFICATION OF EXECUTIVE ORDERS RELATING TO SANCTIONS WITH RESPECT TO NORTH KOREA.

(a) IN GENERAL.—Section 104(a) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(a)) is amended—

(1) in paragraph (14), by striking “or” at the end;

(2) by redesignating paragraph (15) as paragraph (24);

(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 significant quantities of coal, iron, or iron ore, except as specifically approved by the United Nations Security Council; and

“(18) knowingly facilitates a significant transfer of funds or property from the Government of North Korea to materially contribute to any violation of a United Nations Security Council resolution;”.

(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(b)(1)), by striking paragraphs (B), (D), (E), (F), and (L); and

(2) in section 104(b)(2) (22 U.S.C. 9214(b)(2)), by striking subparagraphs (B), (D), (E), (F), and (L); and
SEC. 1731. NOTIFICATION OF TERMINATION OR SUSPENSION OF SANCTIONS.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees a report on the efforts of the Department of the Treasury to address compliance with such sanctions.

(b) Covered Regulatory Provision Defined.—The term "covered regulatory provision" means any of the following, as in effect on the day before the date of the enactment of this Act and as such provisions relate to North Korea:

(1) The terms "applicable United Nations Security Council resolution", "North Korean financial institution", and "North Korean person" have the meanings given those terms in section 102(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 2220a(b)).

(c) Form.—Each report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. 1732. REPORTS ON CERTAIN LICENSING ACTIVITIES.

(a) In General.—Not later than 180 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 report on the efforts of the Department of the Treasury to address compliance with such sanctions.

(b) Covered Regulatory Provision Defined.—The term "covered regulatory provision" means any of the following, as in effect on the day before the date of the enactment of this Act and as such provisions relate to North Korea:

(1) The terms "applicable United Nations Security Council resolution", "North Korean financial institution", and "North Korean person" have the meanings given those terms in section 102(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 2220a(b)).

(c) Form.—Each report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. 1733. REPORTS ON COUNTRIES OF CONCERN WITH RESPECT TO TRANSSHIPMENT, REEXPORTATION, OR DIVERSION OF VESSELS OR GOODS.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the Secretary of the Treasury a report on the countries of concern with respect to the financial industry or to the financial industry or financial institutions.

(b) Covered Regulatory Provision Defined.—The term "covered regulatory provision" means any of the following, as in effect on the day before the date of the enactment of this Act and as such provisions relate to North Korea:

(1) The terms "applicable United Nations Security Council resolution", "North Korean financial institution", and "North Korean person" have the meanings given those terms in section 102(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 2220a(b)).

(c) Form.—Each report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. 1734. REPORTS ON COUNTRIES OF CONCERN WITH RESPECT TO CONGRESSIONAL RECORD — SENATE June 13, 2019
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 Treasury, and the appropriate congressional committees a re-
port that identifies all countries that the Di-
rector determines are of concern with re-
spect to proliferation, reexportation, 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 an 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-
mitted at that deadline.
(b) CONTENTS.—Any reports consolidated under subsection (a) shall contain all infor-
mation required under this subtitle or an amendment made by this subtitle and any other elements that may be required by ex-
listing law.

SEC. 1743. WAIVERS, EXEMPTIONS, AND TERMIN-
ATION.
(a) APPLICATION AND MODIFICATION OF EX-
EMPTIONS 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-
fect,” after “the President”.
(b) EXCEPTION RELATING TO IMPORTATION OF GOODS.—
(1) IN GENERAL.—No provision affecting sanca-
sions under this subtitle or an 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 and test equipment, and excluding technical data.
(c) SUSPENSION.—
(1) IN GENERAL.—Subject to section 1731,
young requirement to impose sanctions under this subtitle or an amend-
mation 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 and test equipment, and excluding technical data.
(d) TERMINATION.—Subject to section 1731,
young requirement to impose sanctions under this subtitle or an 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 2016 (22 U.S.C. 9251) to the appropriate congres-
sional committees.

SEC. 1744. PROCEDURES FOR REVIEW OF CLASSI-
IFIED INFORMATION.
(a) IN GENERAL.—If a finding under 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 (a) of the Classified Information Proce-
dures Act (18 U.S.C. App.) and a court re-
demands a review of the constitutionality of the prohibition, condition, or penalty, the Sec-
tary of the Treasury may submit such in-
formation 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-
TIONS PROGRAMS.
Not later than 90 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—
(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 programs.

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 sub-
section (a) shall include the following:
(1) The Department of the Treasury’s defi-
cision to adopt risk-based approach to combating financing of the proliferation of weapons of mass destruc-
tion.
(2) An assessment of—
(A) Federal financial regulatory agency over-
sight, including by the Financial Crimes En-
forcement Network, of United States fi-
nancial institutions and the adoption by their foreign subsidiaries, branches, and cor-
respondent institutions of a risk-based approach to proliferation financing; and
(B)whether financial institutions in foreign jurisdic-
tions known by the United States intelligence and law enforcement 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 State, the Office of Technical Assistance of the Depart-
ment of the Treasury, and other 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-

Subtitle B—Divestment From North Korea

SEC. 1751. AUTHORITY OF STATE AND LOCAL GOV-
ERNMENTS 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 re-
putational 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 sub-
section (c) if North Korea is subject to eco-
mic sanctions imposed by the United States or the United Nations Security Coun-
cil.
(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 gov-
ernment in, any person that the State or local government determines, using credible and available information, engages in investment activities described in sub-
section (c).
(c) INVESTMENT ACTIVITIES DESCRIBED.—In-
vestment activities described in this sub-
section 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 respect to which a measure is to be applied under this section an opportunity to demon-
strate 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 re-
spect 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), the measure shall not apply to that person.
(c) SENSE OF CONGRESS ON AVOIDING ERO-
NIOUS TARGETING.—It is the sense of Con-
sgress 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—
(1) made every effort to avoid erroneously targeting the person;
(2) verified that the person engages in invest-
ment activities described in subsection (c).
(d) 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.
(e) 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 subsection (d), except 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.

(3) Exemption.—A measure applied by a State or local government that is consistent with subsection (b) or (f) is not preempted by any Federal law.

(b) Definitions.—In this section:

(1) ASSET.—

(A) In general.—Except as provided in subparagraph (B) or clause (ii) of subsection (a) of section 502(a) of title 29, any asset, including any investment fund, that is controlled by a State or local government.

(B) Expiration.—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. 1002(3)), may divest plan assets from, or avoid investing plan assets in, any person that 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

(C) the entry into or renewal of a contract for goods or services.

(2) Notice Requirements.—Except as provided in paragraph (1) and in subsection (a) of section 502(a) of title 29, a State or local government shall—

(A) the fiduciary make 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

(C) the entry into or renewal of a contract for goods or services.

(3) Effective date.—(1) The fiduciary makes that determination using credible information that is available to the fiduciary;

(2) the financial community, should adopt regular policies that promote the coordination of efforts to identify opportunities to disrupt the financial sector for nefarious purposes;
(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 Human 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 other 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) in 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 State, the Secretary of Defense, the Secretary of the Treasury, and each appropriate Federal agency shall coordinate efforts to combat illicit financial activity relating to human trafficking, including the exchange of information and training among financial institutions and other appropriate entities to improve the detection and disruption of human trafficking activity.

(9) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of State, the Secretary of Defense, the Secretary of the Treasury, and each appropriate Federal agency shall coordinate efforts to combat illicit financial activity relating to human trafficking, including the exchange of information and training among financial institutions and other appropriate entities to improve the detection and disruption of human trafficking activity.

(c) RECOMMENDATIONS.—Nothing in this section shall be construed to—
(1) grant any existing authority to the Interagency Task Force to Monitor and Combat Trafficking; or
(2) authorize financial institutions to deny services to or to report or refer to law enforcement officials cases of suspected money laundering related to human trafficking.

(2) the Department of the Treasury should have the appropriate resources to vigorously investigate human trafficking networks under section 111 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7108) and other relevant statutes and Executive orders;

(3) the Department of the Treasury and the Department of Justice should have the appropriate resources to support technical assistance to develop foreign partners’ ability to combat human trafficking through strong national anti-money laundering and countering the financing of terrorism programs;

(4) each United States Attorney’s Office should be provided appropriate funding to increase the number of personnel for community education and outreach and investigatory and forensic analysis related to human trafficking; and

(5) the Department of State should be provided additional resources, as necessary, to carry out the Survivors of Human Trafficking Empowerment Act (section 115 of Public Law 114–122; 129 Stat. 235).

Subtitle D—Miscellaneous

SEC. 1771. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) In General.—The authorities and requirements to impose sanctions under this title or any amendment made by this title shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) Good Defined.—In this section, the term ‘‘good’’ means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

SA 526. 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 E of title V, add the following:

SEC. 569. DEGREE GRANTING AUTHORITY FOR UNITED STATES ARMY ARMAMENT GRADUATE SCHOOL

(a) In General.—Chapter 751 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 7422. Degree granting authority for United States Army Armament Graduate School

“(a) AUTHORITY.—Under regulations prescribed by the Secretary of the Army, the Chancellor of the United States Army Armament Graduate School may recommend to the faculty and provost of the college, confer appropriate degrees upon graduates who meet the degree requirements.

“(b) LIMITATION.—A degree may not be conferred under this section unless—

“(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

“(2) the United States Army Armament Graduate School is accredited by the appropriate civilian academic accrediting entity for the degree.

“(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree
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 assessment questions required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted, a report containing the proposed modification or redesignation and any subsequent recommendation of the Secretary of Defense on the proposed modification or redesignation.

(2) Upon any modification or redesignation of the Secretary of Defense, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the proposed modification or redesignation.

(3) The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the House of Representatives a report containing the proposed modification or redesignation.

SA 527. Mr. CRUZ (for himself, Ms. SINEMA, Mr. SCOTT of Florida, Mr. MARKET, Mr. PETERS, and Mr. WICKER) submitted a copy of the self-assessment required by the Secretary of Defense to the Department of Education on the proposed modification or redesignation.

(4) The Secretary of Defense shall submit to the Senate and the Committee on Science, Space, and Technology, a report containing the proposed modification or redesignation.

(5) Upon any modification or redesignation of the Secretary of Defense, the Secretary shall submit to the Senate and the Committee on Science, Space, and Technology, a report containing the proposed modification or redesignation.

Title XVII—Space Frontier Act

SEC. 1701. SHORT TITLE. This title may be cited as the “Space Frontier Act of 2019”.

SEC. 1702. DEFINITIONS. In this title:

(1) ISS.—The term “ISS” means the International Space Station.

(2) NASA.—The term “NASA” means the National Aeronautics and Space Administration.

(3) NOAA.—The term “NOAA” means the National Oceanic and Atmospheric Administration.

Subtitle A—Streamlining Oversight of Launch and Reentry Activities

SEC. 1711. USE OF COMMERCIAL SPACE TRANSPORTATION.

(a) IN GENERAL.—Section 50921 of title 51, United States Code, is amended—

(1) by inserting “(b) AMENDMENT OF APPLICATIONS.—” before “There” and indenting appropriately; and

(2) by inserting before subsection (b), the following:

“(a) ASSOCIATE ADMINISTRATOR FOR COMMERCIAL SPACE TRANSPORTATION.—The Associate Administrator for Commercial Space Transportation shall serve as the Associate Administrator for Commercial Space Transportation.”

(b) ESTABLISHMENT OF ASSISTANT SECRETARY FOR COMMERCIAL SPACE TRANSPORTATION.—Section 102(e)(1) of title 49, United States Code, is amended—

(1) in the matter following subparagraph (A), by striking “6” and inserting “7”; and

(2) in subparagraph (A), by inserting “Assistant Secretary for Research and Technology.”.

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.—

(A) APPLICATIONS.—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, not later than—

(i) for an applicant that was or is a holder of an existing license under this chapter, or an applicant applying for an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

(ii) for a new applicant, not later than 180 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

(B) NOTICE TO APPLICANTS.—The Secretary shall inform the applicant of any decision not later than—

(i) for an applicant described in subparagraph (C)(i), 60 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

(ii) for a new applicant, not later than 180 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

(E) NOTICE TO CONGRESS.—The Secretary shall submit to the Senate and the Committee on Commerce, Science, and Transportation for the Senate and the Committee on Science, Space, and Technology of the House of Representatives a written notice not later than 30 days after any occurrence when the Secretary has not taken action on a license application within the time frame described in subsection (b)(2)(E).

(f) 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.

(c) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES.—Section 50904 of title 51, United States Code, is amended by adding at the end the following:

“(e) MULITPLE 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:

“(j) 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 TECHNOLOGY.

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 and 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 purposes described in section 50901(b)(2)(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 standards that complement the high-level performance requirements established under paragraph (D); and

(F) makes more efficient use of resources, reduces the regulatory burden for an applicant under this section, and promotes commercial space launch and reentry.
(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 paragraph (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 and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress in carrying out this section.

(2) CONTENTS.—The report shall include:

(A) a summary of the schedule to meet the objective of this section;
(B) a description of any Federal agency resources necessary to meet the objective of this Act; and
(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 subsection 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note) and subject to section 5006(b)(2)(C) of title 51, United States Code, shall ensure, as may be necessary to consolidate or modify the requirements across Federal agencies identified in section 1617(c)(1)(A) of that Act into a single application process, that the persons described in those requirements and expedites the coordination of commercial launch and reentry services.

(2) CHAPTER 06.—

(A) PURPOSES.—Section 50001(b)(3) of title 51, United States Code, is amended, by inserting “all” before “commercial launch and reentry operations’’.

(B) GENERAL AUTHORITY.—Section 50003(b) of title 51, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (3) and (4), respectively; and
(2) by designating paragraph (3), as redesignated, the following:

“(1) consistent with this chapter, authorizes, license, and oversees the conduct of all commercial launch and reentry operations, including any commercial launch or commercial reentry at a Federal range;

“(2) if an application for a license or permit under this chapter includes launch or reentry at a Defense range, coordinate with the Secretary of Defense or designee, to protect any national security interest relevant to such activity including any necessary mitigation measure to protect Department of Defense property and personnel’’;

(3) EFFECTIVE DATE.—This subsection takes effect on the date on which the final rule under section 105(c) is published in the Federal Register.

(b) RULES OF CONSTRUCTION.—Nothing in this title, or the amendments made by this title, may be construed to affect—

(1) section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note); or
(2) the authority of the Secretary of Defense as it relates to safety and security related to launch or reentry at a Defense range.

[c] Technical Amendment; Repeal Redundant Law.—Section 113 of the U.S. Commercial Space Authorization 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(b) 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 shall, 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 Transportation and the Committee on Armed Services of the Senate and the Committee on Science, Space, and Technology of the Senate; and

(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 as a site to provide 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 shall—

(1) identify the current policies and tools used to integrate launch and reentry (as those terms are defined in section 50002 of title 51, United States Code) into the national airspace system;

(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

(3) submit to the appropriate committees of Congress a report on the findings under subparagraphs (1) and (2), including recommendations for how to more efficiently and safely manage the national airspace system.

(b) 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 industry as the Secretary considers appropriate to ensure adequate representation across those industries.

(c) TECHNICAL AMENDMENT.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and
(2) the Committee on Science, Space, and Technology of the House of Representatives;

(3) the Committee on Transportation and Infrastructure of the House of Representatives.

Subtitle B—Streamlining Oversight of Non-governmental Earth Observation Activities

SEC. 1721. NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.

(a) LICENSING OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.—Chapter 601 of title 51, United States Code, is amended—

(1) in section 60101—

(A) by amending 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), (18), and (19), 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; or

“(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 space 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

(2) 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—

(1) the activity conducted in space.

(C) EXCLUSIONS.—The term ‘space activity’ does not include any activity that is
conducted entirely on board or within a space object and does not affect another space object.

(17) SPACE OBJECT. — The term ‘space object’ with respect to 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. Purposes

‘‘(a) IN GENERAL.—The Secretary shall carry out this subchapter.

‘‘(b) Waivers.—

‘‘(1) IN GENERAL.—The Secretary, in consultation with the Director of National Intelligence, and the head of such other Federal agency as the Secretary considers appropriate, may waive a requirement under this subchapter for a nongovernmental Earth observation activity, or for a type or class of nongovernmental Earth observation activities, if the Secretary decides that granting a waiver is consistent with section 6021.

‘‘(2) Standards.—Not later than 120 days after the date of the enactment of the Space Policy Act of 2019, the Secretary shall establish standards, in consultation with the head of such Federal agency, for determining the minimum Earth observation activities that would be eligible for a waiver under paragraph (1).

‘‘(3) Coverage of Authorization.—The Secretary shall, to the maximum extent practicable, require a single authorization for a person—

‘‘(A) to conduct multiple Earth observation activities using a single space object;

‘‘(B) to operate multiple space objects carrying out substantially similar Earth observation activities; and

‘‘(C) to use multiple space objects to carry out a single Earth observation activity.

‘‘(4) Application.—A person seeking an authorization under this subchapter shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require for the purposes described in section 6021, including—

‘‘(A) a description of the proposed Earth observation activity, including—

‘‘(i) a physical and functional description of each space object;

‘‘(ii) the orbital characteristics of each space object, including altitude, inclination, orbital period, and estimated operational lifetime; and

‘‘(iii) a list of the names of all persons that have or will have direct operational or financial control of the Earth observation activity;

‘‘(B) a plan to prevent orbital debris consistent with the United States Orbital Debris Mitigation Standard Practices or any subsequent revision thereof; and

‘‘(C) a description of the capabilities of each instrument to observe the Earth in the conduct of the Earth observation activity.

‘‘(5) Application Status.—Not later than 14 days after the date on which an application is received, the Secretary shall make a determination whether the application is complete or incomplete and notify the applicant of such determination, including, if incomplete, the reason the application is incomplete.

‘‘(6) Review

‘‘(A) IN GENERAL.—Not later than 90 days after the date on which the Secretary makes a determination under subsection (d)(2) that an application is complete, the Secretary shall review all information provided in that application and, subject to the provisions of this subsection, notify the applicant in writing as to whether the application is approved, with or without conditions, or denied.

‘‘(B) Approvals.—The Secretary shall approve an application under this subsection if the Secretary determines that

‘‘(A) the Earth observation activity is consistent with the purposes described in section 6021; and

‘‘(B) the applicant is in compliance, and will continue to comply, with this subchapter, including regulations.

‘‘(C) Denials.—If an application under this subsection is denied, the Secretary—

‘‘(i) shall include in the notification under paragraph (1) a reason for the denial; and

‘‘(ii) shall notify the applicant of the deficiency, including guidance on how to correct the deficiency.

‘‘§ 60122. Authoritative definition of ‘space object’

‘‘(a) IN GENERAL.—The term ‘space object’—

‘‘(17) SPACE OBJECT.—The term ‘space object’ with respect to 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) to manage risk and prevent harm to United States national security;

‘‘(3) to secure the United States national security; and

‘‘(4) to promote the leadership, industrial innovation, and international competitiveness of the United States.

§ 60123. Administrative authority of Secretary

(a) Functions.—In order to carry out the responsibilities specified in this subchapter, the Secretary may—

(A) grant, condition, or transfer licenses or regulations constituting a separate violation of any matter relating to the enforcement of this subchapter or the requirements of a license or regulation issued thereunder; and

(B) make investigations and inquiries and for the attendance and examination of witnesses and for the production of books, papers, documents, records, or other evidence, including guidance on how to correct the deficiency.

(ii) shall sign the notification under paragraph (1) and

(iii) may not delegate the duty under subclause (II).

(iv) 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 copy of the notification.

(b) Interagency Review.—Not later than 3 days after the date on which the Secretary makes a determination under subsection (d)(2) that an application is complete, the Secretary shall consult with the head of each Federal department and agency described in section 6022(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—

(A) makes a determination under subsection (d)(2) that the application is complete, the Secretary shall notify the applicant in writing in which case the applicant may appeal to the Secretary;

(B) within the time specified in clause (ii), that head of another Federal department or agency shall be deemed to have supported approving the application;

(C) a determination under clause (ii) disagrees with a head of another Federal department or agency described in subparagraph (B), that head of another Federal department or agency shall be deemed to have supported approving the application;

(D) a determination under clause (ii) disagrees with a head of another Federal department or agency described in subparagraph (B), that head of another Federal department or agency may make a determination under clause (ii) that the Secretary or the head of another Federal department or agency described in subparagraph (B) disagrees with a head of another Federal department or agency described in subparagraph (B) with respect to a deficiency under this subchapter, the Secretary shall submit the matter to the President, who shall resolve the dispute before the applicable deadline under paragraph (1).

(ii) the Secretary or the head of another Federal department or agency shall—

(A) determine, if applicable, that

(1) 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 which a corrected application under clause (i)(II) is received, make a determination whether to approve the application or not. In making such determination, the Secretary shall consult with—

“(i) at least one head of another Federal department or agency that submitted a notification under subparagraph (B); and

“(ii) the Secretary of State, as applicable, to expedite the review of an application; and

“(iii) the Secretary of Defense, the head of any Federal department, and any other agency, as applicable, to consult with the Secretary of Commerce, Science, and Technology of the United States and the appropriate committees of the Congress concerning the proposed modification or addition to the application.

“(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 a report on the progress of the review of the application including, if applicable, a description of any deficiency and guidance on how to correct the deficiency.

“(5) EXPEDITED REVIEW PROCESS.—Subject to subparagraph (A) and section 6022(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 already licensed under this subchapter.

“(6) ADDITIONAL REQUIREMENTS.—An authorization under this subchapter shall require the authorized person—

“(i) to be in compliance with this subchapter;

“(ii) to notify the Secretary of any significant change in the information contained in the application; and

“(iii) to be 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 on 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 a condition on an authorization under this subchapter.

“(3) INTERAGENCY REVIEW.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall consult with—

“(i) a head of another Federal department or agency described in section 6022(b) that may, without delegation, 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 ASSUMPTIONS.—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 DISSENT.—If the head of a Federal department or agency described in subparagraph (B) or another Federal department or agency described in 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) NOTIFICATION.—Prior to making a modification or addition under subparagraph (A), the Secretary or the head of the Federal department or agency, as applicable, shall—

“(1) provide the President a description 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

“(2) provide the licensee a reasonable opportunity to correct a deficiency identified in clause (i).

“(60125. Annual report)

“(a)(1) 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 a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives on the progress of the implementation of this chapter, including—

“(A) a list of all applications received or pending in the previous calendar year and the status of each such application;

“(B) notwithstanding paragraph (4) of section 60124(e), a list of all applications, in the previous calendar year, for which the Secretary issued the deadline under paragraph (1) of that section, including the reasons the deadline was not met; and

“(C) a description of all actions taken by the Secretary under the administrative authority granted under section 60123.

“(2) CLASSIFIED ANNEXES.—Each report under subsection (a) may include classified annexes as necessary to protect the discloser of sensitive or classified information.

“(c) CESSATION OF EFFECTIVENESS.—This section ceases to be effective 30 September, 2021.

“(60126. Regulations)

“The Secretary may promulgate regulations to implement this subchapter.

“(60127. Relationship to other executive agencies and departments)

“(a) EXECUTIVE AGENCIES.—Except as provided in this subsection 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.);

“(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 purpose of monitoring the United States or for notifying the Landsat Program Management of such conditions.

“(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.

“(6) 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 concerning the ongoing 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 NONGOVERNMENTAL 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 departments.

"RULES OF CONSTRUCTION.—

(1) 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 before the date of 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 amendment 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. 60121 note).

SEC. 1722. RADIO-FREQUENCY MAPPING REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of 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 immittigable 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, engineer-

ing, and mathematics education through utilization of the unique microgravity environment; and

(D) advances human knowledge and international cooperation;

(2) after the United States segment of the ISS is decommissioned, the United States should maintain a national microgravity laboratory in space; and

(3) NASA should continue to promote small business awareness and participation through advocacy and collaborative efforts with internal and external partners, stakeholders, and other microgravity testing environments.

(b) REPORT.—The Administrator of NASA shall produce, in coordination with the National Space Council and other Federal agencies as the Administrator considers relevant, a report detailing the feasibility of establishing a microgravity national laboratory in the United States.

SEC. 1732. MAINTAINING A NATIONAL LABORATORY IN SPACE.

(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, engineer-

ing, and mathematics education through utilization of the unique microgravity environment; and

(D) advances human knowledge and international cooperation;

(2) after the United States segment of the ISS is decommissioned, the United States should maintain a national microgravity laboratory in space; and

(3) NASA should continue to promote small business awareness and participation through advocacy and collaborative efforts with internal and external partners, stakeholders, and other microgravity testing environments.

(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. 18354(d)) is amended by striking “2024” and inserting “2030”.

(d) MAINTAINING USE THROUGH AT LEAST 2030.—Section 70907 of title 51, United States Code, is amended, in the section heading, by striking “2024” and inserting “2030”.

(e) PROGRAM AUTHORIZATION.—The Administrator of NASA may establish a low-Earth orbit commercialization program.
the Bureau of Space Commerce established
and inserting “

activities licensed under chapter 601 of this title;”

(2) coordinating Department policy
impacting commercial space activities and
working with other executive agencies to
promote policies that advance commercial
space activities;”;

(3) subject to subsection (c), activities to
pursue the purposes of the pilot program in the State, the State
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.—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.

(b) MATTERS TO BE INCLUDED.—The reports
under subsection (a) shall include, with re-
spect 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, includ-
ing:

(A) the emplacement of military infra-
structure, equipment, or forces; and

(B) any exercises or other military activi-
ties.

(2) Activities that are non-military in na-
ture but are judged to have military implica-
tions.

(3) An assessment of—

(A) the intentions of such activities;

(B) the extent to which such activities af-
fect 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) REPORTS.—Not later than 30 days after
the date on which an award or agreement is
made under subsection (b)(3), the Adminis-
trator shall submit to 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, includ-
ing 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 require-
ment under subsection (c)(1).

(4) in section 50703—

(a) shall be submitted in classified form, but
may include an unclassified executive sum-
mary.

SEC. 529. Ms. HARRIS submitted an
amendment intended to be proposed by her
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 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 H of title V, add the
following:

SEC. 394. DIRECT EMPLOYMENT PILOT PROGRAM
FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE,
VETERANS, THEIR SPOUSES AND DEPENDENTS,
SPouses and DEPENDENTS OF REG-
ULAR 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 fol-
lowing:

(1) Members of the National Guard and
Reserves in reserve active status.

(2) Veterans of the Armed Forces.

(3) Spouses and other dependents of individ-
uals 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
Secretary, 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 F of title XII, add the
following:

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 Intel-
ligence, shall submit to the congressional de-
signated committee a report on the military
activities of the Russian Federation in the
Arctic region.

(b) CONTENTS.—The report shall include
a description of military activities of
the People's Republic of China in the Arctic region.

(c) FUNDING.—(1) COST-SHARING REQUIREMENT.—As a con-
sequence of 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 Secr-
etary to the State under this section.

(2) FEDERAL FUNDS.—Amounts for funds
appropriated for the pilot program by the Secr-
etary shall be derived from the Defense
Department.

(d) PILOT PROGRAM MODEL.—The pilot
program shall follow a job placement program model that focuses
on working one-on-one with individuals specified in subsection (a) to cost-effectively provide job placement services, including services such as identifying unemployed and underemployed individuals, job matching services, resume editing, interview preparation, and post-employment follow up. Development of the pilot program should be informed by existing State direct employment programs for members of the reserve components and veterans.

(c) Evaluation.—The Secretary shall develop outcome measurements to evaluate the success of the pilot program.

(g) Reporting Requirements.—

(1) Report 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 Secretaries of Labor and the Chief of the National Guard Bureau.

(2) Elements of report.—A report under paragraph (1) shall include the following:

(A) An assessment of the effectiveness and achievements of the pilot program, including the number of members of the reserve components and veterans of 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.

(D) Any other matters considered appropriate by the Secretary of Defense.

(b) Authorization.—The authority to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023, except that the Secretary to carry out the pilot program expires on September 30, 2023.}

### SEC. 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. 559. 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 1168(a) of title 10, United States Code is amended—

(1) by inserting ‘‘(1)’’ before ‘‘A member’’;

(2) by striking ‘‘an armed force’’ and inserting ‘‘the armed forces (including the reserve components)’’;

(3) by striking ‘‘his discharge certificate or active status’’ and inserting ‘‘the appropriate certificate’’;

(4) by striking ‘‘his discharge certificate or active status’’ and inserting ‘‘the appropriate certificate’’;

(5) by striking ‘‘his final pay or a substantial part of that pay’’ and inserting ‘‘the final pay of the member (or a substantial part of that pay)’’;

(6) by striking ‘‘him or his next of kin or legal representative’’ and inserting ‘‘the member (or the next of kin or legal representative of the member)’’;

(7) by adding at the end the following new paragraphs:

2. In paragraph (1), the term ‘‘appropriate certificate’’ means the following:

(A) In the case of a member being discharged, a discharge certificate;

(B) In the case of a member being released from active duty, a certificate of release from active duty;

(C) In the case of a member being released from active status, a certificate of release from active status;

(D) Any certificate of release from active status delivered pursuant to paragraph (1) with respect to a member shall specify the total duration of inactive-duty training performed by the member during the period covered by such certificate.

(b) Conforming Amendments.—

(1) Headings amendment.—The heading of such section is amended by striking the text following ‘‘1168. Discharge or release from active duty or active status: limitations.’’.

(2) Table of sections.—The table of sections at the beginning of chapter 59 of such title is amended by striking the item relating to section 1158 and inserting the following new item:

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1168.</td>
<td>Discharge or release from active duty or active status: limitations.</td>
</tr>
</tbody>
</table>
equipment to capture carbon dioxide directly from the air.

(b) EXCLUSION.—The term ‘direct air capture’ does not include any facility, technology, or system that captures carbon dioxide—

(A) that is deliberately released from a naturally occurring surface spring; or

(B) 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).

(iii) 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—

(A) the competition process; and

(B) the demonstration of performance of approved projects;

(bb) offer financial awards for a project designed—

(A) to the maximum extent practicable, to capture more than 10,000 tons of carbon dioxide per year; and

(B) to be 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—

(A) 1 project in a coastal State; and

(B) 1 project in a rural State.

(II) 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.

(iv) DIRECT AIR 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 determines 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 shall—

(A) not affect the powers of the Board; and

(BB) be filled in the same manner as the original appointment was made.

(IV) PROCEDURES.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

(V) MEETINGS.—The Board shall meet at the call of the Chairperson or on the request of the Administrator.

(VI) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

(VII) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

(VIII) COORDINATION.—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 General 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 paragraph.

(X) FACIA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board.

(4) 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 deriving from the technology in 1 or more entities that are incorporated in the United States—

(A) that are not owned by—

(aa) the applicant; or

(bb) any other entity that received a financial award under this subparagraph; or

(B) that are owned by—

(bb) an entity that is incorporated in the United States, until the expiration of the first patent; and

(bb) the maximum extent practicable, make financial awards to geographically diverse projects, including at least—

(A) 1 project in a coastal State; and

(B) 1 project in a rural State.

(F) TERMINATION.—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.

(ii) DEFINITION OF CARBON DIOXIDE UTILIZATION RESEARCH.—

(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 by the Department of Energy.

(iii) THROUGH THE FIXATION OF CARBON DIOXIDE THROUGH PHOTOSYNTHESIS OR CHEMOSYNTHESIS, SUCH AS THROUGH THE GROWING OF ALGAE OR BACTERIA.

(iv) THROUGH THE CHEMICAL CONVERSION OF CARBON DIOXIDE TO A MATERIAL OR CHEMICAL COMPOUND IN WHICH THE CARBON DIOXIDE IS SECURELY STORED.

(v) THROUGH THE USE OF CARBON DIOXIDE FOR ANY OTHER PURPOSE FOR WHICH A COMMERCIAL MARKET EXISTS, AS DETERMINED BY THE ADMINISTRATOR.

(vi) PROGRAM.—The Administrator, in consultation with the Secretary of Energy, shall carry out a research and development program on carbon dioxide utilization to promote existing and new technologies that transform carbon dioxide generated by industrial processes into a product of commercial value, or as an input to products of commercial value.

(iii) TECHNICAL AND FINANCIAL ASSISTANCE.—Not later than 1 year after the date of enactment of the USE IT Act, in carrying out this subsection, the Administrator, in consultation with the Secretary of Energy, shall carry out a research and development program on carbon dioxide utilization by providing technical assistance and financial assistance in accordance with clause (iv).

(iv) ELIGIBILITY.—To be eligible to receive technical assistance and financial assistance under clause (iii), a carbon dioxide utilization project shall—

(I) have access to an emissions stream generated by a stationary source within the United States that is capable of supplying not less than 250 metric tons per day of carbon dioxide for research;

(II) have access to adequate space for a laboratory and equipment for testing small-scale carbon dioxide utilization technologies, with onsite access to larger test beds for scale-up; and

(III) have existing partnerships with institutions of higher education, private companies, States, or other government entities.

(v) COORDINATION.—In supporting carbon dioxide utilization projects under this paragraph, the Administrator shall consult with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency and the States, to coordinate the institutions of higher education to develop methods and technologies to account for the carbon dioxide emissions avoided by the carbon dioxide utilization projects.

(vi) 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) THROUGH THE FIXATION OF CARBON DIOXIDE THROUGH PHOTOSYNTHESIS OR CHEMOSYNTHESIS, SUCH AS THROUGH THE GROWING OF ALGAE OR BACTERIA.

(iii) THROUGH THE CHEMICAL CONVERSION OF CARBON DIOXIDE TO A MATERIAL OR CHEMICAL COMPOUND IN WHICH THE CARBON DIOXIDE IS SECURELY STORED.

(iv) THROUGH THE USE OF CARBON DIOXIDE FOR ANY OTHER PURPOSE FOR WHICH A COMMERCIAL MARKET EXISTS, AS DETERMINED BY THE ADMINISTRATOR.

(v) THROUGH THE FIXATION OF CARBON DIOXIDE THROUGH PHOTOSYNTHESIS OR CHEMOSYNTHESIS, SUCH AS THROUGH THE GROWING OF ALGAE OR BACTERIA.

(vi) THROUGH THE CHEMICAL CONVERSION OF CARBON DIOXIDE TO A MATERIAL OR CHEMICAL COMPOUND IN WHICH THE CARBON DIOXIDE IS SECURELY STORED.

(vii) THROUGH THE USE OF CARBON DIOXIDE FOR ANY OTHER PURPOSE FOR WHICH A COMMERCIAL MARKET EXISTS, AS DETERMINED BY THE ADMINISTRATOR.

(viii) THROUGH THE FIXATION OF CARBON DIOXIDE THROUGH PHOTOSYNTHESIS OR CHEMOSYNTHESIS, SUCH AS THROUGH THE GROWING OF ALGAE OR BACTERIA.

(ix) THROUGH THE CHEMICAL CONVERSION OF CARBON DIOXIDE TO A MATERIAL OR CHEMICAL COMPOUND IN WHICH THE CARBON DIOXIDE IS SECURELY STORED.

(x) THROUGH THE USE OF CARBON DIOXIDE FOR ANY OTHER PURPOSE FOR WHICH A COMMERCIAL MARKET EXISTS, AS DETERMINED BY THE ADMINISTRATOR.
IN GENERAL.—Not less frequently than once every 2 years, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Commerce and Science 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 dioxide emissions or carbon dioxide levels in the air, in conjunction with other Federal agencies;

(ii) the extent to which the Federal grant programs identified pursuant to clause (ii) overlap or are duplicative.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a report describing how funds appropriated to the Administrator during the most recent fiscal year were used to carry out section 103 of the Clean Air Act (42 U.S.C. 7403), including a description of—

(1) the amount of funds used to carry out specific provisions of that section; and

(2) the practices used by the Administrator to differentiate funding used to carry out that section from funding used to carry out other provisions of law.

d) INCLUSION OF CARBON CAPTURE INFRASTRUCTURE PROJECTS.—Section 4106(b) of the FASTER Act (42 U.S.C. 4505m(b)) is amended—

(1) by adding at the end the following:

(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:

(iii) the amount of funds used to carry out projects for direct air capture, utilization, and sequestration projects” includes projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)));

(ii) the Water Pollution Control Act of 1962 (33 U.S.C. 1251 et seq.); and

(iii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(V) the Endangered Species Act of 1973 (16 U.S.C. 1531 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. 712 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

(X) any other Federal law that the Chair determines to be appropriate.

(e) ENVIRONMENTAL REVIEWS.—The guidance under subparagraph (A) shall include direction to States and other interested parties for the development of programmatic environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(f) PUBLIC INVOLVEMENT.—The guidance under subparagraph (A) shall be subject to the notice, comment, and solicitation of information procedures under section 1506.6 of title 40, Code of Federal Regulations (or successor regulation).

(g) SUBMISSION; PUBLICATION.—The Chair shall—

(1) submit the guidance under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(2) as soon as practicable, make the guidance publicly available.

(h) EVALUATION.—The Chair shall—

(1) periodically evaluate the reports of the task forces under paragraph (4)(E) and, as necessary, revise the guidance under subparagraph (A); and

(2) each year, submit to the Committee on Environment and Public Works of the Senate, the Committee on Energy and Commerce of the House of Representatives, and relevant Federal agencies a report that describes any recommendations, rules, revisions to rules, or other policies that would address the issues identified by the task forces under paragraph (4)(E).

(4) TASK FORCE (A) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Chair shall establish not less than 2 task forces, which shall cover a different geographical area with differing demographic, land use, or geological issues—

(i) to identify permitting and other challenges and successes that permitting authorities and project developers and operators face; and

(ii) to improve the performance of the permitting processes and coordination for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) MEMBERS AND SELECTION.—

(i) IN GENERAL.—The Chair shall—

(I) develop criteria for the selection of members to each task force; and

(II) select members for each task force in accordance with subclause (I) and clause (ii).

(ii) MEMBERS.—Each task force—

(I) shall include not less than 1 representative of each of—

(aa) the Environmental Protection Agency;

(bb) the Department of Energy;

(cc) the Department of Interior; and

(dd) any other Federal agency the Chair determines to be appropriate;
In the table in section 4601, in the item relating to Subtotal Air National Guard, strike the amount in the Senate Authorized column and insert "9,243,709".

In the table in section 4601, insert after the item relating to Rosecrans Memorial Airport the following new item:

Ohio Rickenbacker International Airport

Small areas range ......................................................... 0 8,000

$8,000,000

In the table in section 4601, insert after the item relating to Rosecrans Memorial Airport the following new item:

Ohio Rickenbacker International Airport

Small areas range ......................................................... 0 8,000

$8,000,000
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:

Strike section 1234 and insert the following:

SEC. 1234. 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:

“(11) 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), by striking “coastal defense and anti-ship missile systems.”;

(3) in subsection (c), by amending paragraph (5) to read as follows:

“5. LETHAL ASSISTANCE.—Of the funds available for fiscal year 2020 pursuant to subsection (i)(6), $100,000,000 shall be available only for lethal assistance described in paragraphs (2), (3), (11), (12), and (14) of subsection (b);”;

(4) in subsection (f), by adding at the end the following new paragraph:

“(5) For fiscal year 2020, $300,000,000.”;

(5) in subsection (h), by striking “December 31, 2021” and inserting “December 31, 2022”;

(6) by redesigning the second subsection (g) as subsection (i); 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 amendment, the Secretary of Defense, in coordination with the Secretary of State, shall submit a report to the congressional defense committees on the capability and capacity requirements of the military forces of Ukraine.

(2) MATTERS TO BE INCLUDED.—The report under paragraph (1) shall include the following:

(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.

(E) A future-years defense plan for 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:

On page 542, strike lines 14 through 18, and insert the following:

“(14) Coastal defense and anti-ship missile systems.”;

(SA 538. 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:

Strike section 1233 and insert the following:

SEC. 1233. EXTENSION AND MODIFICATION OF LIMITATION ON MILITARY CO-OPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 4398), 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 ending “;” and

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

“(b) 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:

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

SEC. 2806. REPORT ON UNFUNDED REQUIREMENTS FOR FURNITURE AND MORTAR MILITARY CONSTRUCTION PROJECTS FOR CHILD DEVELOPMENT CENTERS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Under Secretary for 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.

(b) INCLUSION OF FORM.—Each report submitted under subsection (a) shall include a Department of Defense Form DD1391 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:

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

SEC. 2806. MODIFICATION AND CLARIFICATION OF LIMITATION REGARDING THE AUTHORIZATION OF FISCAL YEAR 2020 APPROPRIATIONS FOR DEFENSE ACTIVITIES OF THE DEPARTMENT OF ENERGY.

(a) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—Section 2804 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:

“(c) 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) In the event of a national emergency declaration in which the construction authority described in subsection (a) will be used, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $100,000,000.

(b) ADDITIONAL CONDITION ON SOURCE OF FUNDS.—Section 2808(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

SEC. 2808. MODIFICATION AND CLARIFICATION OF LIMITATION REGARDING THE AUTHORIZATION OF FISCAL YEAR 2020 APPROPRIATIONS FOR DEFENSE ACTIVITIES OF THE DEPARTMENT OF ENERGY.

(a) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—Section 2804 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:

“(c) 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) In the event of a national emergency declaration in which the construction authority described in subsection (a) will be used, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $100,000,000.

(b) ADDITIONAL CONDITION ON SOURCE OF FUNDS.—Section 2808(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

SEC. 2808.
(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 striking 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 such appropriation has been cancelled, for a reason other than to provide funds to carry out 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; and
(2) 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 required by paragraph (1) is received by the appropriate committees of Congress.”

(c) CLERICAL AMENDMENTS.—Section 2808 of title 10, United States Code, is further amended—
(1) in subsection (a), by inserting “Construction Authorized,——” after “(a)”;
(2) in subsection (e), as redesignated by subsection (a)(1), by inserting “Notification Requirement—”(1) after “(e)”; and
(3) in subsection (f), as redesignated by subsection (a)(1), by inserting “Termination of Authority—” after “(f)”.

SA 541. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him and the Senators from the District of Columbia and the Virgin Islands, 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:—

SEC. 10. REVISION OF FEDERAL CHARTER RESTRICTIONS ON GOLD STAR WIVES OF AMERICA.—
Section 80507(b) of title 36, United States Code, is amended—
(1) in clause (1), by striking “or in any manner attempt to influence legislation”;
(2) in clause (2), by inserting “or” after “in”; and
(3) in paragraph (3), by striking “the” and inserting “the”.

SA 542. Mr. COONS (for himself, Mr. GARDNER, Mrs. GILLIBRAND, Mr. TILLIS, Ms. HASSAN, Mr. PETERS, Mr. MORAN, Mr. RUBIO, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him and the Senators from the District of Columbia and the Virgin Islands, 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; and

SEC. 11. 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 “or 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)(1) of paragraph (1), by striking “and tool development for microelectronics” both places it appears and inserting “and tool development for microelectronics, electronics, food manufacturing, superconductors, advanced battery technologies, robotics, advanced sensors, quantum information science, supply chain management, 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 “paragraph (1)(A)”;

(3) in paragraph (4)—
(A) in subparagraph (C)—
(i) in clause (i), by striking “;” and inserting a semicolon;
(ii) in clause (ii)—
(I) by inserting “, including appropriate measures for assessing the effectiveness of the activities funded by Federal funds with regards to the center’s success in advancing the current state of the applicable advanced manufacturing technology area such as technology readiness level and manufacturing readiness level,” after “measures”; and
(II) by striking the period at the end and inserting a semicolon;
(iii) in clause (iii), by adding at the end the following:—
(III) to confirm whether the performance of the center is meeting the standards for performance established under clause (ii);”;
(B) in subparagraph (D), by inserting “, and including, as appropriate, the Department of Agriculture, the Department of Defense, 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”; and
(C) in subparagraph (E)—
(i) in clause (i), by striking “without the need for long-term Federal funding”; and
(ii) in clause (ii), by striking “significantly”;
(iii) in clause (iii), by inserting “and to improve the domestic supply chain” after “technologies”; and
(iv) in clause (iv), by inserting “and to leverage the” after “other”.

(d) by inserting in paragraph (5)—

June 13, 2019
(A) by striking subparagraph (A) and inserting the following:

""(1) PERFORMANCE DEFICIENCY.—

""(i) NOTICE OF DEFICIENCY.—If the Secretary determines that a center for manufacturing innovation does not meet the standards for performance established under clause (ii) of paragraph (4)(C) during an assessment pursuant to such paragraph, the Secretary shall notify the center of any deficiencies in the performance of the center and its activities.

""(ii) FAILURE TO REMEDY.—If a center for manufacturing innovation fails to remedy a deficiency notified under clause (i), such amounts as may be necessary to provide the center one year to remedy such deficiencies.

""(B) in subparagraph (B), by striking ""large capital facilities or equipment'';

""(1) by amending subparagraph (A) to read ""(A) improving the connectedness and strategic orientation of the region through planning, technical assistance, and communication among participants of a regional innovation initiative;"

""(B) in subparagraph (B), by striking ""and"" and inserting ""or any other territory or possession of the United States.

""(C) by redesigning 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 collaboration with the National Aeronautics and Space Administration, Defense, the Department of Education, the Department of Agriculture, 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;"
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 containing such information and assurances as the Secretary specifies.

(B) COMPONENTS.—Each application submitted under subparagraph (A) shall—

(i) describe the regional innovation initiative;

(ii) indicate whether the regional innovation initiative is supported by the private sector, State and local governments, and other relevant stakeholders; and

(iii) identify 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;

(vi) indicate 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) SPECIFIC 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 rural 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.

(7) REGIONAL INNOVATION RESEARCH AND INFORMATION PROGRAM.—

(A) IN GENERAL.—As part of the program established pursuant to subsection (b), the Secretary shall establish a regional innovation research and information program.

(B) COMPONENTS.—Each application submitted under subparagraph (A) shall—

(i) describe the regional innovation initiative;

(ii) the region's 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.

(8) 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.

(9) DISSEMINATION OF INFORMATION.—Data and analysis relating to any grant awarded under subsection (c) into the program established under this section.

(10) INTERAGENCY COORDINATION.—

(A) IN GENERAL.—To the maximum extent practicable, the Secretary shall ensure that all 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) SMALL BUSINESS.—The Secretary shall ensure that such collaboration with Federal agencies prioritizes the needs and challenges of small businesses.

(11) EVALUATION.—The Secretary shall conduct an evaluation of programs established under this section.

(12) REPORTING REQUIREMENT.—Not later than 5 years after the Secretary receives a report or assessment under paragraph (11), the Secretary shall report to Congress that describes the outcome of each regional innovation initiative that was completed during the previous 5 years.

(13) 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 fiscal years 2019 to 2024 to carry out this section.

SA 543. Mr. TOOMEY (for himself, Mr. JONES, Mrs. CAPITO, 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. 5. BLOCKING FENTANYL IMPORTS.

(a) SHORT TITLE.—This section may be cited as the “Blocking Deadly Fentanyl Imports Act”.

(b) AMENDMENT TO DEFINITION OF MAJOR IL ICIT DRUG PRODUCING COUNTRY.—Section 481(e)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking “in which”;

(2) in subparagraph (A), by inserting “in which” before “1,000’’;

(3) in subparagraph (B)—

(A) by inserting “in which” before “5,000’’;

and

(B) by striking “or” at the end;

(4) in subparagraph (C)—

(A) by inserting “in which” before “5,000’’;

and

(B) by inserting “or” after the semicolon;

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;”.

(c) 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 chemicals described in subparagraph (A) for illicit uses, to the extent feasible.

(B) An identification of the countries that are the most significant sources of diversion or chemicals described in subparagraph (A) from being exported from such country to the United States.”.

(d) WITHHOLDING OF BILATERAL AND MULTILATERAL ASSISTANCE.—

(1) IN GENERAL.—In general, section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(a)) is amended—

(A) by striking clause (i) of section 490(a)(5)(C) of this Act; and

(B) by adding at the end the following:

“(D) to the extent feasible, to withhold assistance from—

(i) each country that has not cooperated with the United States to prevent the chemicals described in subparagraph (A) to be exported from such country to the United States;”.

(2) 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) IN GENERAL.—Section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(a)) is amended—

(A) by striking “in which”;

(B) by inserting “in which” before “5,000’’;

and

(C) 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;”.

(2) AMENDMENT OF SECTION 489.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(a)) is amended—

(A) by striking “in which”;

(B) by striking “or” at the end;
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 loan 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, the 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 5 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 under 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:

**DIVISION C.—RESPONSE TO EBOLA OUTBREAK**

**SEC. 1531. TRANSFER AUTHORITY FOR EBOLA RESPONSE.**

(a) **IN GENERAL.**—The Secretary of Defense may transfer amounts of authorizations made available to the Department of Defense by this Act for any fiscal year to support the other authorizations for that fiscal year to support efforts of the United States Agency for International Development, the Centers for Disease Control and Prevention, and the overseas humanitarian disaster and civic aid program of the Department to address the Ebola outbreak in the Democratic Republic of Congo and surrounding countries.

(b) **NOTIFICATION OF CONGRESS.**—Not later than 15 days before the date on which a transfer under subsection (a) is carried out, the Secretary shall notify the appropriate committees of Congress of such transfer.

**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 House of Representatives.

SA 548. Mr. BURR (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 appropriate place, insert the following:

**DIVISION A.—FOREIGN RELATIONS AUTHORIZATIONS FOR FISCAL YEAR 2020**

**SEC. 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This division may be cited as the ‘‘Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Year 2020’’.

(b) **TABLE OF CONTENTS.**—The table of contents for this division is as follows:
INTRODUCTION

At the heart of our nation’s security is a centralized intelligence community, responsible for gathering and analyzing information to protect our country and our citizens. This community plays a crucial role in ensuring the safety and sovereignty of the United States. In this document, we will examine various aspects of the intelligence community, including its activities, funding, and oversight.

**Title I—Intelligence Activities**

These provisions encompass the core functions of the intelligence community, including the conduct of intelligence activities, protection of classified information, and the management of personnel. The funding authorized for these activities is essential for the effective operation of the intelligence community.

**Title II—Central Intelligence Agency Retirement and Disability System**

This title addresses the retirement and disability benefits for personnel of the Central Intelligence Agency. It ensures that these employees are adequately compensated for their service to the nation.

**Title III—Intelligence Community Matters**

The provisions in this title focus on matters specific to the intelligence community, such as the oversight of foreign influence, the establishment of an intelligence community oversight board, and the protection of whistleblowers.

**Title IV—Reports and Other Matters**

This title contains various reports and oversight mechanisms to ensure transparency and accountability within the intelligence community. It includes the Director of National Intelligence’s annual report on foreign employment of the Central Intelligence Agency, among other things.
(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 1319.13, establish policies to have in effect on or before the date of the enactment of this Act—

(1) not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall develop—

(A) a process for assessing key phases in the onboarding described in paragraph (3) for which results will be reported by the date that is 90 days after the date of such issuance;

(2) 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;

(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 oversight mechanisms to facilitate the rotation of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community;

(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 policies and procedures to facilitate the rotation of personnel 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. 204. 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, procedures, and processes 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 temporary detail of an employee of such element 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 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 concerns agree to detail its employees to the intelligence community under this section.

(2) DETAIL AUTHORITY.—Under policies developed by the Director pursuant to subsection (a), the Director shall establish oversight mechanisms to determine whether the public-private exchange authorized by this section improves the efficiency and effectiveness of the intelligence community.

(d) DEFINITIONS.—In this section:

(1) the term "intelligence community," means the elements of the intelligence community which 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.

(F) the Central Intelligence Agency.

(G) the National Geospatial-Intelligence Agency.

(H) the National Reconnaissance Office.

(I) the National Security Agency.

(J) the Defense Intelligence Agency.

(K) the National Security Council.

(L) the Director of National Intelligence.

(M) the National Geospatial-Intelligence Agency.

(N) the National Reconnaissance Office.

(O) the National Security Agency.

(P) the Defense Intelligence Agency.

(Q) the National Geospatial-Intelligence Agency.

(R) the National Reconnaissance Office.

(S) the National Security Agency.

(T) the Defense Intelligence Agency.

(U) the National Geospatial-Intelligence Agency.

(V) the National Reconnaissance Office.

(W) the National Security Agency.

(X) the Defense Intelligence Agency.

(Y) the National Geospatial-Intelligence Agency.

(Z) the National Reconnaissance Office.

(aa) the National Security Agency.

(bb) the Defense Intelligence Agency.

(cc) the National Geospatial-Intelligence Agency.

(dd) the National Reconnaissance Office.

(2) the term "onboarding process in covered elements of the intelligence community on their onboarding processes.

(3) the term "intelligence community" means the elements of the intelligence community which 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.

(f) ADDITIONAL ADMINISTRATIVE MATTERS.—In carrying out this section, the Director, pursuant to subsection (a), may develop procedures for the旋转 of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community.

(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 concerns agree 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 be best used to help meet the needs of the intelligence community, including with respect to the training of employees;

(4) shall take into consideration areas of private-sector expertise that are critical to the intelligence community;

(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.—In this section:

(1) 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 an element of the intelligence community who is detailed to a private-sector organization.

(B) the assignment or loan of an employee of an element of the intelligence community to an element of the intelligence community who is detailed to an organization to an employee detailed to an element of the intelligence community for the period of the detail and any subsequent renewal periods.

(i) ADDITIONAL ADMINISTRATIVE MATTERS.—In carrying out this section, the Director, pursuant to subsection (a), may develop procedures for the旋转 of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community.

(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 concerns agree 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 be best used to help meet the needs of the intelligence community, including with respect to the training of employees;

(4) shall take into consideration areas of private-sector expertise that are critical to the intelligence community;

(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.—In this section:

(1) 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 an element of the intelligence community who is detailed to an element of the intelligence community who is detailed to a private-sector organization.

(B) the assignment or loan of an employee of an element of the intelligence community to an element of the intelligence community who is detailed to an organization to an employee detailed to an element of the intelligence community for the period of the detail and any subsequent renewal periods.

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(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 concerns agree 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 be best used to help meet the needs of the intelligence community, including with respect to the training of employees;

(4) shall take into consideration areas of private-sector expertise that are critical to the intelligence community;

(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.—In this section:

(1) 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 an element of the intelligence community who is detailed to a private-sector organization.

(B) the assignment or loan of an employee of an element of the intelligence community to an element of the intelligence community who is detailed to an organization to an employee detailed to an element of the intelligence community for the period of the detail and any subsequent renewal periods.

(i) ADDITIONAL ADMINISTRATIVE MATTERS.—In carrying out this section, the Director, pursuant to subsection (a), may develop procedures for the旋转 of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community.

(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 concerns agree 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 be best used to help meet the needs of the intelligence community, including with respect to the training of employees;

(4) shall take into consideration areas of private-sector expertise that are critical to the intelligence community;

(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.—In this section:

(1) 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 an element of the intelligence community who is detailed to a private-sector organization.

(B) the assignment or loan of an employee of an element of the intelligence community to an element of the intelligence community who is detailed to an organization to an employee detailed to an element of the intelligence community for the period of the detail and any subsequent renewal periods.

(i) ADDITIONAL ADMINISTRATIVE MATTERS.—In carrying out this section, the Director, pursuant to subsection (a), may develop procedures for the旋转 of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community.

(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 concerns agree 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 be best used to help meet the needs of the intelligence community, including with respect to the training of employees;

(4) shall take into consideration areas of private-sector expertise that are critical to the intelligence community;
amended by inserting after section 304 the

SEC. 304. EXPANSION OF SCOPE OF PROTECTIONS FOR IDENTITIES OF COVERT AGENTS.

Section 605(a) of the National Security Act of 1947 (50 U.S.C. 3126(a)) is amended—

(1) in subparagraph (A)—

(A) by striking clause (ii);

(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), by striking ‘‘re- sides and acts outside the United States’’ and inserting ‘‘acts outside the United States’’.

SEC. 305. EXPANSION OF SECURITY RISKS IN PROGRAM MANAGEMENT PLANS REQUIRED FOR ACQUISITION OF MAJOR ITEMS 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 ‘‘security risks,’’ after ‘‘schedule,’’.

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 son or daughter, 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 necessary to accommodate a health condition connected to the birth of a son or daughter, the element shall handle the scheduling consistent with the treatment of employees who are using leave under subparagraph (C) or (D) of section 6332(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); and

(2) paid parental leave under subsection (a)—

(A) shall be payable from any appropriation or other fund; or

(B) may not be considered to be annual or vacation leave for purposes of section 5551 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) and may be granted only to the extent that the employee does not receive a total of more than 12 weeks 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 a 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 for the same placement; and

(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; and

(H) may not be used during off-season (nonpay status) periods for employees with seasonal work schedules.

(d) IMPLEMENTATION PLAN.—Not later than 1 year after the date of enactment of this section, the Director of National Intelligence shall submit to the congressional intelligence committees an implementation plan that includes—

(1) processes and procedures for implementing the paid parental leave policies under subsections (a) through (c);

(2) an explanation of how the implementation of subsections (a) through (c) will be reconciled with policies of other elements of the Federal Government, including the impact on elements funded by the National Intelligence Program that are housed within agencies outside the intelligence community;

(3) the projected impact of the implementation of subsections (a) through (c) on the workforce of the intelligence community, including take rates, retention, recruiting, and morale, broken down by each element of the intelligence community; and

(4) all costs and associated expenses associated with the implementation of subsections (a) through (c).

(e) EFFECT.—Not later than 90 days after the Director of National Intelligence submits the implementation plan under subsection (d), the Director of National Intelligence shall submit a written directive to implement this section, which directive shall take effect on the date of issuance.

SEC. 311. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES AND RIGHT TO APPEAL.

(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 section 801B and any procedural rules 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 the enactment of this subsection, the President shall publish in the Federal Register the procedures established pursuant to subsection (a); or

(2) UPDATE.—Whenever the President makes a 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.—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.

(b) CLASSIFIED INFORMATION.—The term ‘classified information’ includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

SEC. 355. RIGHTS OF PERSONS ENTERING THE MILITARY SERVICES WITH RESPECT TO ACCESS TO NATIONAL SECURITY INFORMATION;

SEC. 356. TRENDS IN NATIONAL SECURITY 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(e) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3302)."

"(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 to the Constitution;

"(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) by the head of the agency on behalf of the agency, or

"(B) by the agency in a manner that fails to provide for a hearing and appeal under this subsection if—

"(i) the head of the agency denies or revokes the covered person's eligibility for access to classified information; and

"(ii) notice of the right of the covered person to a hearing and appeal under this subsection is timely received by the agency.

"(4) An appeal of the head of the agency shall be filed with the office established under subparagraph (A), or such other authority as is designated to hear and review appeals of the agency.

"(c) Hearings.—If an appeal is timely received by the agency, the agency shall provide an opportunity for a hearing and appeal, which shall be conducted by the head of an agency in a manner consistent with the interests of national security.

"(2) Federal Authorization and Transparency.—The head of an agency that establishes a panel under subparagraph (A) shall ensure that the panel is composed of at least three members who are known as the 'Privacy Act of 1974'); and

"(c) 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 board as the head of the agency determines.

"(iv) The head of the agency shall provide—

"(I) detailed explanation of the basis for the determination

"(II) notice of the right of the covered person to a hearing and appeal under this subsection.

"(5) Right to Counsel.—The right to counsel of a covered person at any point in the process determined by the agency head.

"(a) Definitions.—In this section:

"(1) Agency.—The term 'agency' means an Executive agency in section 3002 of the National Security Act of 1947 (50 U.S.C. 812).

"(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 issued an authorized conditional offer of employment for a position that requires access to classified information; and

"(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) Need for Access.—The term 'need for access' means such term as defined by the head of an agency.

"(c) Security Executive Agent.—The term 'Security Executive Agent' means the officer serving as the Security Executive Agent pursuant to section 803.

"(d) Right to Privacy.—In general.—Not later than 180 days after the enactment of the Intelligence Reform and Terrorism Prevention Act of 2004, the head of each agency shall—

"(1) establish a panel to hear and review appeals of the agency under this section.

"(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:

"(i) 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 determines to be consistent with the interests of national security and as permitted by other applicable provisions of law; and

"(II) notice of the right of the covered person to a hearing and appeal under this subsection.

"(II) Not later than 30 days after receiving a request for review of a decision of an investigating entity, the head of the agency shall provide 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 522 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.

"(III) The head of the agency shall have the opportunity to retain counsel or other representation at the covered person's expense.

"(ii) 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, counsel or other representation retained by the covered person shall have access to classified information for the limited purposes of such appeal.

"(iv) The head of the agency shall provide—

"(aa) to appear personally before an adjudicator or other authority, other than the investigating entity, and to present to such authority relevant documents, materials, and information, including evidence that past problems relating to the denial or revocation have been overcome or sufficiently mitigated; and

"(bb) to call and cross-examine witnesses before such authority, unless the head of the agency determines that calling and cross-examining witnesses is not consistent with the interests of national security.

"(ii) The head of the agency shall make, as part of the security record of the covered person, a written summary, transcript, or record of any appearance under item (aa) of such subclause (I) or calling or cross-examining of witnesses under item (bb) of such subclause.

"(III) On or before the date that is 30 days after the date on which the covered person receives copies of documents under clause (ii), the covered person may request a hearing of the decision to deny or revoke by filing a written appeal with the head of the agency.

"(B) A requirement that each review of a decision under this subsection is completed on average not later than 180 days after the date on which a hearing is requested under subparagraph (A)(v).

"(I) Agency Review Panels.—

"(A) 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.

"(B) Terms.—The term of service on an agency panel established under subparagraph (A) shall not exceed 2 years.

"(C) Decisions.—

"(i) Written.—Each decision of an agency panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

"(ii) 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 appropriate provisions of law.

"(III) Overturn.—The head of an agency may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head personally exercises the authority granted by this clause to overturn such decision.

"(iv) Finality.—Each decision of a panel established under subparagraph (A) or overturned pursuant to clause (iii) of this subparagraph shall be final and not subject to appeal and review under subsection (c).

"(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 board as the head of the agency determines.

"(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 the 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 access to classified information for the limited purposes of such appeal.

"(F) Extent of Access.—

"(a) Representation by Counsel.—

"(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 the 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—

"(i) provide compensation, in an amount not to exceed $300,000, for any loss of wages or benefits suffered, or expenses otherwise incurred, by reason of such improper denial or revocation.

"(ii) Public disclosure.—The agency shall provide an explanation of the basis for the denial or revocation in the form of a report to the Congress, including—

"(I) a description of the reasons for the denial or revocation;

"(II) notice of the right of the covered person to a hearing and 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 104-204); and

(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information;

(iii) made available on a website that is searchable by members of the public.

(3) 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 each request by the panel for access to classified information, such request not to 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, such request not to be made available to a covered person.

(C) REPORTING.—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 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:

(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 may be 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 or court.

"(4) REPORTING.—

"(A) CASH-BY-CASH.—

"(i) IN GENERAL.—In each case in which the head makes a determination 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) 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 SUITABILITY.—No person may use a determination of suitability under part 731 of title 5, Code of Federal Regulations, as in effect on the date of the enactment of this Act, for a security clearance and the average time of the adjudication of such claim, the Inspector General of the Intelligence Community may, at the discretion of the Inspector General, convene an external review panel to review the claim pursuant to enactment of claim under section 1104; or

"(h) SHARING OF POLICIES AND PROCEDURES REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Director of the National Intelligence University may commence any activity to develop policies and procedures by which appropriate industry partners may directly affect their industry partners.

Subtitle C—Inspector General of the Intelligence Community

SEC. 321. DEFINITIONS.

"(a) A UTHORITY TO CONVENE EXTERNAL REVIEW PANEL.—

"(b) SHARING OF POLICIES AND PROCEDURES REQUIRED.—

"(c) EXTERNAL REVIEW PANEL CONVENED.—

"(d) CLAIMS AND INDIVIDUALS DESCRIBED.—

A claim described in this subsection is any—

"(1) claim by an individual—

"(A) that the individual has been subjected to an adverse personnel action that is prohibited under section 1104; and

"(B) who has exhausted the applicable review process for the claim pursuant to enactment of such claim by an external review panel convened under subsection (c),

"(2) claim by an individual—

"(A) that he or she has been subjected to a reprisal prohibited by paragraph (1) of section 801 of the National Security Act of 1947, as added by section 301 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(i)),

"(B) who received a decision on an appeal or other review process for the claim pursuant to enactment of such claim, the Inspector General of the Intelligence Community may, at the discretion of the Inspector General, convene an external review panel to review the claim pursuant to enactment of such claim under section 1104; or

"(c) EXTERNAL REVIEW PANEL CONVENED.—

"(1) DISCRETION TO CONVENE.—Upon receipt of a claim under subsection (b), the Inspector General shall, not later than 30 days after the date on which the head makes a determination under paragraph (2) of such claim, the Inspector General of the Intelligence Community may, at the discretion of the Inspector General, convene an external review panel to review such claim pursuant to enactment of such claim, the Inspector General of the Intelligence Community may, at the discretion of the Inspector General, convene an external review panel to review such claim.
the Inspector General, convene an external review panel under this subsection to review the claim.

(2) MEMBERSHIP.—

(A) In general.—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, one case-by-case basis from among inspectors general of the following:

(a) The Department of Defense;

(b) The Department of Energy;

(c) The Department of Homeland Security;

(d) The Department of Justice;

(e) The Department of State;

(f) The Department of the Treasury;

(g) The National Reconnaissance Office;

(h) The National Security Agency;

(B) In general.—An inspector general of an agency may not be selected to sit on the panel under subparagraph (A) to review any matter relating to a decision made by such agency;

(C) CHAIRPERSON.—

(I) In general.—Except as provided in clause (ii), the chairperson of any panel convened under this section shall be the Inspector General of the Intelligence Community;

(II) Selection of chairperson.—The Inspector General of the Intelligence Community may select a chairperson from inspectors general of the intelligence community who has a complaint against an inspector general in the intelligence community who finds cause to recuse himself or herself from a panel convened under this subsection, the Inspector General of the Intelligence Community shall—

(A) select a chairperson from inspectors general of the elements listed under subparagraph (A) whom the Inspector General of the Intelligence Community considers appropriate; and

(B) notify the congressional intelligence committees of such selection.

(3) PERIOD OF REVIEW.—Each external review panel convened under this subsection to review a claim shall complete review of the claim not later than 270 days after the date on which the Inspector General convenes the external review panel.

(4) REPORT.—

(A) PANEL RECOMMENDATIONS.—If an external review panel convened under subsection (c) determines, pursuant to a review of a claim under paragraph (1) that the individual is the subject of a personnel action prohibited under subsection (a) or was subjected to a reprisal prohibited by section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)), the panel may recommend that the agency head take corrective action.

(A) In the case of an employee or former employee—

(I) to return the employee or former employee, as nearly as practicable and reasonable, to the position such employee or former employee would have held had he or she not been the subject of the personnel action prohibited under subsection (a), or the subject of the reprisal prohibited by section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)), the panel may recommend that the agency head take corrective action.

(B) In any other case, such action as the external review panel considers appropriate.

(B) AGENCY ACTION.—

(A) In general.—Not later than 90 days after the date on which the head of an agency receives a recommendation from an external review panel under paragraph (1), the head shall—

(i) give full consideration to such recommendation; and

(ii) as appropriate: submit such recommendation to the Director of the National Intelligence for review, and review the recommendation with the Director of the National Intelligence of what action the head has taken with respect to the recommendation.

(C) FAIRNESS TO INFORM.—The Director shall notify the President of any failures to comply with subparagraph (A)(ii).

(D) ANNUAL REPORTS.—

(i) In general.—Not less frequently than once each year, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees an annual report on the activities under this section during the previous year.

(ii) Contents.—Subject to such limitations as the Inspector General of the Intelligence Community considers necessary to protect the privacy of an individual who has made a claim described in subsection (b), each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

(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 panel.

(E) TRANSPARENCY AND PROTECTION.—In developing recommendations under subsection (a), the Inspector General of the Intelligence Community shall make efforts to maximize transparency and protect whistleblowers.

SEC. 324. INTELLIGENCE COMMUNITY OVERSIGHT OF AGENCY WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—

(1) In general.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Intelligence Community, in consultation with the Intelligence Community Inspectors General Forum, shall complete a feasibility study on establishing a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(2) ELEMENTS.—The feasibility study conducted pursuant to paragraph (1) shall include the following:

(A) The anticipated number of annual whistleblower complaints received by all elements of the intelligence community.

(B) Findings from the system established pursuant to subsection (b).

(c) PRIVACY PROTECTIONS.—

(1) IN GENERAL.—The report submitted pursuant to paragraph (1) shall include the following:

(A) A discussion of whether and to what extent reporting pursuant to subsection (a) will provide appropriate authorities and mechanisms to provide an external review panel as described in paragraph (1) and for the purposes described in such paragraph 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.

SEC. 325. REPORT ON CLEARED WHISTLEBLOWER ATTORNEYS.

(a) REPORT REQUIRED.—Not later than 1 year after the date of 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 report submitted pursuant to subsection (a) shall include the following:

(1) The number of whistleblowers in the intelligence community that 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).
TITLE IV—REPORTS AND OTHER MATTERS

SEC. 401. STUDY ON FOREIGN EMPLOYMENT OF FORMER PERSONNEL OF INTELLIGENCE COMMUNITY.

(a) Study.—The Director of National Intelligence, in coordination with the Secretary of Defense and the Secretary of State, shall conduct a study of matters relating to the foreign employment of former personnel of the intelligence community.

(b) Elements.—The study conducted pursuant to subsection (a) shall address the following:

(1) issues that pertain to former employees of the intelligence community working with, or in support of, foreign governments, and the nature and scope of those concerns.

(2) Such legislative or administrative action as may be necessary for both front-end screening and in-progress oversight by the Director of Defense Trade Controls of licenses issued by the Director for former employees of the intelligence community working for foreign governments.

(3) How increased requirements could be imposed for periodic compliance reporting when licenses are granted for companies or organizations employing former personnel of the intelligence community to execute contracts with foreign governments.

(c) Report and Plan.—

(1) Definition of Appropriate Committees of Congress.—In this subsection, the term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

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

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

(2) 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 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).

(a) Analysis.—

(1) 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 of National Intelligence considers appropriate, submit to the congressional intelligence committees a comprehensive 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.

(2) Form of Assessment.—The assessment submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 403. ANNUAL REPORT OF AND PERIODIC BRIEFINGS ON MAJOR INITIATIVES OF INTELLIGENCE 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 conduct a study of matters relating to the artificial intelligence community entitled "Augmenting Intelligence Using Machine Learning," including efforts at the Joint Artificial Intelligence Center (JAIN) and Project Maven.

(B) Complement each other and avoid unnecessary duplication.

(C) Are coordinated with the efforts of the Defense Department on artificial intelligence, including efforts at the Joint Artificial Intelligence Center (JAIN) and Project Maven.

(D) 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, the Director of National Intelligence shall submit to the appropriate committees of Congress—

(A) the 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).

(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", engaged in a series of 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 the goals of intensifying social tensions, undermining trust in governmental institutions within the United States, its allies and partners in the Western Hemisphere, sowing division, fear, and confusion.

(3) These information warfare operations are a threat to the national security of the United States and its allies and partners of the United States. As Director of National Intelligence Dan Coats stated, "These actions are persistent, they are pervasive and they are meant to undermine 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 their platforms.

(6) Technological advances, including artificial intelligence, will only make it more difficult in the future to detect and attribute malicious activities on social media, and maligned behavior on social media platforms.

(7) Because these information warfare operations are deployed within and across private social media platforms, the companies that own these platforms have a responsibility to detect and attribute adversarial networks operating clandestinely on their platforms.

(8) 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.

(9) 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, thereby demonstrating that it is possible to discern both broad patterns of cross-platform information warfare operations and specific fraudulent behavior on social media platforms.

(10) 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. 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 adept at detecting and identifying malign activities from their platforms while protecting the privacy of the people of the United States.
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 the case for action.

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

(1) social media companies should cooperate among themselves and with independent organizations and researchers on a sustained and regular basis to share and analyze data and indicators relevant to foreign influence operations and to assist in the effort to detect and counter foreign influence networks and to provide the public with an understanding of the scale and scope of these foreign threats to our democracy.

(2) the United States should adopt policies and procedures to prevent misuse of data, including any necessary auditing procedures, check and review mechanisms.

(3) the United States should fund and support the establishment of a Social Media Data Analysis Center to facilitate countering ongoing Kremlin, Kremlin-linked, and other foreign influence operations and to aid in preparations for the United States presidential and congressional elections in 2020 and beyond.

(4) the United States should take action to facilitate countering clandestine foreign influence operations and to aid in preparations for the United States presidential and congressional elections in 2022 and beyond.

(5) if the social media industry fails to take sufficient action to address foreign adversary threat networks operating within or across their platforms, Congress would have to consider additional safeguards for ensuring that this threat is effectively mitigated.

(G) Developing and making public the ethical standards for investigation of foreign adversary threat networks and for protection of the privacy of the customers and users of the social media platforms and of the propriety information of the social media companies.

(H) Developing technical, contractual, and procedural controls to prevent misuse of data, including any necessary auditing procedures, check and review mechanisms.

(I) Developing and making public criteria and conditions under which the Center shall 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.

(J) Developing a searchable, public archive aggregating information related to foreign influence operations. The Center shall build a collective understanding of the threats and facilitate future examination consistent with privacy protections.

(b) R EPORT 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 Director of National Intelligence shall submit to the Committee on the Judiciary of the Senate, the Committee on Armed Services of the Senate, the Select Committee on Intelligence of the Senate, the Committee on the Judiciary of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives a report—

(1) that assesses—

(i) degree of cooperation and commitment from the social media companies to the mission of the Center; and

(ii) effectiveness of the Center in detecting and removing clandestine foreign influence warfare operations from social media platforms; and

(b) includes such recommendations for legislative or administrative action as the Center considers appropriate to carry out the functions of the Center.

(e) PERIODIC REPORTING TO THE PUBLIC.—The Director of the Center shall—

(1) once each quarter, make available to the public a report on key trends in foreign influence and disinformation operations, including any threats to campaigns and elections, to inform the public of the United States; and

(2) as the Director considers necessary, provide more timely assessments relating to ongoing disinformation campaigns.

(f) PUBLISHING.—Of the amounts appropriated or otherwise made available to the National Intelligence Program (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 403)) for the fiscal year 2021, the Director of National Intelligence may use up to $30,000,000 to carry out this section.
(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—

(1) a 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) United States 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 pressure 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 Members of Congress or their 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 of the Senate.

SEC. 408. DIRECTOR OF NATIONAL INTELLIGENCE ASSESSMENTS OF FOREIGN INGERENCE IN ELECTIONS.

(a) Assumptions.—Not later than 45 days after the conclusion of a United States election, the Director of National Intelligence shall 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

(b) Form.—The report submitted under subsection (a) shall be submitted in unclassified form.

DIVISION II—INTELLIGENCE ACTIVITIES

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This division may be cited as the “Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019”.

(b) Table of Contents.—The table of contents for this division is as follows:

DIVISION II—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS 2018 AND 2019


402. Classified Schedule of Authorizations.

403. Intelligence Community Management Account.

404. Modification of appointment of Chief Information Officer of the Intelligence Community.

405. Director of National Intelligence review of placement of positions within the intelligence community on the Executive Schedule.


407. Consideration of adversarial telecommunication equipment and cybersecurity infrastructure when sharing intelligence with foreign governments and entities.

408. Cyber protection support for the personnel of the intelligence community in positions highly vulnerable to cyber attack.

409. Modification of authority relating to management of supply-chain risk.

410. Limitations on determinations regarding certain security classifications.

411. Joint Intelligence Community Council.

412. Intelligence community information technology environment.

413. Report on development of secure mobile voice solution for intelligence community.

414. Policy on minimum insider threat standards.

415. Submission of intelligence community reports on foreign influence operations.

416. Expansion of intelligence community recruitment efforts.
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 requirements for certain senior level positions in the Central Intelligence Agency.

Subtitle C—Office of Intelligence and Counterintelligence

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. Co-location of certain Department of Homeland Security personnel at field locations.

TITLE V—ELECTION MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers


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 and cyber 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. Foreign counterintelligence and cyber 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.

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 evacuated 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.

Sec. 614. Expansion of security protective service jurisdiction of the Central Intelligence Agency.

Sec. 615. Report on establishment of Foreign Malign Influence Center.

Sec. 616. General study.

Sec. 617. Annual report on Iranian expenditures.

Sec. 618. Modification of authorities relating to certain foreign investments.

Sec. 619. Study on the feasibility of countering Russian cybercollusion with the Russian Federation.

Sec. 620. Reports on intelligence community loan repayment and related programs.

Sec. 621. Report on possible exploitation of virtual currencies by terrorist actors.

Sec. 622. Inspectors General reports on intelligence community clearances.

Sec. 623. Annual report on clearance in person concept.

Sec. 624. 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. 625. Study on the feasibility of encrypting unclassified wireless and wire telephone calls.

Sec. 626. Modification of requirement for annual report on hiring and retention of intelligence officers.

Sec. 627. Reports on intelligence community loan repayment and related programs.

Sec. 628. Repeal of certain reporting requirements.

Sec. 629. Inspector General of the Intelligence Community report on senior executives of the Office of the Director of National Intelligence.

Sec. 630. Briefing on Federal Bureau of Investigation offering permanent residence to sources and cooperators.

Sec. 631. Intelligence assessment of North Korea revenue sources.

Sec. 632. Report on possible exploitation of virtual currencies by terrorist actors.

Sec. 633. Other Matters

Sec. 701. Limitation relating to establishment or operation of cybersecurity unit with the Russian Federation.

Sec. 702. Report on returning Russian computers.

Sec. 703. Assessment of threat finance relating to Russia.

Sec. 704. Notification 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. Report on intelligence community Equities process.

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 diseases 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 wireless and wire telephone calls.

Sec. 726. Modification of requirement for annual report on hiring and retention of intelligence officers.

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.

Sec. 733. 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) "CONGRESSIONAL INTELLIGENCE COMMITTEE."—The term ‘‘congressional intelligence committee’’ 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 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 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.

(b) Fiscal Year 2018.—Funds that were appropriated 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 fiscal year 2018 for the conduct of such activities.

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 classified and are authorized for intelligence activities of the elements listed in section 101 for the conduct of the intelligence activities specified in the classified Schedule of Authorizations referred to in paragraph (b) of section 221 of the Central Intelligence Agency Retirement and Disability Fund Act of 2013.

(b) Fiscal Year 2018.—Funds that were appropriated 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 fiscal year 2018 for the conduct of such activities.

(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, 1990.”

(d) Reemployment Compensation.—Section 273 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2113) is amended—

(1) by redesignating subsections (a) and (c) as subsections (c) and (d), respectively; and
(2) by inserting after subsection (a) the following:

“(b) Part-Time Reemployed Annuitants.—The Director shall have the authority to reemploy an annuitant on a part-time basis in accordance with section 3944 of title 5, United States Code.”

(e) Effective Date and Application.—The amendments made by subsection (a)(1) and subsection (c) shall take effect as if enacted on October 28, 2009, and shall apply to computations or participants, respectively, as of such date.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) Central Intelligence Agency Retirement and Disability Fund.—Funds are hereby authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2019.

SEC. 102. COMPUTATION OF ANNUIties FOR EMPLOYEES OF THE CENTRAL INTELLIGENCE AGENCY.

(a) Computation of Annuities.—

(1) In General.—Section 221(b) of the Central Intelligence Agency Retirement and Disability Fund Act of 1949 (50 U.S.C. 3514(a)) is amended by striking “221(h)(2), 221(i), 221(l),” and inserting “221(h)(2), 221(i), 221(l),”.

(b) Benefits for Former Spouses.—Subparagraph (B) of section 222(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”.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 101. 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. 102. 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. 103. MODIFICATION OF SPECIAL PAY AUTHORITY FOR SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS—ADDITION OF SPECIAL PAY AUTHORITY FOR CYBER POSITIONS.

Section 113B of the National Security Act of 1947 (50 U.S.C. 3009) is amended—

(1) by amending subsection (a) to read as follows:

“(a) Special Rates of Pay for Positions Requiring Expertise in Science, Technology, Engineering, or Mathematics.—

“(1) In General.—Notwithstanding part III 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 of the pay range for each grade or level, subject to subsection (b) or (c), as applicable.

“(2) Treatment.—The special rate supplements resulting from the establishment of higher rates under paragraph (1) shall be basic pay for the same or similar purposes as that authorized in section 5306(d) of title 5, United States Code.”;

(2) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

(3) by inserting after subsection (a) the following:

“(7) MOBILIZATION AND DEFENSE OF THE UNITED STATES.—The Director shall have the authority to use the reserve component of the military forces of the United States to protect the United States against foreign aggression in time of peace or during war or imminent danger of attack from such forces.”
SEC. 305. DIRECTOR OF NATIONAL INTELLIGENCE REVIEW OF PLACEMENT OF POSITIONS WITHIN THE INTELLIGENCE COMMUNITY ON THE EXECUTIVE SCHEDULE.

(a) REVIEW.—The Director of National Intelligence, in consultation with the Director of the Office of Personnel Management, shall conduct a review of positions within the intelligence community regarding the placement of positions under subchapter II of chapter 53 of title 5, United States Code. In carrying out such review, the Director of National Intelligence shall determine—

(1) the standards under which such review will be conducted;

(2) which positions should or should not be on the Executive Schedule; and

(3) for those positions that should be on 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 Appropriations of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Reform of the House of Representatives an unredacted report describing the review the standards established under this subsection, and the outcome of the review.

SEC. 306. SUPPLY CHAIN AND COUNTERINTELLIGENCE 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, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Reform of the House of Representatives;

(b) REQUIREMENTS TO ESTABLISH.—The Director of National Intelligence shall establish a Supply Chain and Counterintelligence Risk Management Task Force to standardize information sharing between the intelligence community and the acquisition community of the United States Government with respect to the supply chain and counterintelligence risks in support of the supply chain and counterintelligence risk management of the United States.

(c) MEMBERS.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall be composed of—

(1) a representative of the Defense Security Service of the Department of Defense;

(2) a representative of the General Services Administration;

(3) a representative of the Office of Federal Procurement Policy of the Office of Management and Budget;

(4) a representative of the Department of Homeland Security;

(5) a representative of the Federal Bureau of Investigation;

(6) the Director of the National Counterintelligence and Security Center; and

(7) any other members the Director of National Intelligence determines appropriate.

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 foreign entity entering into the agreement, 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 foreign entity entering into the agreement.

SEC. 308. CYBER PROTECTION SUPPORT FOR THE PERSONNEL OF THE INTELLIGENCE COMMUNITY THAT ARE HIGHLY VULNERABLE TO CYBER ATTACK.

(a) DEFINITIONS.—In this section:

(1) PERSONAL ACCOUNTS.—The term ‘personal accounts’ means accounts for online banking 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.

(b) AUTHORITY TO PROVIDE CYBER PROTECTION SUPPORT.—

(1) IN GENERAL.—Subject to a determination by the Director of National Intelligence, the Director may provide cyber protection support 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.

(2) PERSONAL TECHNOLOGY DEVICES.—The term ‘personal technology devices’ means technology devices used by personnel of the intelligence community, including networks to which such devices connect.

SEC. 309. MODIFICATION OF APPOINTMENT OF CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 1039(a)(3)(A) of the National Security Act of 1947 (50 U.S.C. 1039(a)(3)) is amended by striking ‘President’ and inserting ‘Director’.

(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 with the acquisition community of the United States Government by the intelligence community.
Director shall submit to the congressional intelligence committees a report on the provision of cyber protection support under subsection (b); the report shall include—

(1) a description of the methodology used to make the determination under subsection (b); and

(2) guidance for the use of cyber protection support and tracking of requiring personnel receiving cyber protection support under subsection (b).

SEC. 309. MODIFICATION OF AUTHORITY RELATING TO MANAGEMENT OF SUPPLY-CHAIN RISK.

(a) MODIFICATION OF EFFECTIVE DATE.—

Subsection (f) of section 309 of the Intelligence Authorization Act for Fiscal Year 2012 (title XI of Public Law 112–57; 50 U.S.C. 3329 notes) is amended by striking “the date that is 180 days after”.

(b) REPEAL OF SUNSET.—Such section is amended by striking subsection (g).

(c) REPORTS.—Such section, as amended by subsection (b), is further amended—

(1) by redesignating subsection (f), as amended by subsection (a), as subsection (g); and

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

“(f) ANNUAL REPORT.—

“(1) IN GENERAL.—Except as provided in paragraph (2), 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 Years 2018 and 2019 and not less frequently than once each calendar year thereafter, the Director of National Intelligence shall, in consultation with the National Geospatial-Intelligence Agency, submit to the congressional intelligence committees a report detailing the determinations and notifications made under subsection (c) during the most recently completed calendar year.

“(2) INITIAL REPORT.—The first report submitted under paragraph (1) shall detail all the determinations and notifications made under subsection (c) before the date of the Council’s inception.

SEC. 310. LIMITATIONS ON DETERMINATIONS REGARDING CERTAIN SECURITY CLASSIFICATIONS.

(a) PROHIBITIONS.—The Director of National Intelligence shall not make the determination that 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), in a case in which an officer is designated as described in subsection (a) has been so designated as described in such subsection and classification authority rests with the officer or another officer who reports directly to such officer, a classification decision with respect to information relating to the 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 the officer nominated is the Principal Deputy Director of National Intelligence, the classification decision shall be made by the Principal Deputy Director of National Intelligence.

(c) 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 transmit a congressional intelligence committees a report detailing the reasons for the decision.

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—

(1) by striking “regular”;

(2) by inserting “as the Director considers appropriate” after “Council”;

(b) REPORTS ON FUNCTION AND UTILITY OF THE JOINT INTELLIGENCE COMMUNITY COUNCIL.—

(1) IN GENERAL.—No later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Executive Office of the President and members of the Joint Intelligence Community Council, shall submit to the congressional intelligence committees a report on the function and utility of the Joint Intelligence Community Council.

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

(A) The number of physical or virtual meetings held by the Council per year since the Council’s inception.

(B) A description of the effect and accomplishments of the Council.

(C) An explanation of the unique role of the Council relative to other entities, including with respect to the National Security Council and the Executive Committee of the intelligence community.

(D) Recommendations for the future role and operation of the Council.

(E) Such other matters relating to the function and utility of the Council as the Director considers appropriate.

(3) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 312. INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

(a) DEFINITIONS.—In this section:

(1) CORE SERVICE.—The term “core service” means a capability that is available to multiple elements of the intelligence community and required for consistent operation of the intelligence community information technology environment.

(2) INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.—The term “intelligence community information technology environment” means all of the information technology services across the intelligence community, including the data sharing and protection environment across multiple classification domains.

(b) ROLES AND RESPONSIBILITIES.—

(1) DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall be responsible for coordinating the performance by elements of the intelligence community of the intelligence community information technology environment, including each of the following:

(A) Ensuring compliance with all applicable environment rules and regulations of such environment; and

(B) Ensuring measurable performance goals exist for such environment.

(c) DOCUMENTING STANDARDS AND PRACTICES OF SUCH ENVIRONMENT.—The Director of National Intelligence shall be responsible for—

(1) designing standards and practices of such environment;

(2) ensuring such standards and practices are consistent with the goals of the intelligence community; and

(d) ACTING AS AN ARBITER AMONG ELEMENTS OF THE INTELLIGENCE COMMUNITY.—The Director of National Intelligence shall be responsible for—

(1) acting as an arbiter among elements of the intelligence community related to any disagreements arising out of the implementation of such environment; and

(e) DELEGATING RESPONSIBILITIES TO THE ELEMENTS OF THE INTELLIGENCE COMMUNITY.—The Director of National Intelligence shall be responsible for—

(1) delegating responsibilities to the elements of the intelligence community and carrying out such other responsibilities as are necessary to ensure effective implementation of such environment.

(f) PROVIDERS OF CORE SERVICE CAPABILITIES.—The Director of National Intelligence shall be responsible for—

(1) ensuring the core service capabilities are delivered to the intelligence community by providers of core service capabilities.

(g) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a business plan for each core service capability, including each of the following:

(A) Description of the minimum required and desired core service requirements and schedules;

(B) implementation milestones for the intelligence community information technology environment, including each of the following:

(i) Concept refinement and technology maturity demonstration;

(ii) Development, integration, and demonstration; and

(iii) Production, deployment, and sustainment.

(C) Plans for the transition or restructuring necessary to incorporate core service capabilities.

(D) A description of any legacy systems and discontinued capabilities to be phased out.

(E) Such other matters as the Director determines appropriate.

(f) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a business plan for each core service capability, including each of the following:

(A) A systematic approach to identify core service funding requests for the intelligence
community information technology environment within the proposed budget, including multiyear plans to implement the long-term roadmap required by subsection (e).

(2) The manner 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 will identify, transition and restructure costs for new, existing, and retiring services of the intelligence community information technology environment as compared to the required costs of the recently submitted security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f).

(b) 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).

(c) 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 required costs of the recently submitted security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f).

(d) 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 and the Director of the Central Intelligence Agency a description of any policies or community guidance that would be necessary to govern the potential solution, such as a policy framework for the implementation of the secure mobile voice solution for the intelligence community.

(2) 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).

(e) 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 that supports the secure mobile voice solution for the intelligence community in other areas of the intelligence community.

(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 appropriate use 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 establish minimum Insider Threat Standards that is consistent with the National Insider Threat Policy and 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, to which the electronic record, or any successor electronic record, by which the Director of National Intelligence submits to the congressional intelligence committees information.

(b) POLICY.—The term ‘policy’, with respect to the intelligence community, includes 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.

(c) 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 described in subsection (a). The policy shall include at a minimum:

(A) the current policy as of the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees and the Director of the Central Intelligence Agency a description of any policies or community guidance that would be necessary to govern the potential solution, such as a policy framework for the implementation of the secure mobile voice solution for the intelligence community.

(B) update the electronic repository with all nonpublicly available policies issued by the intelligence community.

(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 community workforce, not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with heads of the elements of the intelligence community, shall create, implement, and submit to the congressional intelligence committees a written plan to ensure that rural and underrepresented regions are more fully and consistently represented in such elements’ employment recruitment efforts. Upon receipt of the plan, the congressional committees shall have 60 days to submit comments to the Director of National Intelligence before such plan shall be implemented.

TITLE IV—MATTERS RELATING TO ELECTRONIC REPOSITORY.

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.

(a) IN GENERAL.—The Director of National Intelligence of the National Intelligence Program, under the authority, direction, and control of the Director of National Intelligence, shall establish, implement, and enforce policies to protect and defend employees of the Office of the Director of National Intelligence from threats to their personal safety or well-being.

(b) AUTHORITY TO DEPLOY PERSONNEL.—The Director of National Intelligence may deploy personnel to any overseas location designated as an austere location by the President, and may deploy personnel to any overseas location designated by the Director of National Intelligence if the personnel are deployed in support of the Director of National Intelligence.

SEC. 402. DESIGNATION OF THE PROGRAM MANAGER INFORMATION SHARING ENVIRONMENT.

(a) INCREASED SECURITY.—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 a new subsection designated as subsection (y) which reads as follows:

(y) PROGRAM MANAGER.—The Director of National Intelligence shall serve as program manager for the program described in subsection (x). The program manager shall be appointed by the President and shall report to the Director of National Intelligence, via the Office of the Director of Intelligence.”.

SEC. 403. TECHNICAL MODIFICATION TO THE EXCUTIVE SCHEDULE.

Section 3515 of title 5, United States Code, is amended by adding at the end the following:

‘‘(m) ‘Director of the National Counterintelligence and Security Center’ means the individual designated as the program manager for the program described in subsection (x). The program manager shall serve as program manager until removed from service or replaced by the President (at the President’s sole discretion).’’.

SEC. 404. CHIEF FINANCIAL OFFICER OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Section 103(a) of the National Security Act of 1947 (50 U.S.C. 3022(a)) is amended by adding at the end the following:

‘‘(5) The Chief Financial Officer shall report directly to the Director of National Intelligence.’’.

(b) CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103G(a) of the National Security Act of 1947 (50 U.S.C. 3032(a)) 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 SUBSISTENCE FOR PERSONNEL ASSIGNED TO AUSTERE LOCATIONS.

(a) IN GENERAL.—The Central Intelligence Agency Act of 1949 (50 U.S.C. 3504) is amended—

(1) in paragraph (1), by striking ‘‘500 yards’’ and inserting ‘‘500 yards.’’;

(2) by striking ‘‘and’’ at the end and inserting ‘‘and’’; and

(3) by adding the following new paragraph (8):—

‘‘(8) 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.

(a) IN GENERAL.—The Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(a)(a)) is amended—

(1) in the subsection heading, by striking ‘‘POLICE OFFICERS’’ 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. 431. 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 106A of the National Security Act of 1947 (50 U.S.C. 306a) 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 Department of Energy Organization Act (42 U.S.C. 7144b) is amended to read as follows:
"OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE
"SEC. 215. (a) DEFINITIONS.—In this section, the terms ‘intelligence community’ and ‘Na-
tional Intelligence Program’ have the mean-
ings given such terms in section 3 of the Na-
"(b) IN GENERAL.—There is in the Depart-
ment an Office of Intelligence and Counter-
inelligence. Such office shall be under the Na-
tional Director of Intelligence.
"(c) DIRECTOR.—(1) The head of the Office shall be the Director of the Office of In-
telligence and Counterintelligence, who shall be an employee in the Senior Executive Service, the Senior Intelligence Service, the Senior National Intelligence Service, or any other Service that the Secretary, in coordi-
nation with the Director of National Intel-
lelligence, considers appropriate. The Director of the Office shall report directly to the Sec-
retary.
"(2) The Secretary shall select an indi-
vidual to serve as the Director from among individ-
uals who have substantial expertise in matters relating to the intelligence commu-
ity, including foreign intelligence and counteiintelligence.
"(d) DUTIES.—(1) Subject to the authority, direction, and control of the Secretary, the Director shall perform such duties and exer-
cise such powers as the Secretary may pre-
scribe.
"(2) The Director shall be responsible for establish-
ing policy for intelligence and counteiintelligence programs and activities at the Department.
"(3) The Director shall notify the congressional intelligence com-
mittee or other appropriate committee of the Na-
tional Intelligence Community of any change in the authority, direction, and control of the Depart-
ment in connection with the policy for intelligence and counteiintelligence programs and activities.
(b) CONFORMING REPEAL.—Section 216 of the Department of Energy Organization Act (42 U.S.C. 7144c) is hereby repealed.
(c) C LERICAL AMENDMENT.—The table of purposes for such programs and activities as are made under subsection (a) shall be completed jointly by the heads of each element affected by such assumption, transfer, or elimination, of the risks that would be assumed by the intelligence com-
mittee and the Department if such mission, role, or function is assumed, transferred, or eliminated.

SEC. 422. REPEAL OF DEPARTMENT OF ENERGY INTELLIGENCE EXECUTIVE COM-
MITTEE AND BUDGET REPORTING REQUIRE-
MENT.
Section 214 of the Department of Energy Organization Act (42 U.S.C. 714a) is amende-
ded—
(a) by striking "(a) DUTY OF SECRETARY.—";
(b) by striking subsections (b) and (c).

Subtitle D—Other Elements
SEC. 431. PLAN FOR DESIGNATION OF COUNTER-
INTELLIGENCE COMPONENT OF DE-
FENSE SECURITY SERVICE AS AN ELEMENT OF INTELLIGENCE COM-
MITTEE AND BUDGET REPORTING REQUIRE-
MENT.
Not later than 90 days after the date of the enactment of this Act, the Director of Na-
tional Intelligence and Under Secretary of Defense for Intelligence, in coordination with the Director of the National Counter-
intelligence and Security Center, shall sub-
mit to the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Represen-
tatives a plan to designate the counterintelligence component of the Defense Security Service of the Department of Defense as an element of the intelligence community by not later than January 1, 2021.

SEC. 433. FRAMEWORK FOR ROLES, MISSIONS,
AND FUNCTIONS OF DEFENSE IN-
TELLIGENCE AGENCY.
(a) IN GENERAL.—The Director of National Intel-
lelligence and the Secretary of Defense shall jointly establish a framework to ensure the proper management of the roles, missions, and functions of the Defense Intelligence Agency in its capacity as an ele-
ment of the intelligence community and as a combat support agency. The framework shall include supporting processes to provide for the consistent and regular reevaluation of the responsibilities and resources of the De-
fense Intelligence Agency to prevent imbal-
ced priorities, insufficient or misaligned resources, and the unauthorized expansion of mission boundaries.
(b) MATTERS FOR INCLUSION.—The frame-
work required under subsection (a) shall in-
clude each of the following:
(1) A lexicon for consistent defi-
nitions of relevant terms used by both the intelligence community and the Department of Defense, including each of the following:
(A) Deeply classified intelligence enterprise.
(B) Enterprise manager.
(C) Executive agent.
(D) Function.
(E) Functional manager.
(F) Mission.
(G) Mission manager.
(H) Responsibility.
(I) Role.
(J) Service of common concern.
(2) An assessment of the necessity of main-
taining separate designations for the intel-
ligence community and the Department of Defense for intelligence functional or enter-
prise management constructs.
(3) A repeatable process for evaluating the addition, transfer, or elimination of defense intelligence missions, roles, and functions, currently performed or to be performed in the future by the Defense Intelligence Agen-
cy, which shall include the following:
(A) A justification for the addition, trans-
fer, or elimination of a mission, role, or func-
tion.
(B) The identification of which, if any, ele-
ment of the Federal Government performs the considered mission, role, or function.
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;

(C) the Committee on Foreign Relations of the Senate; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(b) PLAN FOR COLLOCATION.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary shall submit to the congressional intelligence committees a report that includes a plan for collocation as described in subsection (a).

(c) FORM.—The report 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 whether the resources of the intelligence community were properly aligned to detect and respond to the efforts described in subsection (a)(1).

(2) An assessment of the information sharing 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 alternative and predictive methods necessary to collect on any such efforts and any deficiencies in such efforts.

(5) A review of the use of open source materials to inform analysis and warning of such efforts.

(6) A review of the use of alternative and predictive analysis.

(d) FORM OF REPORT.—The report required by subsection (a) shall 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 and efforts of the 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 whether the resources of the intelligence community were properly aligned to detect and respond to the efforts described in subsection (a)(1).

(2) An assessment of the information sharing 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 alternative and predictive methods necessary to collect on any such efforts and any deficiencies in such efforts.

(5) A review of the use of open source materials to inform analysis and warning of such efforts.

(6) A review of the use of alternative and predictive analysis.

(7) TERMINATION.—The Board shall terminate on the date that is 3 years after the date of the first meeting of the Board.

(8) RECORD—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

(9) REPORTS.—Not later than March 31 of each year, the Board shall submit to the Director and to the congressional intelligence committees a report on the activities and significant findings of the Board during the preceding year.

(10) TRAVEL EXPENSES.—Each member of the Board may travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(11) The Director may appoint an executive secretary, who shall be an employee of the National Reconciliation Office, to support the Board.

(12) MEETINGS.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

(13) CHAIR.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

(14) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(15) The Director may appoint an executive secretary, who shall be an employee of the National Reconciliation Office, to support the Board.

(16) MEETINGS.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

(17) CHAIR.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

(18) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(19) The Director may appoint an executive secretary, who shall be an employee of the National Reconciliation Office, to support the Board.

(20) MEETINGS.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

(21) CHAIR.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

(22) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(23) The Director may appoint an executive secretary, who shall be an employee of the National Reconciliation Office, to support the Board.

(24) MEETINGS.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.
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.

(c) 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 indicated 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) Actions, including 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, including United States election systems and processes.

(7) Improvements in Federal Government communications with State and local election officials.

(8) Public education and communication efforts.

(9) Benchmarks and milestones to enable the measurement of concrete steps taken and progress made in the implementation of the strategy.

SEC. 505. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLUENCE 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 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 responding to Russian influence campaigns directed at foreign elections and referenda, including the appropriate congressional committees on the strategy developed under subsection (b).

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 actions and initiatives that election campaigns for Federal offices can employ in seeking to counter such threats.

(C) An identification of any publicly available resources, including United States Government resources, for countering such threats.

(2) SCHEDULE FOR SUBMISSION.—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.

(3) INFORMATION TO BE INCLUDED.—A report under this subsection shall reflect the most current information available to the Director of National Intelligence regarding foreign counterintelligence and cybersecurity threats.

(b) TREATMENT OF CAMPAIGNS SUBJECT TO HIGHLIGHTED THREATS.—If the Director of the Federal Bureau of Investigation and the Under Secretary of Homeland Security for Intelligence and Analysis jointly determine that an election campaign for Federal office is subject to a heightened foreign counterintelligence or cybersecurity threat, the Director and the Under Secretary, consistent with the Director’s assistance responsibilities under section 301 of the Federal Election Campaign Act of 2017 (52 U.S.C. 30101), shall develop and make available additional information to the appropriate representatives of such campaign.

SEC. 507. INFORMATION SHARING WITH STATE ELECTION OFFICIALS.

(a) STATE DEFINED.—In this section, 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) SECULAR OFFICE.—(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall chair a whole-of-government interagency meeting to discuss the campaign for the Federal election campaign for any appropriate classified information as directed by the Director as necessary.

(2) INTERIM CLEARANCES.—Consistent with applicable policies and directives, the Director of National Intelligence may issue interim clearances, for a period to be determined by the Director, to a chief election official as described in paragraph (1) and up to 1 designee of such official under such paragraph.

(c) INFORMATION SHARING.—

(1) IN GENERAL.—The Director of National Intelligence shall assist the Under Secretary of Homeland Security for Intelligence and Analysis and the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs with respect to each Federal election campaign for Federal office.

(2) COORDINATION.—The Under Secretary of Homeland Security for Intelligence and Analysis shall coordinate with the Director of National Intelligence the assistance of the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department and such other related programs of the Department, as determined appropriate by the Director responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department, to aid in the implementation of that an election process with chief election officials and such designees who have received a security clearance under subsection (b).

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 covert or covert intelligence operation.

(2) FOREIGN ELECTORAL PARTY.—The terms ‘‘candidate’’, ‘‘election’’, and ‘‘political party’’ have the meanings given those terms in section 301 of the Federal Election Campaign Act of 2017 (52 U.S.C. 30101).

(3) CONGRESSIONAL LEADERSHIP.—The term—

(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.

(4) CYBER INTRUSION.—The term ‘‘cyber intrusion’’ means an attack or event that actually or imminently jeopardizes, without lawful authority, electronic election infrastructure, or the integrity, confidentiality, or availability of information within such infrastructure.

(5) ELECTRONIC ELECTION INFRASTRUCTURE.—The term—

(A) The term ‘‘electronic election infrastructure’’ means an electronic information and communication system of any of the following that is related to an election for Federal office:—

(1) A Federal Government.

(2) A State or local government.

(3) A political party.

(4) The election campaign of a candidate.

(b) FEDERAL OFFICE.—The term ‘‘Federal office’’ means any program or term in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).
SEC. 509. DESIGNATION OF COUNTERINTELLIGENCE OFFICER TO LEAD ELECTION SECURITY MATTERS.

(a) 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 lead, manage, and coordinate counterintelligence matters relating to risks posed by interference from foreign powers (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)) to the following:

(1) The Federal Government election security supply chain;

(2) Election voting systems and software;

(3) Voter registration databases;

(4) Critical infrastructure related to elections.

(b) Such other Government goods and services as the Director of National Intelligence considers appropriate.

TITLE VI—SECURITY CLEARANCES

SEC. 601. DEFINITIONS.

In this title:

(A) IN GENERAL.—Not later than 180 days after making a determination under subsection (b), the Director of National Intelligence, which such intrusion or campaign has tended to influence an upcoming election for any Federal office has occurred or is occurring; 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.

(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, with milestones, to reduce the background investigation inventory to 200,000, or an otherwise sustainable steady-state level, by the end of year 2020. Such plan shall include any new requirements for and new investigative 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 workforces, and a description of how to address recidivism and portability.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) Risk framework for granting and renewing access to classified information.

(ii) A discussion of the best practices for reducing access to classified information.

(iii) A discussion of the characteristics of effective insider threat programs.

(iv) An analysis of the current and future human resources data, and data and analytics programs.

(v) Recommendations on interagency governance.

(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 recommendations submitted under paragraph (2)(A).
(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 all applications received from departments and agencies of the Federal Government for a change to, or approval under, the Federal Investigative Standards, the national adjudicative guidelines, continuous evaluation programs, or other national policy regarding personnel security.

SEC. 603. IMPROVING THE PROCESS FOR SECURITY CLEARANCES.

(a) REVIEWS.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent, in coordination with the Director of National Intelligence, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that includes the following:

(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 adjudicative guidelines under 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, and guidelines should be revised to account for the prospect of a holder of a security clearance becoming an insider threat.

(3) Recommendations to improve the background investigation process by—

(A) simplifying the Questionnaire for National Security Positions (Standard Form 86) and increasing customer support to applicants completing such Questionnaire;

(B) using remote techniques and centralized locations to support or replace field investigation work;

(C) using secure and reliable digitization of information obtained during the clearance process;

(D) building the capacity of the background investigation labor sector; and

(E) replacing periodic reinvestigations with continuous evaluation techniques in all appropriate processes.

(b) POLICY, STRATEGY, AND IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent shall, in coordination with the members of the Council, establish the following:

(1) A policy and implementation plan for the issuance of interim security clearances.

(2) A policy and implementation plan to ensure contractors are treated consistently in the security clearance process across agencies and departments of the United States as compared to employees of such agencies and departments. Such policy shall address—

(A) prioritization of processing security clearances based on the mission the contractors will be performing;

(B) standardization in the forms that agencies use to initiate the process for a security clearance;

(C) digitization of background investigation-related forms;

(D) Federal polyclub.

(3) A policy on the use of automated records checks generated pursuant to a security clearance applicant’s employment with a prior employer.

(4) A policy for the use of certain background materials on individuals collected by the private sector for background investigation purposes.

(5) Uniform standards for agency continuous evaluation programs to ensure quality and reciprocity in accepting enrollment in a continuous evaluation program as a substitute for a periodic investigation for continued access to classified information.

(c) EQUIVALENT METRICS.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent by law.

SEC. 605. SECURITY EXECUTIVE AGENT.

(a) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended—

(1) by redesignating sections 803 and 804 as sections 804 and 805, respectively; and

(2) by inserting after section 802 the following:

“SEC. 803. SECURITY EXECUTIVE AGENT.

(a) IN GENERAL.—The Security Executive Agent is as follows:

(1) To direct the oversight of investigations, reinvestigations, adjudications, and, as applicable, polygraphs for eligibility to hold a sensitive position to ascertain whether such persons satisfy the criteria for obtaining and retaining access to classified information or eligibility to hold a sensitive position.

(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 disseminate 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 Security Executive Agent for all departments and agencies of the United States.

(b) DUTIES.—The duties of the Security Executive Agent are as follows:

(1) To ensure authoritative designation of an agency or organization to conduct investigations and adjudications of persons who are proposed for access to classified information or for eligibility to hold a sensitive position to ascertain whether such persons satisfy the criteria for obtaining and retaining access to classified information or eligibility to hold a sensitive position in accordance with Executive Order 12968 (50 U.S.C. 3161 note; relating to access to classified information).

(2) To ensure reciprocal recognition of eligibility for access to classified information or eligibility to hold a sensitive position as an agency, organization, or department of the United States to establish and maintain the as an agency, organization, or department of the United States to establish and maintain the same level of clearance.

(3) To execute all other duties assigned to the Security Executive Agent by law.

SEC. 604. GOVERNMENT-MADE DECISIONS REGARDING SECURITY CLEARANCES.

SEC. 605. SECURITY EXECUTIVE AGENT.
SEC. 606. REPORT ON UNIFIED, SIMPLIFIED, GOVERNMENTWIDE STANDARDS FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent for Suitability and Credentialing shall submit to the Committee on Appropriations, 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 such portions of the report submitted under paragraph (A) as the Committee determines address elements of the Intelligence Community that are within the Committee's jurisdiction.

(b) The Committee on Appropriations shall submit to 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 such portions of the report submitted under paragraph (A) as the Committee determines address elements of the Intelligence Community that are within the Committee's jurisdiction.

(c) The report submitted under paragraph (a) shall include details on—

(1) the costs of background investigations or reinvestigations;

(2) the costs associated with background investigations for Government or contract 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 OF DEPARTMENTS 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.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall submit to the appropriate congressional committees a report that describes the requirements, feasibility, and advisability of 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 the expiration 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, for up to 3 years, contingent on enrollment in a continuous vetting program.

SEC. 610. INTELLIGENCE COMMUNITY REPORTS ON SECURITY CLEARANCES.

Section 506H of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) in subsection (a)(1)–

(A) in subparagraph (A)(ii), by adding ‘‘and’’ and inserting ‘‘and’’ at the end;

(B) in subparagraph (B)(ii), by striking ‘‘and’’ and inserting ‘‘and’’;

and

(C) by striking subparagraph (C);

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

‘‘(b) INTELLIGENCE COMMUNITY REPORTS.—

(1) The Director of National Intelligence shall submit a report to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security and Governmental Affairs of the House of Representatives, and the Committee on Oversight and Government Reform of the House of Representatives regarding the security clearances provided by each element of the intelligence community during the preceding fiscal year.

(2) The Director shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives such portions of the report submitted under subparagraph (A) as the Director determines address elements of the intelligence community that are within the Committee’s jurisdiction.

‘‘(C) Each report submitted under this paragraph shall separately identify security clearances processed for Federal employees and contractor employees sponsored by each such element.

(2) Each report submitted under paragraph (1) of the preceding subsection of this section that was adjudicated favorably during the fiscal year covered by the report, the following:

(A) The total number of security clearances for new applicants that were adjudicated favorably and granted access to classified information; and

(B) The total number of security clearances for new applicants that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

(D) The total number of security clearances that were adjudicated favorably and resulted in a denial or revocation of a security clearance.

(E) The total number of security clearances that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

(F) Any determination made during the preceding fiscal year that remained pending, categorized as follows:
“(1) For 180 days or shorter.
“(2) For longer than 180 days, but shorter than 12 months.
“(3) For 12 months or longer, but shorter than 18 months.
“(4) For 18 months or longer, but shorter than 24 months.
“(5) For 24 months or longer.
“(6) For clearance determinations completed or pending during the year preceding the year for which the report is submitted that have taken longer than 12 months to complete.
“(i) an explanation of the causes for the delays incurred during the period covered by the report; and
“(ii) the number of such delays involving a polygraph requirement.
“(G) The percentage of security clearance investigations, including initial and periodic reinvestigations, that fully satisfy Federal investigative standards, with or for the Federal Government, that result in a denial or revocation of a security clearance.
“(H) The percentage of security clearance investigations that resulted in incomplete information.

“(1) The percentage of security clearance investigations that did not result in enough information to make a decision on potentially adverse information.
“(2) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.

SEC. 611. PERIODIC REPORT ON POSITIONS IN THE INTELLIGENCE COMMUNITY THAT CAN BE CONDUCTED WITHOUT ACCESS TO CLASSIFIED INFORMATION, NETWORKS, OR FACILITIES.

Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report that reviews the intelligence community for which positions can be conducted without access to classified information, networks, or facilities, or may only require a security clearance at the center level.

SEC. 612. INFORMATION SHARING PROGRAM FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

(a) Program Required.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall establish and implement a program to share between and among agencies of the Federal Government relevant background information regarding individuals applying for and currently occupying national security positions and positions of trust, in order to ensure the Federal Government maintains a trusted workforce.

(2) Designation.—The program established under paragraph (1) shall be known as the “Trusted Information Provider Program” (in this section referred to as the “Program”).

(b) Privacy Safeguards.—The Security Executive Agent and the Suitability and Credentialing Executive Agent shall ensure that the Program includes such safeguards for privacy as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate.

(c) Provision of Information to the Federal Government.—The Program shall include requirements that enable investigative service providers and agencies of the Federal Government to leverage certain pre-employment information received during pre-employment or military recruiting process, and other relevant security or human resources information obtained during employment with or for the Federal Government, that satisfy Federal investigative standards, while safeguarding personnel privacy.

(d) Implementation.—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, fitness, or credentialing eligibility.

(e) Implementation Plan.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to appropriate congressional committees a report detailing the implementation of the Program.

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

(A) Mechanisms that address privacy, national security, suitability or fitness, credentialing, and human resources or military recruitment processes.

(B) 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.

(f) Plan for Pilot Program on Two-Way Information Sharing.—

(1) In general.—Not later than 180 days 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 plan for the feasibility and advisability of expanding 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) Elements.—The plan required by paragraph (1) shall include the following:

(A) Mechanisms that address privacy, national security, suitability or fitness, credentialing, and human resources or military recruitment processes.

(B) 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 pilot program.

(g) Review.—Not later than 1 year 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 report of expanding the Program to include the sharing of information held by the Federal Government related to contractor personnel with the security office of the employers of those contractor personnel.

(h) Limitation.—This section shall not be construed to affect any existing authority of the Director of National Intelligence, the Director of the Central Intelligence Agency, or another head of an element of the intelligence community, to share or receive foreign intelligence on a case-by-case basis.

SEC. 613. REPORT ON PROTECTIONS FOR CONFIDENTIALITY OF WHISTLEBLOWER-RELATED COMMUNICATIONS.

Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent shall, in coordination with the Inspector General of the Intelligence Community, submit to the appropriate congressional committees a report detailing the controls employed by the intelligence community to ensure that continuous vetting programs, including those involving user activity monitoring, protect the 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 SUPPORT OF CYBERSECURITY 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; and

(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 submits to the appropriate congressional committees a report on such agreement that includes the elements required by subsection (c).

(2) DEPARTMENT OF DEFENSE AGREEMENTS.—Any agreement between the Department of Defense and the Russian Federation regarding cybersecurity shall be conducted in accordance with section 1222 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 114-328), as amended by section 1251 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-91).

(c) Elements.—If the Director submits a report under subsection (b) with respect to an agreement, such report shall include a description of each of the following:

(1) The purpose of the agreement.

(2) The nature of any intelligence to be shared pursuant to the agreement.

(3) The expected value to national security resulting from the implementation of the agreement.

(d) Rule of Construction.—This section shall not be construed to affect any existing authority of the Director of National Intelligence, the Director of the Central Intelligence Agency, or another head of an element of the intelligence community, to share or receive foreign intelligence on a case-by-case basis.

SEC. 702. REPORT ON RETURNING RUSSIAN COMPOUNDS.

(a) Covered Compounds Defined.—In this section, the term “covered compounds” means real property in Maryland, the real property in San Francisco, California, that were...
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 60 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 report), a report on the intelligence collected and analyzed during the covered period and the findings of the report directed to assessing threats to the United States efforts to combat the threats from efforts of adversaries of the United States to acquire critical United States technology, intellectual property, and research and development information.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) A review of the current outreach efforts of the intelligence community and the Defense Intelligence Enterprise described in subsection (b), including the type of information conveyed in the outreach efforts.

(2) A determination of the appropriate element of the intelligence community to lead such outreach efforts.

(3) 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.

SEC. 703. ASSESSMENT OF THREAT FINANCE RELATING TO RUSSIA.

(a) THREAT FINANCE DEFINED.—In this section, the term ‘‘threat finance’’ means—

(1) the financing of cyber operations, global influence campaigns, intelligence service activities, proliferation, terrorism, or transnational crime and drug organizations;

(2) the methods and entities used to spend, store, move, raise, conceal, or launder money or value, on behalf of threat actors;

(3) sanctions evasion; and

(4) other forms of threat finance activity documented internationally, as defined by the President.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Assistant Secretary of the Treasury for Intelligence and Analysis, shall submit to the appropriate committees of the Congress a report containing an assessment of Russian threat finance. The assessment shall be based on intelligence from all sources, including from the Department of State, the Department of Defense, and the Department of Homeland Security.

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

(1) A summary of leading examples from the 3-year period preceding the date of the report of threat finance activities conducted by, for the benefit of, or at the behest of—

(A) officials of the Government of Russia;

(B) persons subject to sanctions under any provision of law imposing sanctions with respect to Russia;

(C) Russian nationals subject to sanctions under any other provision of law; or

(D) Russian oligarchs or organized criminals.

(2) An assessment with respect to any trends or patterns in threat finance activities relating to Russia, including common methods of conducting such activities and global nodes of money laundering used by Russian threat actors described in paragraph (1) and associated entities.

(3) An assessment of any connections between Russian individuals involved in money laundering and the Government of Russia.

(4) A summary of engagement and coordination with international partners on threat finance relating to Russia, especially in Europe, including examples of such engagement and coordination.

(5) An identification of any resource and collection gaps.

(6) An identification of—

(A) entry points of money laundering by Russian and associated entities into the United States;

(B) any vulnerabilities within the United States legal and financial system, including specific procedures that have been or could be exploited in connection with Russian threat finance activities; and

(C) the counterintelligence threat posed by Russian money laundering and other forms of threat finance, as well as the threat to the United States financial system and United States efforts to enforce sanctions and combat organized crime.

(7) Any other matters the Director determines appropriate.

(d) FORM OF REPORT.—The report required under subsection (b) may be submitted in classified form.

SEC. 704. NOTIFICATION OF AN ACTIVE MEASURES CAMPAIGN.

(a) DEFINITIONS.—In this section:

(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 the Committee on Armed Services of the House of Representatives; and

(C) the Committee on Foreign Relations of the Senate and 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.

(b) REQUIREMENT FOR NOTIFICATION.—The Director of National Intelligence, in cooperation with the Director of the Federal Bureau of Investigation and the head of any other relevant agency, shall notify the congressional leadership and the Chairman and Vice Chairman of each of the appropriate congressional committees, and each 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 attempt to employ a covert influence or active measures campaign with regard to the modernization, employment, doctrine, or force posture of the nuclear deterrent or missile defense.

(c) CONTENT OF NOTIFICATION.—Each notification required by subsection (b) shall include information concerning actions taken by the United States to expose or halt an attempted referral to in subsection (b).

SEC. 705. NOTIFICATION OF TRAVEL BY ACCREDITED DIPLOMATIC AND CONSULAR PERSONNEL OF THE RUSSIAN FEDERATION TO THE UNITED STATES.

In carrying out the advance notification requirements set out in section 502 of the Intelligence Authorization Act for Fiscal Year 2017 (division N of Public Law 114–31; 131 Stat. 825; 22 U.S.C. 254a note), the Secretary of State shall—

(1) notify the Department of State that the Russian Federation provides notification to the Secretary of State at least 2 business days in advance of all travel that is subject to such requirements by accredited diplomatic and consular personnel of the Russian Federation in the United States, and take necessary action to secure full compliance by Russian personnel and address any noncompliance;

(2) provide notice of travel described in paragraph (1) to the Director of National Intelligence and the Director of the Federal Bureau of Investigation within 1 hour of receiving notice of such travel.

SEC. 706. REPORT ON OUTREACH STRATEGY ADDRESSED TO THREATS FROM UNITED STATES TO THE UNITED STATES TECHNOLOGY SECTOR.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropriate committees of Congress’’ means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) the Committee on Armed Services, Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives.

(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 the appropriate committees of Congress a report detailing outreach by the intelligence community and the Defense Intelligence Enterprise to United States industry in the 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.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) A review of the current outreach efforts of the intelligence community and the Defense Intelligence Enterprise described in subsection (b), including the type of information conveyed in the outreach efforts.

(2) A determination of the appropriate element of the intelligence community to lead such outreach efforts.

(3) 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.

SEC. 707. REPORT ON IRANIAN SUPPORT OF PROXY FORCES IN SYRIA AND LEBANON.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘‘appropriate committees of Congress’’ means—

(2) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) the Committee on Armed Services, Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives.
(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. A description of such foreign and domestic supply chains.

B. Defense articles or services, as those terms are defined in paragraphs (3) and (4), respectively, of section 47 of the Arms Export Control Act (22 U.S.C. 2778).

C. Security or development of missile production facilities, including whether such facilities were assessed to be located more than 30 kilometers of the Israeli borders with Syria and Lebanon for nonstate actors, in connection with the previous calendar year on military and terrorist activities outside the country, including each of the following:

1. The amount spent in such calendar year for ballistic missile research and testing or other activities that the Director determines are destabilizing to the Middle East region.
2. The form—The report required under subsection (a) shall include the following:

(1) A description of arms or related material transferred by Iran to Hizballah; (B) Houthi rebels in Yemen; (C) Hamas; (D) proxy forces in Iraq and Syria; or (E) any other entity or country the Director determines to be relevant.

3. The amount spent in such calendar year for ballistic missile research and testing or other activities that the Director determines are destabilizing to the Middle East region.

4. The form—The report required under subsection (a) shall include the following:

(a) SCOPE OF COMMITTEE TO ADDRESS ACTIVITY MEASURES.—(1) IN GENERAL.—Section 501 of the Intelligence Authorization Fiscal Year 2017 (Public Law 115–51; 50 U.S.C. 3001 note) is amended—

(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 country, including each of the following:

1. An assessment of the provision of goods, services, or technology transferred by Iran to Hizballah, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, other nation state” after “Russian Federation” each place it appears; and
2. An assessment of the provision of goods, services, or technology transferred by Iran to Hizballah, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, other nation state” after “Russian Federation.”

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

1. The amount spent in such calendar year for ballistic missile research and testing or other activities that the Director determines are destabilizing to the Middle East region.
2. The form—The report required by subsection (a) shall include the following:

(a) ANNUAL REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act and not less frequently than once each year thereafter, 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 country, including each of the following:

1. An assessment of the provision of goods, services, or technology transferred by Iran to Hizballah, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, other nation state” after “Russian Federation” each place it appears; and
2. An assessment of the provision of goods, services, or technology transferred by Iran to Hizballah, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, other nation state” after “Russian Federation.”

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

SECT. 709. EXPANSION OF SCOPE OF COMMITTEE TO ADDRESS ACTIVITY MEASURES AND REPORT ON ESTABLISHMENT OF FOREIGN MALIGN INFLUENCE RESPONSE CENTER.

(a) SCOPE OF COMMITTEE TO ADDRESS ACTIVITY MEASURES.—(1) IN GENERAL.—Section 501 of the Intelligence Authorization Fiscal Year 2017 (Public Law 115–51; 50 U.S.C. 3001 note) is amended—

(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 country, including each of the following:

1. An assessment of the provision of goods, services, or technology transferred by Iran to Hizballah, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, other nation state” after “Russian Federation” each place it appears; and
2. An assessment of the provision of goods, services, or technology transferred by Iran to Hizballah, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, other nation state” after “Russian Federation.”
SEC. 714. REVIEW OF INTELLIGENCE COMMUNITY WHISTLEBLOWER MATTERS.

(a) Review of Whistleblower Matters.—The Inspector General of the Intelligence Community shall, 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, enter into an agreement with the Attorney General to establish an interagency working group to identify any discrepancies, inconsistencies, or other issues that frustrate the timely and effective reporting of intelligence community whistleblower matters to appropriate inspectors general and to the congressional intelligence committees, and the fair and expeditious investigation and resolution of such matters.

(b) Conduct of Review.—The Inspector General of the Intelligence Community shall conduct such review in consultation with the Inspector General of the National Intelligence Community.

SEC. 715. REPORT ON ROLE OF DIRECTOR OF NATIONAL INTELLIGENCE WITH RESPECT TO CERTAIN FOREIGN INVESTMENTS.

(a) Report.—Not later than 180 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 role of the Director in proposing an interagency working group 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 be temporarily detailed to a private technology company that has elected to receive the detailee; and

(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 detailee.

(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) any actions, as of the date of the enactment of this Act, taken by the intelligence community to improve such process.

SEC. 716. REPORT ON SURVEILLANCE BY FOREIGN GOVERNMENTS AGAINST UNITED STATES TELECOMMUNICATIONS NETWORKS.

(a) Appropriation Congressional Committees Defined.—In this section, the term ‘appropriate congressional committees’ means the following:

(1) the congressional intelligence committees; and

(2) the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate.

(b) Report.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in coordination with the Director of the National Security Agency, the Director of the National Reconnaissance Office, 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 Signaling System No. 7) to target for espionage the national security of the United States; and

(2) any actions, as of the date of the enactment of this Act, taken by the intelligence community to protect against and respond to threats from surveillance conducted by foreign governments.

SEC. 717. BIENNAL 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 report required by this section.

(2) Chairperson.—The Director of National Intelligence shall serve as the chairperson of such interagency working group.

(b) Membership.—Such interagency working group shall be composed of representatives of each of the intelligence community that the Director of National Intelligence determines appropriate.

(c) 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) 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) The number of such completed investigations identified in paragraph (B), the number referred to the Attorney General for criminal investigation. 

SEC. 718. MODIFICATION OF CERTAIN REPORTING REQUIREMENT ON TRAVEL OF FOREIGN DIPLOMATS.

(a) General.—The number of such completed investigations identified in paragraph (B), the number referred to the Attorney General for criminal investigation. 

(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.—This 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.—This term ‘unauthorized disclosure of classified information’ means any unauthorized disclosure of classified information to any recipient.

(4) Public Disclosure of Classified Information.—This term ‘public disclosure of classified information’ means any disclosure of classified information to a journalist or media organization.

(b) Intelligence Community Reporting.—

(1) 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 shall include—

(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.

SEC. 719. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

(a) General.—Title XI of the National Security Act of 1947 (50 U.S.C. 3212 et seq.) is amended by adding at the end the following new section:

(1) Evaluation.—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) Title.—The heading of the preceding paragraph is amended to read—

‘SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.’

SEC. 720. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

(a) 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.

(b) Title.—The heading of the preceding paragraph is amended to read—

‘SEC. 1106. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.’
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(c) DEPARTMENT OF JUSTICE REPORTING.—

(1) IN GENERAL.—Not less frequently than once every 6 months, the Assistant Attorney General for National Security of the Department of Justice, in consultation with the Director of the Federal Bureau of Investigation, shall submit to the congressional intelligence committees, the Committee on the Judiciary, and the Committee on the Judiciary of the House of Representatives a report on the status of each referral made to the Department of Justice from any element of the intelligence community regarding an unauthorized disclosure described in the referral was substantiated by the Department of Justice.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for each referral covered by the report, at a minimum, the following:

(A) The date the referral was received.

(B) A statement indicating whether the alleged unauthorized disclosure described in the referral was substantiated by the Department of Justice.

(C) A statement indicating the highest level of classified information that was revealed in the unauthorized disclosure.

(D) A statement indicating whether an open criminal investigation related to the referral is active.

(E) A statement indicating whether any criminal charges have been filed related to the referral.

(F) A statement indicating whether the Department of Justice has been able to attribute the unauthorized disclosure to a particular entity or individual.

(d) FORM OF REPORTS.—Each report submitted under this section shall be submitted in an unclassified form, but may have a classified annex.

(e) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 1104 the following new item:

“Sec. 1105. Semiannual reports on investigations of unauthorized disclosures of classified information.”

SEC. 720. CONGRESSIONAL NOTIFICATION OF DESIGNATION OF COVERED INTELLIGENCE OFFICER AS PERSONA NON GRATA.

(a) COVERED INTELLIGENCE OFFICER DEFINED.—In this section, the term “covered intelligence officer” means—

(1) a United States intelligence officer serving in a post in a foreign country; or

(2) a known or suspected foreign intelligence officer serving in a United States post.

(b) REQUIREMENT FOR REPORTS.—Not later than 72 hours after a covered intelligence officer is designated as a persona non grata, the Director of National Intelligence, in consultation with the Inspector General of the Department of State, shall submit to the congressional intelligence committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification of that designation. Each such notification shall include—

(1) the date of the designation;

(2) the basis for the designation; and

(3) a justification for the expulsion.

SEC. 721. REPORTS ON INTELLIGENCE COMMUNITY PARTICIPATION IN VULNERABILITIES EQUITIES PROCESS OF FEDERAL GOVERNMENT.

(a) DEFINITIONS.—In this section:


(2) VULNERABILITIES EQUITIES PROCESS.—The term “Vulnerabilities Equities Process” means the interagency review of vulnerabilities, pursuant to the Vulnerabilities Equities Policy and Process document or any successor document.

(3) VULNERABILITY.—The term “vulnerability” means a weakness in an information system or its components (for example, system vulnerability to attack, technology vulnerabilities, internet controls) that could be exploited or could affect confidentiality, integrity, or availability.

(b) REPORTS ON PROCESS AND CRITERIA UNDER VULNERABILITIES EQUITIES POLICY AND PROCESS.—

(1) IN GENERAL.—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 report describing—

(A) with respect to each element of the intelligence community—

(i) the title of the official or officials responsible for determining whether, pursuant to criteria contained in the Vulnerabilities Equities Policy and Process document or any successor document, a vulnerability must be submitted for review under the Vulnerabilities Equities Process; and

(ii) the process used by such element to make such determination; and

(B) the roles or responsibilities of that element during a review of a vulnerability submitted to the Vulnerabilities Equities Process.

(2) CHANGES TO PROCESS OR CRITERIA.—Not later than 30 days after any significant change is made to the process or criteria used by an element of the intelligence community for determining whether to submit a vulnerability for review under the Vulnerabilities Equities Process, such element shall submit to the congressional intelligence committees a report describing such change.

(c) FORM OF REPORTS.—Each report submitted under this subsection shall be submitted in unclassified form, but may include a classified annex.

(1) ANNUAL REPORTS.—

(a) REPORTS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the effectiveness of processes for identifying topics of public or historical importance that merit prioritization for a declassification review.

(b) INSPECTORS GENERAL LISTED.—The Inspector General listed in this subsection as follows:

(1) The Inspector General of the National 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 AND BRIEFING ON EMERGING INFECTIOUS DISEASE AND PANDEMICS.

(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 not less frequently than once every 5 years thereafter, the Director of National Intelligence 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 subparagraph (A) of section 1104 as a topic of global scope, but focus on areas of the world—

(A) of strategic, economic, or humanitarian interest to the United States; or

(B) 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) NON-DUPLICATION.—The Director of National Intelligence may forgo submission of an annual report required under this subsection for a calendar year, if the Director notifies the intelligence committees in writing that, with respect to the same calendar year, an annual report required under paragraph 4.3 of the Vulnerabilities Equities Policy and Process document already has been submitted to Congress, and such annual report contains the information that would otherwise be required to be included in an annual report under this subsection.

SEC. 722. INSPECTORS GENERAL REPORTS ON CLASSIFICATION.

(a) REPORTS REQUIRED.—Not later than October 1, 2019, each Inspector General listed in subsection (b) shall submit to the congressional intelligence committees a report that includes, with respect to the department or agency that the Inspector General, analyzes of the following:

(1) The accuracy of the application of classification and handling markers on a representative sample of finished intelligence documents;

(2) Compliance with declassification procedures;

(3) The effectiveness of processes for identifying topics of public or historical importance that merit prioritization for a declassification review.

(b) INSPECTORS GENERAL LISTED.—The Inspector General listed in this subsection as follows:

(1) The Inspector General of the National 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.
(A) such stakeholders within the intelligence community, the Department of Defense, and the Department of State as the Director considers appropriate; and
(B) such additional Federal agencies and persons in the private sector as the Director considers appropriate.

(4) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) BRIEFING ON EMERGING INFECTIOUS DISEASE AND PANDEMICS.—

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

(A) the congressional intelligence committees,

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives; and

(C) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

(b) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the appropriate congressional committees a briefing addressing the anticipated political and economic effects of emerging infectious disease (including deliberate, accidental, and naturally occurring infectious disease threats) and their implications on the national security of the United States.

(3) CONTENT.—The briefing under paragraph (2) shall include an assessment of—

(A) the economic, social, political, and security risks, costs, and impacts of emerging infectious diseases on the United States and the international political and economic system;

(B) the economic, social, political, and security risks, costs, and impacts of a major transnational pandemic on the United States and the international political and economic system; and

(C) contributing trends and factors to the matters assessed under subparagraphs (A) and (B).

(4) EXAMINATION OF RESPONSE CAPACITY.—In examining trends and factors, and impacts of emerging infectious disease and a possible transnational pandemic under paragraph (3), the Director of National Intelligence shall also examine the response capacity under paragraph (2) the response capacity within affected countries and the international system. In considering response capacity, the Director shall include—

(A) the ability of affected nations to effectively detect and manage emerging infectious diseases and a possible transnational pandemic;

(B) the role and capacity of international organizations and nongovernmental organizations to respond to emerging infectious disease in a transnational pandemic, and the ability to coordinate with affected and donor nations; and

(C) the effectiveness of current international frameworks, agreements, and health systems to respond to emerging infectious diseases and a possible transnational pandemic.

(5) FORM.—The briefing under paragraph (2) may be classified.

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 313 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 document issued 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. STUDY OF THE FEASIBILITY OF ENCRYPTING UNCLASSIFIED WIRELINE AND WIRELESS TELEPHONE CALLS.

(a) STUDY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a feasibility study on the practicability of encrypting unclassified wireline and wireless telephone calls between personnel in the intelligence community.

(b) REPORT REQUIRED.—Not later than 90 days after the date on which the Director completes the study required by subsection (a), the Director shall submit to the congressional intelligence committees a report containing the findings made by the Director in completing the study as well as to prospective employees of the intelligence community.

SEC. 726. MODIFICATION OF REQUIREMENT FOR STUDY ON THE FEASIBILITY OF ESTABLISHING 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 ‘‘fiscal year’’.

(b) CLARIFICATION ON DISAGREGATION OF DATA.—Subsection (b) of such section is amended, in the matter before paragraph (1), by striking ‘‘disaggregated data by category of covered person’’ and inserting ‘‘data, disaggregated by category of covered person and element of the intelligence community’’.

SEC. 727. REPORTS ON INTELLIGENCE COMMUNITY LOAN REPAYMENT AND RETENTION PROGRAM.

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

(1) there should be established, through the issuance of a memorandum of understanding by the intelligence community director, 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 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 hire, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions; and

(b) 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—

(1) The number of personnel from each element of the intelligence community who used each covered program.

(2) The total amount of funds each element expended for each covered program.

(3) 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. 728. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) CORRECTING LONG-STANDING MATERIAL WEAKNESSES.—Section 368 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111–289; 50 U.S.C. 3031 note) is hereby repealed.

(b) INTERAGENCY THREAT ASSESSMENT AND COORDINATION.—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—

(1) in paragraph (b), by striking ‘‘; and’’ and inserting a period; and

(B) by striking paragraph (9).

(c) INSPECTOR GENERAL REPORT.—Section 887 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking subsection (g); and

(2) by inserting the following:

‘‘(H) by striking ‘‘; and’’ and inserting a period; and

(B) by striking paragraph (9).’’
(2) by redesignating subsections (b) and (i) as subsections (g) and (h), respectively.

SEC. 729. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REPORT ON SENIOR EXECUTIVE SERVICE POSITIONS.

(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.

(4) An assessment of 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 offer, as an inducement to assisting the Bureau, permanent residence within the United States to foreign individuals who are sources or cooperators in investigations of other national security-related investigations. The briefing shall address the following:

(1) The extent to which the Bureau may make such offers to sources and cooperators in conjunction with other agencies and departments of the United States Government, including a discussion of the authorities provided by 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. 3050), and any other laws 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 the congressional intelligence committees an assessment of the nature and extent of the 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, silver, 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 exploitation 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; and

(3) The global financial institutions, money service 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 Secretary of State, 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 tools and 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 the alignment of flaws 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. 510 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) the Committee on Homeland Security and Governmental Affairs and the Committee on Energy and Natural Resources of the Senate; and

(C) the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives.

(2) THE TERM “COVERED ENTITY” MEANS—

the term “covered entity” means an entity identified pursuant to section 9(a) of Executive Order 13636 of February 12, 2013 (78 Fed. Reg. 11742), 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.

(b) P.A. 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).

(c) PROGRAM.—The term “Program” means the pilot program established under subsection (b).

(7) SECRETARY.—Except as otherwise specifically provided, the term “Secretary” means the Secretary of Energy.

(8) SECURITY VULNERABILITY.—The term “security vulnerability” means any attribute of hardware, software, or a procedure that could enable or facilitate the defeat of a security control.

(9) PILOT PROGRAM FOR SECURING ENERGY INFRASTRUCTURE.—Not later than 180 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) evaluating technology and standards, in partnership with covered entities, to isolate and defend industrial control systems of covered entities from security vulnerabilities and attack methods in the national control systems of the covered entities, including—

(A) analog and nondigital control systems;
(B) purpose-built control systems; and
(C) physical controls.

(C) WORKING GROUP TO EVALUATE PROGRAM STANDARDS AND DEVELOP STRATEGY.—
(1) ESTABLISHMENT.—The Secretary shall establish a working group—
(A) to evaluate the technology and standards used in the Program under subsection (b)(2); and
(B) to develop a national cyber-informed engineering strategy to isolate and defend covered information systems from security vulnerabilities and exploits in the most critical systems of the covered entities.

(2) MEMBERSHIP.—The working group established under subsection (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 councils.
(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; or
(ii) The intelligence community (as defined in section 102 of the National Security Act of 1947 (50 U.S.C. 3001)).
(G)(i) The Department of Defense; or
(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) EXEMPTIONS 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;
(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 or agency 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) AVAILABILITY.—Amounts made available under paragraphs (1) and (2) shall remain available until expended.

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 of the House of Representatives.

(2) BUG BOUNTY PROGRAM.—The term "bug bounty program" means a program under which covered entities or their approved computer security specialists or security researchers are 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 5032 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 committees of Congress, appropriate agencies and departments of the United States to implement bug bounty programs.

(2) CONTENTS.—The plan required by paragraph (1) shall include—
(A) an assessment of—
(i) the "Hack the Pentagon" pilot program carried out by the Department of Defense in 2016 and subsequent bug bounty programs in identifying and reporting vulnerabilities within the information systems of the Department of Defense; and
(ii) private approved bug bounty programs, including such programs implemented by leading technology companies in the United States; and
(B) recommendations on the feasibility of initiating bug bounty programs at appropriate agencies and departments of the United States.

SEC. 744. MODIFICATION OF AUTHORITIES RELEVANT TO THE NATIONAL INTELLIGENCE UNIVERSITY.

(a) CIVIL SERVICE AUTHORITY AND 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:
"(g) The National Intelligence University.".

(2) COMPENSATION PLAN.—The Secretary of Defense shall provide each person employed as a full-time professor, instructor, or lecturer at the National Intelligence University on or after the date of the enactment of this Act an opportunity to elect to pay under the compensation plan in effect on the day before the date of the enactment of this Act (with no reduction in pay) or under the authority of section 1595 of title 10, United States Code, as amended by paragraph (1).

(b) ACCEPTANCE OF FACULTY RESEARCH GRANTS.—Section 2161 of such title is amended by adding at the end the following:
"(d) ACCEPTANCE OF FACULTY RESEARCH GRANTS.—The Secretary of Defense may authorize the President of the National Intelligence University to accept research grants in the same manner and to the same degree as the President of the National Defense University under section 2165(e) of this title.".

(c) PILOT PROGRAM ON ADMISSION OF PRIVATE SECTOR CIVILIANS TO RECEIVE INSTRUCTION.—
(1) PILOT PROGRAM REQUIRED.—
(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall commence carrying out a pilot program to assess the feasibility and advisability of permitting eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Intelligence University.

(B) DURATION.—The Secretary shall carry out the pilot program in a manner consistent with section 2167 of title 10, United States Code.

(C) NUMBER OF PARTICIPANTS.—No more than the equivalent of 35 full-time student positions may be filled at any one time by private sector employees enrolled under the pilot program.

(D) DIPLOMAS AND DEGREES.—Upon successful completion of the course of instruction in which enrolled, any such private sector employee may be awarded an appropriate diploma or degree under section 2161 of title 10, United States Code.

(2) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—
(A) IN GENERAL.—For purposes of this subsection, an eligible private employee is an individual employed by a private firm that is engaged in providing to the Department of Defense, the intelligence community, or other Governmental units or agencies significant and substantial intelligence or defense-related systems, products, or services whose work product is relevant to national security policy or strategy.

(B) LIMITATION.—Under this subsection, a private sector employee admitted for instruction at the National Intelligence University during any academic year only if, before the start of that academic year, the Secretary of Defense determines, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing instruction to private sector employees under this section does not compromise the national security interests of the United States.
(4) PILOT PROGRAM REQUIREMENTS.—The Secretary of Defense shall ensure that—
(A) the curriculum in which private sector employees may be enrolled under the pilot program is not 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—
(A) is at least the rate charged for employes of the United States outside the Department of Defense, less infrastructure costs; and
(B) considers the value to the school and course of the private sector student.

(5) STANDARDS OF CONDUCT.—While receiving instruction at the National Intelligence University, students enrolled under the pilot program, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the university.

(6) USE OF FUNDS.—(A) IN GENERAL.—Amounts received by the National Intelligence University for instruction of students enrolled under the pilot program shall be retained by the university to defray the costs of such instruction.
(B) REPORTS.—(1) ANNUAL REPORTS.—Each academic year in which the pilot program is carried out, the Secretary shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, 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 congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives 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 respect to the feasibility and advisability of permitting the private sector employee who work in organizations relevant to national 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 CLERICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

(a) TABLE OF CONTENTS.—The table of contents at the beginning of the National Security 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;
(3) by striking the item relating to section 111B and inserting the following new item: “Sec. 118B. Special pay authority for science, technology, engineering, or mathematics positions.”;
(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 2:
(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 (3) of subsection (v), by moving the margins of such paragraph 2 ems to the left;
(2) in section 106—
(A) by inserting “Sec. 106” before “(a)”; and
(B) in subparagraph (2) of paragraph (2) of subsection (b), by moving the margins of such subparagraph 2 ems to the right;
(3) by striking section 107;
(4) in section 108(c), by striking “in both a classified and an uncategorized form” and inserting “in both a classified and uncategorized form,” but may include an uncategorized summary; and
(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 follows:

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 5, United States Code, shall be applicable to the Department of Defense:—
(1) by inserting after the item relating to section 443: “SEC. 201A. DETERMINATION OF TRIBAL STATUS.”;
(2) by inserting “Intelligence and” after “Office of Intelligence and Counterintelligence”;

(c) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) section 502 of the National Security Act of 1947 (50 U.S.C. 3092) requires elements of the intelligence community “fully and currently informed” about all “intelligence activities” of the United States, and to “furnish to the congressional intelligence committees written notification, by not later than 7 days after becoming aware of the occurrence of an individual in the executive branch who has disclosed classified information”;
(2) each such notification should include—
(A) the date and place of the disclosure of classified information covered by the notification;
(B) a description of such classified information;
(C) identification of the individual who made such disclosure and the individual to whom such disclosure was made; and
(D) a summary of the circumstances of such disclosure.

SEC. 746. SENSE OF CONGRESS ON CONSIDERATION OF ESPIONAGE ACT VIOLATIONS CONCERNING FOREIGN INDIVIDUALS TO BE ACCREDITED TO A UNITED NATIONS MISSION IN THE UNITED STATES.
It is the sense of the Congress that the Secretary of State, in considering whether or not to provide a visa to a foreign individual to be accredited to a United Nations mission in the United States, should consider—

(1) ADVISORY FOREIGN GOVERNMENT.—The term “advisory foreign government” means the government of any of the following foreign countries:
(A) North Korea.
(B) Iran.
(C) China.
(D) Russia.
(E) Cuba.
(2) COVERED CLASSIFIED INFORMATION.—The term “covered classified information” means classified information that was—
(A) collected by an element of the intelligence community; or
(B) provided by the intelligence service or military of a foreign country to an element of the intelligence community.

(3) ESTABLISHED INTELLIGENCE CHANNELS.—The term “established intelligence channels” means methods by which intelligence to coordinate foreign intelligence relationships, as established pursuant to law by the Director of National Intelligence, the Director of Central Intelligence, the Director of the National Security Agency, or other head of an element of the intelligence community.

(4) INDIAN IN THE EXECUTIVE BRANCH.—The term “Indian in the executive branch” means any officer or employee of the executive branch, including individuals serving in the chief of staff, Senior Executive Service (or similar service for senior executives of particular departments or agencies).

(b) FINDINGS.—Congress finds that section 502 of the National Security Act of 1947 (50 U.S.C. 3092) requires elements of the intelligence community to submit to the congressional intelligence committees written notification, by not later than 7 days after becoming aware of the occurrence of an individual in the executive branch who has disclosed classified information to an official of an adversary foreign government using methods other than established intelligence channels; and
(2) each such notification should include—
(A) the date and place of the disclosure of classified information covered by the notification;
(B) a description of such classified information;
(C) identification of the individual who made such disclosure and the individual to whom such disclosure was made; and
(D) a summary of the circumstances of such disclosure.
SEC. 1262. 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 of the Air Force shall submit to Congress a report on defense cooperation between the United States and India in the Western Indian Ocean.

(b) MATTERS TO BE INCLUDED.—The report required by paragraph (1) shall include the following:

(A) A description of military activities of the United States and India, separately, in the Western Indian Ocean.

(B) A description of military cooperation activities between the United States and India in the areas of humanitarian assistance, counter terrorism, counter piracy, maritime security, and other areas as the Secretary determines appropriate.

(C) A description of how the relevant geographic combatant commands coordinate their activities with the Indian military in the Western Indian Ocean.

(D) A description of the mechanisms in place to ensure the relevant geographic combatant commands maximize defense cooperation with India in the Western Indian Ocean.

(E) Areas of future opportunity to increase military engagement with India in the Western Indian Ocean.

The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) MILITARY COOPERATION AGREEMENTS; CONDUCT OF REGULAR JOINT MILITARY TRAINING AND OPERATIONS.—The Secretary of Defense is authorized to enter into military cooperation agreements and to conduct regular joint military training and operations with India in the Western Indian Ocean on behalf of the United States Government, and after consultation with the Secretary of State:

(c) PREVENTION OF UNAUTHORIZED ACCESS TO INDIA'S DEFENSE SYSTEMS AND TERRITORY.—The Secretary of Defense shall ensure that the relevant geographic combatant commands coordinate their activities with the Indian military in the Western Indian Ocean.

(d) DEFINITIONS.—In this section:

SEC. 1263. SOUTH CHINA SEA SECURITY ACT OF 2019.

(a) IN GENERAL.—The Secretary of Defense shall submit to Congress a report on a detailed master plan for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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 squadron 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 OF REPORT.—(1) IN GENERAL.—Not later than 90 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 as 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.

SEC. 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. 1001. PROHIBITION ON RELIEF RELATING TO PATENT INFRINGEMENT.

(a) DEFINITION.—In this section, the term "covered entity" means an entity that—

(A) is owned by, controlled by, affiliated with, or acting at the direction of an entity that is organized under the laws of, or otherwise subject to the jurisdiction of, a country, the government of which is on the priority watch list established by the United States Trade Representative pursuant to section 182(a) of the Trade Act of 1974 (19 U.S.C. 2242(a)); and

(B) has engaged in an action that is prohibited under—

(i) section 301(a) of Executive Order 13873 (84 Fed. Reg. 22699; relating to securing the information and communications technology and services supply chain); or

(ii) any regulations issued in response to the Executive Order described in clause (i); and

(2) includes any subsidiary, affiliate, employee, or representative of, and any related party with respect to, an entity described in paragraph (1), without regard to the location or jurisdiction of incorporation of that subsidiary, affiliate, employee, representative, or party, as applicable.

(b) PROHIBITION.—Notwithstanding any other provision of law or regulation, no covered entity may—

(1) bring or maintain an action for infringement of a patent under title 35, United States Code; or

(2) file a complaint with the United States International Trade Commission for an investigation under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337); or

(3) otherwise obtain any relief under the laws of the United States, including for damages, injunctive relief, or other redress, with respect to a patent issued by the United States Patent and Trademark Office.

SEC. 552. 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 II, add the following:

SEC. 1003. DEFENSE MICROELECTRONICS AGENCY.

(a) ESTABLISHMENT.—There is established in the Department of Defense a Defense Microelectronics Agency.

(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 integrated circuits, ranging from obsolete to state-of-the-practice and state-of-the-art microelectronics for the Department.

(b) FUNCTIONS.—The functions of the Defense Microelectronics Agency are as follows:

(1) Establishing a public-private partnership to initiate a Government owned, contractor operated (GOCO) facility for the manufacture of microelectronics for the Department in order to provide the supply...
chain security, dependability, and expediency required to cost effectively address national defense needs of the United States. Such partnership shall enable access to state-of-the-art technology in an environment that can accommodate top-secret activities. 

(2) Creating an annual, moving estimate of $50 million of defense 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 Department microelectronics science and technology programs in response to development, test, and evaluation to assure the requirements collected and organized under paragraph (3) are met.

(5) Tracking and analyzing microelectronics industry capabilities, including trusted technology and production capabilities.

(6) Performing outreach and industry coordination on all matters relating to the functions under this subsection via external advisory groups and industry associations.

(7) Establishing foundry capacity as needed at all tier levels and defining their funding models.

(8) Issuing Departmentwide directions, policies, and procurement regulations relating to microelectronics.

(9) Overseeing the acquisition of all microelectronics within the Department of Defense including subsystems within procurement programs.

(b) Requirements.—

(1) Establishing and publishing Department policies.—(A) The Defense Microelectronics Agency shall establish and publish policies for the Department on the criticality of access to advanced integrated circuit technology and for determining 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 Department shall assure commercial-off-the-shelf component trustworthiness.

(2) Review of funding levels.—The Defense 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 interagency and interdepartmental working groups, including Department of Defense, Department of Energy, and the intelligence community, to enable the Department to evaluate the need for 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 engineering and chip and package testing for their practicality for Department of Defense use.

(C) Such working groups shall focus on techniques for assuring trustworthiness of embedded processors and memories in array and system components.

(4) Components requiring highest degree of trustworthiness.—(A) The Defense Microelectronics Agency shall establish criteria for defining which Defense programs and Department prime contractors on how to identify or classify components requiring the highest degree of trustworthiness.

(B) The Defense Microelectronics Agency shall develop procedures and techniques to evaluate the trustworthiness of each microelectronic component in Department systems.

(i) Transfer of functions.—

(1) Defense microelectronics activity.—All functions and resources of the Defense Microelectronics Activity are hereby functions and resources of the Defense Microelectronics Agency.

(2) Research, development, testing, and engineering.—All research, development, testing, and engineering functions of the Department relating to microelectronics, including semiconductor and all funding appropriated or otherwise made available to the Department for such functions are hereby functions and funding appropriated or otherwise made available for the Defense Microelectronics Agency.

SA 553. Mr. RUBIO (for himself and 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 research and development activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

(1) Federal agencies;

(2) State agencies;

(3) Academia;

(4) Private industry; and

(5) Nongovernmental organizations.

(4) 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 Congress a plan, based on the integrated assessment under subsection (b), for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida, and the status of, and gaps within, coastal protection, and research, monitoring, management, prevention, response, and control activities that directly affect the region by—

(1) Federal agencies;

(2) State agencies;

(3) Academia;

(4) Private industry; and

(5) Nongovernmental organizations.

(C) identification requirements for the development and verification of South Florida harmful algal bloom and hypoxia models, including—

(1) all assumptions built into the models; and

(2) data quality methods used to ensure the reliability of available data and utilized; and

(D) propose a plan to implement a remote monitoring network and early warning system for alerting local communities in the region to harmful algal bloom risks that may impact human health.

(3) REQUIREMENTS.—In developing the action plan, the Task Force shall—

(1) coordinate and consult with the State of Florida, and affected local and tribal governments;

(2) consult with representatives from regional and local academic, agricultural, and other stakeholder groups;

(3) ensure that the plan complies and does not duplicate activities conducted by regional and local academic, agricultural, and other stakeholder groups; and

(E) the term ‘South Florida’ has the same meaning given the term ‘South Florida ecosystem’ in section 601(a)(5) of the Water Resources Development Act of 2000 (Public Law 106–541).
"(D) identify critical research for reducing, mitigating, and controlling harmful algal bloom events and their effects;

(E) evaluate cost-effective, incentive-based conservation approaches;

(F) ensure that the plan is technically sound and cost-effective;

(G) utilize existing research, assessments, reports, and other activities;

(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) 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 104-35) is amended by striking the items relating to title VI and inserting the following new items:

"TITLE VI—HARMFUL ALGAL BLOOMS AND HYPOXIA

"Sec. 601. Short title.

"Sec. 602. Findings.

"Sec. 603. Assessment.

"Sec. 604. Program.

"Sec. 605. South Florida harmful algal blooms.

"Sec. 606. Great Lakes hypoxia and harmful 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 CITIZEN 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:

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

(b) APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this amendment made by subsection (a) shall apply with respect to an annuity commencing on or after the effective date of this section.

(2) PROVISIONS RELATING TO CURRENT ANNUITANTS.—

(A) RECOMPUTATION.—An individual who is entitled to an annuity for the month in which the enactment of this section becomes effective shall be entitled to an increased amount of an annuity, effective as of the commencement date of the annuity, as an increase of the amount of the annuity recomputed by the Office of Personnel Management as of the date of such enactment as described in subsection (a) of this section, if the amendments made by subsection (a) had in effect throughout all periods of service on the basis of which the annuity was or may be based.

(B) EFFECT OF RECOMPUTATION.—A recomputation under subparagraph (A) shall be effective as of the commencement date of the annuity, as an increase of the amount of the annuity recomputed by the Office of Personnel Management as of the date of such enactment as described in subsection (a) of this section, and any amounts becoming payable for periods before the first month for which the recomputation is reflected in the monthly annuity payments to the individual that are payable to the individual in the form of a lump-sum payment.

(3) PROVISIONS RELATING TO INDIVIDUALS ELIGIBLE FOR BUT NOT CURRENTLY RECEIVING AN ANNUITY.—

(A) IN GENERAL.—An individual who is not described in paragraph (2) who becomes eligible for an annuity or an increased annuity as a result of the enactment of this section may elect to have the rights of the individual subject to subparagraph (A) of subsection (b) of section 8332(b)(18) of title 5, United States Code, determined as if the amendments made by subsection (a) had in effect throughout all periods of service on the basis of which the annuity is or would be based by submitting an appropriate application to the Office of Personnel Management not later than 2 years after the later of—

(i) the effective date of this section; or

(ii) the date on which the individual separates from service.

(B) COMMENCEMENT DATE, ETC.—

(1) IN GENERAL.—Any entitlement to an annuity or an increased annuity resulting from an application submitted under subparagraph (A) shall become payable for periods before the first month for which the recomputation is reflected in the monthly annuity payments to the individual that are payable to the individual in the form of a lump-sum payment.

(2) UNFUNDED LIABILITY.—Any increase in unfunded liability that would otherwise have been payable to the individual that would otherwise have been payable to the individual in the form of a lump-sum payment.

(3) REGULATIONS AND SPECIAL RULE.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Director of the Office of Personnel Management shall issue regulations and make interpretations as 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 (35 U.S.C. 350; 100 Stat. 588) with respect to any service described in section 8332(b)(18) of title 5, United States Code, that a survivor of an individual described under subsection (d)(1) shall provide, for an annuity or an increased annuity resulting from an application for any benefit that is computed in the form of a lump-sum payment.

(C) DEFINITIONS.—For purposes of this section:

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

(2) the term "survivor", "survivor annuitant", and "unfunded liability" have the meanings given those terms in section 8342(c) of title 5, United States Code (as added by subsection (a) of this section) that was subject to title H of the Social Security Act (42 U.S.C. 401 et seq.)

(D) 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 section 117 of title I, add the following:

SEC. 117L. LIGHT ATTACK AIRCRAFT.
(a) PROCUREMENT AUTHORITY FOR COMBAT AIR AIRCRAFT.—The Commander of the United States Special Operations Command shall have procurement authority for Light Attack Aircraft for Combat Air Advisor (CAA) mission support.
(b) AUTHORITY TO USE OR TRANSFER FUNDS MADE AVAILABLE FOR LIGHT ATTACK AIRCRAFT EXPERIMENTS.—In general, the Secretary of the Air Force shall use or transfer amounts authorized to be appropriated by this Act and otherwise available for Light Attack Aircraft (LAA) experiments to procure the required quantity of aircraft 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 in accordance with subsection (a).

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:

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

SEC. 323. 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;
(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
(3) ensure that the Secretary of the military department concerned provide funding for adequate force protection and physical security measures at non-cantonment facilities to protect such facilities and the safety and security of personnel and property not residing in the main cantonment area.
(b) POLICY.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall establish and publish in the Federal Register and on an Internet website of the Department of Defense a policy for carrying out the requirements under subsection (a).
(c) REVIEW OF MEASURES AND POLICY.—In the event of heightened threat conditions and world events, the Secretary of Defense shall review the policy under subsection (b) and the measures undertaken under that policy as the Secretary considers appropriate.

SA 559. 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:

Subtitle H—Western Hemisphere Security Initiative

SEC. 1291. SHORT TITLE.
This subtitle may be cited as the “2020 Western Hemisphere Security Initiative”.

SEC. 1292. FINDINGS.
Congress makes the following findings:
(1) The Western Hemisphere directly impacts the security of the United States. The nations of the hemisphere are connected in every domain. They provide for our prosperity, and the ability to meet complex global challenges.

The security and prosperity of future generations depend on our trust and cooperation.
(2) The Western Hemisphere is home to more than 1,000,000,000 people and largely free and democratic societies that respect for human rights that is shared by nearly all nations in the hemisphere.
(3) The United States is in competition with China and other rising global powers in the Western Hemisphere. China has accelerated expansion of its One Belt One Road Initiative at a pace that may one day overtake the United States’ traditional engagement in Latin America.
(4) Russia supports regional information outposts that spread its false narrative of interventions and United States policies.
(5) Iran has exported its state support for terrorism to the hemisphere. China and Russia also support autocratic regimes in Venezuela, Cuba, and other countries. China and Russia are counter to democracy and United States interests.
(6) The Western Hemisphere continues to experience high levels of corruption, violence, trafficking in drugs and other illicit commodities, and illegal migration resulting from weak institutions and instability. Some of the top 20 most violent countries in the world are in Central America, the Caribbean, and South America.

Any challenges in the region affect the prosperity in this hemisphere, and to our economy. Democratic prosperity in this hemisphere are connected in every domain.

The United States National Security Strategy, which was released in December 2017, states the following:

(1) “Stable, friendly, and prosperous states in the Western Hemisphere enhance our security and benefit our democratic states connected by shared values and economic interests. They also reduce the violence, drugs trafficking and illegal immigration that threaten our common security, and will limit opportunities for adversaries to operate from areas of close proximity to us.”
(2) “The United States and our friends and partners will target transnational criminal organization leaders and their support infrastructure. We will assist countries, particularly in the Western Hemisphere, to break the power of these organizations and networks.”
(3) “The Summary of the 2018 National Defense Strategy of the United States of America” which was released in January 2018, states, “The U.S. derives immense benefit from a stable, peaceful hemisphere that reduces security threats to the homeland. Supporting the U.S. interagency lead, the Department will deepen its relations with regional countries that contribute military capacity to shared regional and global security challenges.”
(4) “The United States homeland is physically and geographically connected with Latin America and the Caribbean. Drug overflows killed more than 70,000 United States citizens in 2017, and treating drug abuse cost United States taxpayers more than $50,000,000,000 in 2015. In order to stem the epidemic of drug abuse, the United States Government must address domestic consumption and assist our partner nations in the region in reducing local cultivation and manufactur...
(5) “The summary of the 2018 National Defense Strategy of the United States of America” which was released in January 2018, states, “The U.S. derives immense benefit from a stable, peaceful hemisphere that reduces security threats to the homeland. Supporting the U.S. interagency lead, the Department will deepen its relations with regional countries that contribute military capacity to shared regional and global security challenges.”
(6) “The United States National Defense Strategy, which was released in December 2017, states the following:

(1) “Stable, friendly, and prosperous states in the Western Hemisphere enhance our security and benefit our democratic states connected by shared values and economic interests. They also reduce the violence, drugs trafficking and illegal immigration that threaten our common security, and will limit opportunities for adversaries to operate from areas of close proximity to us.”
(2) “The United States and our friends and partners will target transnational criminal organization leaders and their support infrastructure. We will assist countries, particularly in the Western Hemisphere, to break the power of these organizations and networks.”
(3) “The Summary of the 2018 National Defense Strategy of the United States of America” which was released in January 2018, states, “The U.S. derives immense benefit from a stable, peaceful hemisphere that reduces security threats to the homeland. Supporting the U.S. interagency lead, the Department will deepen its relations with regional countries that contribute military capacity to shared regional and global security challenges.”
(4) “The United States homeland is physically and geographically connected with Latin America and the Caribbean. Drug overflows killed more than 70,000 United States citizens in 2017, and treating drug abuse cost United States taxpayers more than $50,000,000,000 in 2015. In order to stem the epidemic of drug abuse, the United States Government must address domestic consumption and assist our partner nations in the region in reducing local cultivation and manufactur...
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 sharing initiatives, 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. By reducing the flow of drugs through Central America—the primary transit zone—we will also mitigate the drivers for extreme violence and corruption left in the wake of illicit drug trade. The vicious side effects of illicit trade also cost American taxpayers billions 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 Cuban, Venezuelan, and Bolivian 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) The United States is focused—necessitating 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 influence in the region. As American and regional partners work to supplant United States security presence and assistance, including through the following activities:

(A) The Government of the People’s Republic of Cuba 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 allied access and transit through the region. 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.

(B) The Government of the Russian Federation established a Counter Transnational Organized Crime (CTOC) Training Center in Nicaragua, providing the Government with a regional network to recruit intelligence sources among Russian citizens. The Russian Federation’s diversion of arms and weapons to the region, including by—

(i) exploiting publicly available information; and

(ii) sharing signals and insights into state and non-state destabilizing activities.

(C) 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 partnerships, helping to support strong and accountable institutions.

(D) 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 partnerships, helping to support strong and accountable institutions.

(E) streamlining security cooperation processes;

(F) enhance regional force readiness through joint training and exercises; and

(G) continue to build capacity for partner nations to address threats in space and cyberspace;

(H) the Secretary of State should—

(A) increase the designation of International Military Education and Training (IMET) funding for use by countries in the Western Hemisphere because education and training activities are force multipliers, provide partners with a way of understanding shared values, interoperability of forces, and deeper relationships lasting generations; and

(B) enhance the authority of the United States Southern Command (USSOUTHCOM) area of responsibility to adequately match requirements; and

(C) Congress should provide additional funds for use by USSOUTHCOM in contracting solutions to mitigate gaps in capabilities.

SEC. 1294. WESTERN HEMISPHERE SECURITY INITIATIVE.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $1,000,000,000 for the Department of Defense for fiscal year 2020 to carry out the Western Hemisphere Security Initiative.

(b) AMOUNTS IN ADDITION.—These funds may be used under this authority notwithstanding any other funding authorities for humanitarian assistance, military assistance, or special-purpose assistance, or combined exercise expenses.

(c) LIMITATION.—Funds appropriated pursuant to the authority under this subsection may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

(d) coordinated efforts. The Secretary of Defense may use amounts made available pursuant to subsection (a) for the following purposes:

(1) Activities to increase continuous United States presence in Latin America and the Caribbean.

(2) Activities to build the defense and security capacity of allies and partner nations in Latin America and the Caribbean.

(3) Activities to illuminate threats, including malign information influence activities, drug trafficking, terrorism, and weapons proliferation, at scale.

(F) continue to build interoperability to enhance regional force readiness.

(G) continue to build interoperability to enhance regional force readiness.

(2) Efforts to disrupt and degrade transregional and transnational illicit trade with an emphasis on drugs.

(3) Activities to counter transnational organized crime with a nexus to drug trafficking, terrorism, and weapons proliferation, at scale.

(4) Efforts to disrupt and degrade transregional and transnational illicit trade with an emphasis on drugs.

(5) Activities to provide transparency and support strong and accountable institutions.

(6) Bilateral and multinational military exercises and training with allies and partner nations in Latin America and the Caribbean.

(7) Foreign military financing (FMP) and international military education and training (IMET) programs.

(8) Payment of other expenses that the Commander of the United States Southern Command considers necessary for Latin American cooperation.

(9) dotted lines. The Commander of the United States Southern Command considers necessary for Latin American cooperation.

9. The provision of assistance to national military or other security forces of such countries that have among their functional responsibilities national or regional security missions.

10. The provision of assistance to national military or other security forces of such countries that have among their functional responsibilities national or regional security missions.

11. The provision of assistance to national military or other security forces of such countries that have among their functional responsibilities national or regional security missions.

(C) The United States should—

(A) assess the current United States force posture in the Western Hemisphere to ensure that the United States maintains an appropriate and consistent presence in the region;

(B) consider 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, deter nuclear attack and, if necessary, support them in their defense engagements. The Government of the Russian Federation has deployed strategic bombers, warships, intelligence collection platforms, and underwater research vessels that are capable of mapping and interfering with undersea cables.

(C) The United States has a fundamental interest in defending human rights and promoting the rule of law in the Western Hemisphere.

(D) 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.

(E) 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.

(F) There are now four countries in the region whose ruling parties do not share United States values and who actively seek to undermine stability and democratic institutions.

(G) 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 conflict.

(H) Support from the Governments of the Russian Federation and the People’s Republic of China for autocratic Governments in Cuba, Venezuela, Nicaragua, and Bolivia enablers anti-democratic sentiment and threatens United States security interests in the region.

(I) 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 partnerships, helping to support strong and accountable institutions.

(J) The United States should—

(A) increase the designation of International Military Education and Training (IMET) funding for use by countries in the Western Hemisphere because education and training activities are force multipliers, provide partners with a way of understanding shared values, interoperability of forces, and deeper relationships lasting generations; and

(B) increase the designation of International Military Education and Training (IMET) funding for use by countries in the Western Hemisphere because education and training activities are force multipliers, provide partners with a way of understanding shared values, interoperability of forces, and deeper relationships lasting generations; and
transporting nonlethal excess property (EP) to foreign countries, transferring on-hand Department of Defense stocks to respond to unforeseen emergencies, conducting Department of Defense serious cybersecurity 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 personnel costs of training, transportation, and operations of bases of operations to the extent required by the Secretary for the purpose of facilitating counterdrug and crime 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 paragraph (b), the Secretary of Defense shall accord a priority to assistance, training, or both that will enhance the security capabilities of the recipient, or of a region, in order to establish the security of which the recipient country is a member, to respond to emerging threats to regional security.

(e) UNFORESEEN EXPENSES OF PERSONNEL OF CERTAIN OTHER COUNTRIES FOR TRAINING.—If the Secretary of Defense determines that the payment of incremental expenses in connection with providing training described in paragraph (b) will facilitate the participation in such training of organization personnel of friendly foreign countries 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 appropriated to be available for the Department of Defense Security Cooperation Agency funds in support of security cooperation activities, $250,000,000 is authorized for the sole purpose of security cooperation activities under the Western Hemisphere Security Initiative, pursuant to paragraph (d)(3) of section 1214 of the National Defense Authorization Act for Fiscal Year 2015, to facilitate the participation in such activities of personnel of friendly foreign countries within the Western Hemisphere.

(2) USE OF FUNDS.—Funds made available under paragraph (1) may be used in accordance with paragraph (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 the Secretary of Defense determined to be engaged in, supporting, or utilizing 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 restrictions of section 275 of title 10, United States Code.

(h) IMET FUNDING.—There is authorized to be appropriated $20,000,000 for the Department of Defense for fiscal year 2020 to support, train, utilize, and exercise in support of the Department of Defense.

(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, including the provision of medical care, 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 PERSUANT 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.

(k) 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 support, train, utilize, and exercise in support of the Department of Defense.

(l) NOTIFICATION REQUIREMENTS.—Not later than 15 days before that date on which a transfer of funds under this section takes place, the Secretary shall notify 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 unique characteristics of the Com- mand, the Department of Defense, or a region that will enhance the purposes the Congress has sought to serve.

(2) REQUIRED ELEMENTS OF ASSISTANCE AND TRAINING.—The transfer authority provided by paragraph (1) and subsection (b) is in addition to any other transfer authority available to the Secretary to support, train, utilize, and exercise in support of the Department of Defense.

(m) UNFUNDED REQUIREMENTS AUTHORITY.—

(1) R EIMBURSEMENT.—The Department of Defense is authorized to reimburse up to $500,000,000 to the National Guard to strengthen national security functions in support of the United States Southern Command for fiscal year 2020.

(n) COAST GUARD SUPPORT.—

(1) REIMBURSEMENT.—The Department of Defense is authorized to reimburse up to $500,000,000 to the National Guard to strengthen national security functions in support of the United States Southern Command for fiscal year 2020.

(2) USE OF FUNDS.—The Coast Guard is authorized to utilize such funding in order to procure additional vessels in order to meet requirements of the United States Southern Command.

(o) SENSE OF CONGRESS ON ENHANCED UNFUNDING AUTHORITY.—It is the sense of Congress that the Secretary of Defense should pursue whatever means necessary to increase the presence of the Department of Defense within the United States Southern Command’s area of responsibility, including additional Navy deployments of small surface combatants and hospital ships, F-35 stealth technology, Army presence, and source year-round presence of a Special Purpose Marine Air-Ground Task Force.

(p) NAVY STRATEGY.—The Secretary of the Navy shall submit to Congress a strategy regarding Department of the Navy activities under the Western Hemisphere Security Initiative to an account under the authority provided by this section.

(q) STATE PARTNERSHIP PROGRAM.—It is the sense of Congress that the United States State Partnership Program, which provides assistance to the military of friendly foreign countries within the United States Southern Command, is a critical part of the Department of Defense strategy for the Western Hemisphere Security Initiative.

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) to support expeditionary forces testing and tactical operations requirements of the Department of Defense outside the United States; and

(B) to sustain the national defense in the event of an electromagnetic pulse attack.

SA 562. 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. ADDITIONAL AMOUNT FOR OTHER HELO DEVELOPMENT.

(a) 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, with the amount of the increase to be available for Other Helo Development (PE 0606300).

(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.
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 section C of title II, add the following:

SEC. 124. 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) AUTHORIZATION.—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 4301—

(A) for Army RDT&E Technology Maturational 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) for Army RDT&E Synthetic Training Environment Development & Prototyping is hereby decreased by $10,000,000; and

(D) for Defense RDT&E Advanced Innovations Technologies is hereby decreased by $12,000,000.

SA 564. Mrs. CAPITO (for herself, Mr. CARPER, Mr. BARBARA, Mr. 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 requirements under paragraph (1), when otherwise authorized to expend funds for the purpose of addressing ground or surface water contaminated by a perfluorocompounded derivative of Defense, to expend those funds, enter into a grant agreement, or cooperate with—

(A) a local water authority with jurisdiction over the contamination site, including—

(i) a public water system (as defined in section 212 of the Safe Drinking Water Act (42 U.S.C. 300f)); and

(ii) a publicly owned treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)); or

(B) a State, local, or Tribal government.

At the end of division A, add the following:

TITLE XVII—PFAS RELEASE DISCLOSURE, DETECTION, AND SAFE DRINKING WATER ACT OF 2019

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 RELEASE INVENTORY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ‘‘Administrator’’ means the Administrator of the Environmental Protection Agency.

(2) TOXICS RELEASE INVENTORY.—The term ‘‘toxics release inventory’’ means the toxics release inventory under section 313(c) of the Emergency Planning and Community Right-To-Know Act (42 U.S.C. 11046(c)).

(b) IMEDIATE INCLUSION.—

(1) IN GENERAL.—Subject to subsection (c), beginning on January 1 of the first fiscal year following the date of enactment of this Act, the following chemicals shall be deemed to be included in the toxics release inventory:

(A) Perfluorooctanoic acid (commonly referred to as ‘‘PFOA’’) (Chemical Abstracts Service No. 335–67–1). (B) The salt associated with the chemical described in subparagraph (A) (Chemical Abstracts Service No. 335–26–1).

(C) Perfluorooctane sulfonic acid (commonly referred to as ‘‘PFOS’’) (Chemical Abstracts Service No. 1763–23–4).


(E) A perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that—

(i) is listed as an active chemical substance in the February 2019 update to the inventory under section 313(f)(2) of the Emergency Planning and Community Right-To-Know Act (15 USC 2607(b)); and

(ii) on the date of enactment of this Act, is subject to the provisions of—

(I) section 313 of title 40, Code of Federal Regulations; or


(2) THRESHOLD FOR REPORTING.—

(A) IN GENERAL.—Subject to subparagraph (B), the threshold for reporting the chemicals described in paragraph (1) under section 313(f)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(c)(1)) is 100 pounds.

(B) REVISIONS.—Not later than 5 years after the date of enactment of this Act, the Administrator shall—

(i) determine whether revision of the thresholds under subparagraph (A) is warranted; and

(ii) if the Administrator determines a revision to be warranted under clause (i), initiate a revision under section 313(f)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(c)(2)) for inclusion in the toxics release inventory.

(3) SUBSTANCES DESCRIBED.—The substances and classes of substances referred to in paragraph (1) are perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances, including—

(A) hexafluoropropylene oxide diether acid (Chemical Abstract Service No. 17922–15–6); (B) the compounds associated with the chemical described in subparagraph (A) (Chemical Abstract Service Nos. 62037–80–3 and 2062–98–8); (C) perfluoro(2-pentafluoroethoxyethoxy)acetic acid (Chemical Abstract Service No. 908020–52–4); (D) 2,3,3,3-tetrafluoro-2-(1,1,2,3,3,3-hexafluoro)-2-(trifluoromethoxy) propyl fluoride (Chemical Abstract Service No. 2479–75–6); (E) 2,3,3,3-tetrafluoro 2-(1,2,3,3,3-hexafluoro)-2-(trifluoromethoxy) propionic acid (Chemical Abstract Service No. 2479–73–4); (F) 3H-perfluoro-3-(3-methoxy-propoxy) propionic acid (Chemical Abstract Service No. 919005–14–4); and

(G) the salts associated with the chemical described in subparagraph (F) (Chemical Abstract Service No. 958445–44–8, 1088721–46–2, and NOCAS_892462).

(H) 1-octanesulfonic acid 3,4,5,6,7,8,9-hexafluoro-potassium salt (Chemical Abstract Service No. 59587–38–1);
(I) perfluorobutanesulfonic acid (Chemical Abstracts Service No. 375–73–5);

(J) 1-Butanesulfonic acid, 1,1,2,3,3,4,4,4-nonanufluoropotassium salt (Chemical Abstracts Service No. 29466–49–3);

(K) the component associated with the chemical described in subparagraph (J) (Chemical Abstracts Service No. 45187–15–3);

(L) perfluorooctanesulfonic acid (Chemical Abstracts Service No. 375–22–4);

(M) perfluorohexanoic acid (Chemical Abstracts Service No. 307–24–4);

(N) perfluorooctyl or polyfluoroalkyl substance or class of perfluoralkyl or polyfluoroalkyl substances for which a method to measure levels in drinking water has been validated by the Administrator; and

(O) a perfluoroalkyl and polyfluoroalkyl substance or class of perfluoralkyl or polyfluoroalkyl substances other than the chemicals described in subparagraphs (A) through (N) that is used to manufacture fluoropolymers, as determined by the Administrator.

(3) ADDITION TO TOXICS RELEASE INVENTORY.—Subject to subsection (e), if the Administrator determines under paragraph (1) that a substance or a class of substances described in paragraph (2) meets the criteria described in 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 revise the toxics release inventory to include that substance or class of substances not later than 2 years after the date on which the Administrator makes the determination.

(e) CONFIDENTIAL BUSINESS INFORMATION.—

(I) IN GENERAL.—Prior to including on the toxics release inventory pursuant to subsection (b)(1), (c)(1), or (d)(3) any perfluorooctyl or polyfluoroalkyl substance or class of perfluoralkyl or polyfluoroalkyl substances the chemical identity of which is subject to a claim of a person of protection in a manner that does not disclose the protected information, the Administrator may publish the proposed national primary drinking water regulation described in item (a)(ii) of section 1454(a)(2)(B) in the Federal Register.

(II) LEVELS DESCRIBED.—The levels referred to in subclause (I) are—

(aa) the level of a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoralkyl or polyfluoroalkyl substances that a monitoring survey for the perfluoroalkyl or polyfluoroalkyl substance described in subparagraph (J) shall be monitored under section 1454(a)(2)(B)(i);

(bb) the total levels of perfluorooctane sulfonic acid and perfluorooctanoic acid for the perfluoroalkyl or polyfluoroalkyl substances described in paragraph (3)(C), the Administrator may rely on information available to the Administrator when making the determination under subparagraph (B) for the purposes of subparagraph (A).

(bb) the date on which the Administrator makes the determination shall be not more than 6 months after the date on which the Administrator makes the determination.

(bb) the date on which the Administrator makes the determination; and

(bb) the date on which the determination is published.

(II) PRIMARY DRINKING WATER REGULATIONS.—

(a) IN GENERAL.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoralkyl or polyfluoroalkyl substances that the Administrator determines to regulate under subsection (I), the Administrator—

(aa) the date on which the Administrator makes the determination; and

(bb) the date on which the determination is published.

(aa) the date on which the Administrator makes the determination.

(bb) the date on which the determination is published.

(II) PRIMARY DRINKING WATER REGULATIONS.—

(a) IN GENERAL.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoralkyl or polyfluoroalkyl substances that the Administrator determines to regulate under subsection (I), the Administrator—

(aa) the date on which the Administrator makes the determination; and

(bb) the date on which the determination is published.

(aa) the date on which the Administrator makes the determination; and

(bb) the date on which the determination is published.
(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 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) that are subject to a national primary drinking water regulation under clause (1) or (vi) of subparagraph (D) of section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2));

(B) that are subject to a national primary drinking water regulation 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—

(1) as required to monitor for the substances described in paragraphs (a)(2)(H) or (j)(5) of section 1445 of the Safe Drinking Water Act (42 U.S.C. 300j–4(a)(2)(B)(i));

(2) in subsection (m)(1), in the matter preceding subparagraph (A), by striking “this section” and inserting “this section, except for subsections (a)(2)(G) and (t)”; and

(3) by adding at the end the following:

“(ii) IN GENERAL.—In developing the national primary drinking water regulation under paragraph (1), carry out the sampling under subsection (a), the Director shall—

(A) develop quality assurance and quality control measures to ensure accurate sampling and testing;

(B) develop a training program with respect to the appropriate method of sample collection and analysis of perfluorinated compounds; and

(C) coordinate with the Administrator, including, if appropriate, coordinating to develop media-specific, validated analytical methods to detect individual and different perfluorinated compounds simultaneously.

SEC. 1734. DATA USAGE.

(a) In general.—The Administrator shall provide the sampling data collected under section 1734 to—

(1) the Committee on Environment and Public Works and the Committee on Energy and Natural Resources of the Senate;

(2) the Committee on Energy and Commerce of the House of Representatives;

(3) the Senators of each State in which the Director carried out the sampling; and

(4) the Senators of each State in which the Director carried out the sampling.

(b) Requirements.—In carrying out the sampling under subsection (a), the Administrator shall—

(1) first carry out the sampling at sources of drinking water near locations with known or suspected releases of perfluorinated compounds;

(2) when carrying out sampling of sources of drinking water under paragraph (1), carry out the sampling prior to any treatment of the water;

(3) survey for ecological exposure to perfluorinated compounds, with a priority in determining direct human exposure through drinking water; and

(4) consult with—

(A) States to determine areas that are a priority for sampling; and

(B) the Administrator—

(i) to enhance coverage of the sampling; and

(ii) to avoid unnecessary duplication.

(c) Report.—Not later than 90 days after the completion of the sampling under subsection (a), the Director shall prepare a report describing the results of the sampling and submit the report to—

(1) the Committee on Environment and Public Works and the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Energy and Commerce of the House of Representatives.

SEC. 1735. COLLABORATION.

(a) In general.—The Administrator shall collaborate with—

(1) appropriate Federal and State regulators; and

(2) institutions of higher education;
SUBTITLE D—Safe Drinking Water Assistance
SEC. 1737. AUTHORIZATION OF APPROPRIATIONS.

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. 1662 of the 115th Congress (S. Rept. 115–139).

(4) TECHNICAL ASSISTANCE AND SUPPORT.—The term ‘‘technical assistance and support’’ includes—

(A) assistance with—

(i) identifying appropriate analytical methods for the detection of contaminants;

(ii) the capability and capacity to perform the analysis is available at a Federal facility.

(B) APPLICATION.—

(i) issue a solicitation for research proposals consistent with the Federal research strategy; and

(ii) make grants to applicants that submit research proposals selected by the National Emerging Contaminant Research Initiative in accordance with subparagraph (B).

(B) SELECTION OF RESEARCH PROPOSALS.—The National Emerging Contaminant Research Initiative shall select research proposals to receive grants under this paragraph on the basis of merit, using criteria identified by the Director, including the likelihood that the proposed research will result in significant progress toward achieving the objectives identified in the Federal research strategy.

(C) ELIGIBLE ENTITIES.—Any entity or group of 2 or more entities may submit a proposal to the head of each agency described in paragraph (1)(C) a research proposal in response to the solicitation for research proposals described in subparagraph (A)(1), including—

(i) State and local agencies;

(ii) public institutions, including public institutions of higher education;

(iii) private corporations; and

(iv) nonprofit organizations.

(d) FEDERAL TECHNICAL ASSISTANCE AND SUPPORT FOR STATES.—

(1) STUDY.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator shall conduct a study on the potential for States to take action to increase technical assistance and support for States with respect to emerging contaminants in drinking water.

(B) CONTENTS OF STUDY.—In carrying out the study described in subparagraph (A), the Administrator shall identify—

(i) methods and effective treatment options to increase technical assistance and support with respect to emerging contaminants;

(ii) actions to be carried out at existing Federal laboratory facilities, including the research facilities of the Administrator, to provide technical assistance and support for States that require testing facilities for emerging contaminants.

(C) AVAILABILITY OF ANALYTICAL RESOURCES.—In carrying out the study described in subparagraph (A), the Administrator shall consider—

(i) the availability of—

(I) Federal and non-Federal laboratory capacity; and

(II) validated methods to detect and analyze contaminants; and

(ii) other factors determined to be appropriate by the Administrator.

(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress a report describing the results of the study described in paragraph (1).

(3) PROGRAM TO PROVIDE FEDERAL ASSISTANCE TO STATES.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator shall establish a program to provide technical assistance and support to eligible States for the testing and analysis of emerging contaminants.

(B) APPLICATION.—
(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) Criteria.—The Administrator shall evaluate an application for technical assistance and support under this paragraph on the basis of merit using criteria identified by the Administrator, including—

(A) the laboratory facilities available to the State;

(B) the availability and applicability of existing analytical methodologies;

(C) the severity of the emerging contaminant, if known; and

(D) the prevalence and magnitude of the emerging contaminant.

(iii) Prioritization.—In selecting States to receive technical assistance and support under this paragraph, the Administrator—

(I) shall give priority to States with affected areas primarily in financially distressed communities;

(II) may—

(aa) waive the application process in an emergency situation; and

(bb) require an abbreviated application process for the continuation of work specified in a previously approved application that continues to meet the criteria described in clause (ii); and

(III) shall consider the relative expertise and availability of—

(aa) Federal and non-Federal laboratory capacity available to the State;

(bb) analytical resources available to the State;

(cc) other types of technical assistance available to the State.

(C) Database of available resources.—The Administrator shall establish and maintain—

(I) a searchable database of resources available through the program developed under subparagraph (A) to assist States with testing for emerging contaminants that—

(I) is—

(aa) available to States and stakeholder groups determined by the Administrator to have scientific or material interest in emerging contaminants, including—

(1) drinking water and wastewater utilities;

(2) laboratories;

(aa) Federal and State emergency responders;

(bb) public health agencies; and

(cc) water associations;

(3) accessible through the website of the Administrator; and

(ii) includes a description of—

(aa) qualified contract testing laboratory facilities that conduct analyses for emerging contaminants; and

(bb) 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 2023, the Administrator shall submit to Congress a report that describes the progress made in carrying out this subtitle.

(G) Declaration.—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.

Sec. 1751. PFAS data call.

(a) Section 8(a) of the Toxic Substances Control Act (15 U.S.C. 2607(a)) is amended by adding at the end the following:

"(7) PFAS DATA.—Not later than January 1, 2023, the Administrator shall promulgate a rule under section 8(d) of this Act requiring each person who has manufactured a chemical substance that is a perfluoroalkyl or polyfluoroalkyl 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 22, 2020, the Administrator shall take final action on the significant new use rule proposed by the Administrator under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) in the proposed rule entitled "Long-Chain Perfluoralkyl Carboxylate and Perfluoroalkyl Sulfonate Chemical Substances; Significant New Use Rule (80 FR 2121 [February 20, 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 perfluoroalkyl and polyfluoroalkyl substances and materials containing perfluoroalkyl and polyfluoroalkyl substances, including—

(I) aqueous film-forming foam;

(II) soil and biosolids;

(III) textiles treated with perfluoroalkyl and polyfluoroalkyl substances; and

(IV) spent filters, membranes, and other wastes from the manufacture of perfluoroalkyl and polyfluoroalkyl substances.

(b) Considerations; Inclusions.—The interim guidance under subsection (a) shall—

(1) take into account—

(A) the potential for releases of perfluoroalkyl and polyfluoroalkyl substances during destruction or disposal, including—

(aa) aqueous film-forming foam;

(bb) soil and biosolids;

(cc) textiles treated with perfluoroalkyl and polyfluoroalkyl substances; and

(dd) State primacy agencies;

(2) provide guidance on testing and monitoring air, effluent, and soil near potential destruction or disposal sites for releases of perfluoroalkyl and polyfluoroalkyl substances and materials containing perfluoroalkyl and polyfluoroalkyl substances, including—

(I) soil and sediments;

(II) water and wastewater,

(III) site conditions; and

(IV) the presence of perfluoroalkyl and polyfluoroalkyl substances in drinking water, wastewater, surface water, ground water, or air;

(3) prioritize new use, amendment, or regulation of perfluoroalkyl and polyfluoroalkyl substances for purposes of testing or regulatory action; and

(4) make publicly available information relating to the findings under subparagraph (A).

(b) Rulemaking.—(1) No later than 2 years after the date of enactment of this Act, the Administrator shall—

(I) further examine the effects of perfluoroalkyl and polyfluoroalkyl substances on human health and the environment; and

(II) make publicly available information relating to the findings under subparagraph (A).

(2) In general.—The Administrator, acting through the Assistant Administrator for Conservation and Reclamation, shall—

(A) develop a process for prioritizing perfluoroalkyl and polyfluoroalkyl substances, or classes of perfluoroalkyl and polyfluoroalkyl substances, that should be subject to additional research or regulatory efforts that is based on the potential for such substances or classes of such substances to—

(i) pose a threat to human health and the environment; and

(ii) present unreasonable risks to human health or the environment;

(3) develop new tools to characterize and identify perfluoroalkyl and polyfluoroalkyl substances in the environment, including drinking water, wastewater, surface water, groundwater, or air;

(4) evaluate approaches for the remediation of contamination by perfluoroalkyl and polyfluoroalkyl substances in the environment; and

(5) develop and implement new tools and materials to communicate with the public about perfluoroalkyl and polyfluoroalkyl substances.

(c) Implementation.—(1) Not later than 3 years after the date of enactment of this Act, the Administrator shall—

(A) prepare a report that includes—

(i) the results of the Administrator’s efforts under subsection (b)(3); and

(ii) the procedures used for the development and implementation of new tools and materials developed under subsection (b)(5); and

(B) submit the report to Congress.

(2) The Administrator shall provide technical assistance and support to States and local government on the implementation of the report required under paragraph (1).
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. 12. MODIFICATION OF INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

Paragraph (2) of section 1286(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) by striking the period at the end of subclause (B) and inserting the following:

"(B) the Committee on Armed Services, the Committee on Appropriations, the Committee on Intelligence of the Senate; and"

(2) by striking the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the Senate; and

SA 568. 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 in title X, insert the following:

SEC. 1290. LOCALITY PAY EQUITY.

(a) LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A GENERAL SCHEDULE PAY LOCALITY.

(1) LOCAL WAGE AREA LIMITATION.—Section 5343(a) of title 5, United States Code, is amended—

(A) in paragraph (1)(B)(i), by striking "(but such)" and all that follows through "are employed"

(B) in paragraph (4), by striking "and" after the semicolon

(C) in paragraph (5), by striking the period after "Islands" and inserting "; and"; and

(D) by adding at the end the following:

"(6) the Office of Personnel Management shall define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as 'Rest of United States';"

(2) GENERAL SCHEDULE PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (2)(C), by striking "and" after the semicolon

(B) in paragraph (3), by striking the period after "employee" and inserting "; and"; and

(C) by adding at the end the following:

"(4) 'pay locality' has the meaning given that term under section 5302."
At the end of subtitile 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 compound that is composed of at least one 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 hydrogen substituents have been replaced by fluorine.

(ii) Nonfluorinated carbon atom.—The term ‘‘nonfluorinated carbon atom’’ means a carbon atom on which all hydrogen substituents have been replaced by hydrogen.

(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 that the Administrator, or any Tribes in areas that are a priority for sampling; and

(B) when carrying out sampling of sources of drinking water that the Administrator, or any Tribes in areas that are a priority for sampling, carry out the sampling prior to any treatment of the water;

(C) 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;

(B) the Committee on Energy and Commerce and the Committee on Oversight and Reform of the House of Representatives; and

(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 Use.—

(1) In general.—The Director shall provide the sampling data collected under subsection (c)—

(A) to the Administrator; and

(B) other Federal and State regulatory agencies on request.

(2) Use.—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 construction, and for defense activities of the Department of 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)); and

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 funds for the purpose of addressing ground or surface water contaminated by a perfluorinated compound, the Secretary of Defense may, to the extent otherwise authorized, 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. 300g–1)); and

(ii) a 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:
SEC. 10. ADDITIONS TO ROUGH MOUNTAIN AND RICH HOLE WILDERNESSES.

Section 1 of Public Law 100-326 (16 U.S.C. 1132 note; 102 Stat. 584; 114 Stat. 2057; 123 Stat. 1002) is amended by adding at the end the following:

“(22) ROUGH MOUNTAIN ADDITION.—Certain land in the George Washington National Forest comprising approximately 1,060 acres, as generally depicted as the ‘Rough Mountain Addition’ on the map entitled ‘GEORGE WASHINGTON NATIONAL FOREST – South half – Alternative I – Selected Alternative Management Prescriptions – Land and Resources Management Plan Final Environmental Impact Statement’ and dated March 4, 2014, which shall be incorporated in the Rough Mountain Wilderness Area designated by paragraph (1).

“(23) RICH HOLE ADDITION.—(A) DESIGNATION.—Certain land in the George Washington National Forest comprising approximately 4,600 acres, as generally depicted as the ‘Rich Hole Addition’ on the map entitled ‘GEORGE WASHINGTON NATIONAL FOREST – South half – Alternative I – Selected Alternative Management Prescriptions – Land and Resources Management Plan Final Environmental Impact Statement’ and dated March 4, 2014, which shall be incorporated in the Rich Hole Wilderness Area designated by paragraph (2) on the earlier of—

(i) the date on which the Secretary of Agriculture publishes in the Federal Register notice that the activities permitted under subparagraph (C) have been completed; and

(ii) the date that is 2 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2020.

“(B) REQUIREMENT.—In carrying out clause (i), the Secretary shall manage the wilderness area designated under subparagraph (A) in accordance with the Wilderness Act (16 U.S.C. 131 et seq.).

“(C) WATER QUALITY IMPROVEMENT ACTIVITIES.—

(i) IN GENERAL.—To enhance natural eco-systems within the Rich Hole Addition by implementing certain activities to improve water quality and aquatic passage, as described in the Forest Service document entitled ‘Decision Notice for the Lower Cowpasture Restoration and Management Project’ and dated December 2015, the Secretary of Agriculture may use motorized equipment such as low impact tread systems within the Rich Hole Addition under subparagraph (A) until the date on which the Rich Hole Addition is incorporated into the Rich Hole Wilderness Area designated by paragraph (2).

“(ii) REQUIREMENT.—In carrying out clause (i), the Secretary of Agriculture, to the maximum extent practicable, shall use the minimum amount of or administrative practice necessary to carry out that clause with the least amount of adverse impact on wilderness character and resources.”

SA 576. Mr. UDALL (for himself, Mr. PAUL, Mr. Kaine, Mr. DURBIN, Mr. MERKLEY, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, for defense activities of the Department of Energy, to 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. 578. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title H of title X, add the following:

SEC. 1086. EXTENSION OF PILOT PROGRAM TO REHABILITATE AND MODIFY HOMES OF DISABLED AND LOW-INCOME VETERANS.


SA 579. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title A of title VII, add the following:

SEC. 581. ASSESSMENT OF NON-SERVICE, SOLE-SOURCE SUSTAINMENT CONTRACTING.

(a) ASSESSMENT REQUIRED.

(1) IN GENERAL.—The Secretary of Defense shall conduct an assessment of the Department of Defense’s contracts, subcontracts, and modifications of contracts or subcontracts to identify non-service, sole-source sustainment contracts and the policies and practices related to such contracts.

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

(A) The number of non-service, sole-source sustainment contracts that were sole-source.

(B) A description of the policies, laws, and regulations in place to certify fair and reasonable pricing on non-service, sole-source sustainment contracts and an assessment of their effectiveness.

(C) 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.

(D) If certified cost or pricing data is requested but not provided, the following information:

(i) The name of the offeror or contractor.

(ii) The Commercial and Government entity type.

(iii) The part number and National Stock Number (NSN).

(iv) The number of requests that the contracting officer made to the offeror or subcontractor for uncertified cost or pricing data.

(v) The number of denials that the contracting officer received from the offeror or subcontractor for submission of uncertified cost or pricing data.


(F) The percentage of non-service, sole-source sustainment contracts that are for commercial items.

(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 for commercial items compared to the cost of non-service, sole-source sustainment contracts for non-commercial items of a similar type.

(I) An evaluation of whether there are currently certifiable parts that are not certified by the Department that meet the form, fit, and function of parts that are currently procured through non-service, sole-source sustainment contracts.

(J) Recommendations on how the Department of Defense can reduce its reliance on
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. 1701. SHORT TITLE.

SEC. 1702. FINDINGS.

The finding of the Senate that the Defense Health Agency should take appropriate actions to increase efforts focused on research and development in the areas of bioprinting and fabrication in austere military environments.

SA 581. Mr. COTTON (for himself, Mr. SCHUMER, Mr. CRAFO, Mr. BROWN, Mrs. CAPETII, Mr. MARKI, Mr. PETEII, 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 OPIODS

SEC. 1701. SHORT TITLE.

This title may be cited as the “Fentanyl Sanctions Act of 2019.”

SEC. 1702. FINDINGS.

The 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 availability of 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 United States or United Kingdom persons, 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 respective law enforcement agencies.

(5) The objective of preventing the proliferation of illicit opioids through existing multilateral and bilateral initiatives requires additional efforts by the United States to ensure the financial means to sustain their markets and distribution networks.

(6) The implementation on 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 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 United States and the People’s Republic of China, devoting sufficient resources to full implementation and strict enforcement of the new 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 support the health of the people of the United States;

(2) it is imperative that the People’s Republic of China follow through on full implementation of its new regulations; and

(3) the effective enforcement of the new regulations should result in diminished trafficking of illicit 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.

(4) while the People’s Republic of China has made significant efforts to combat the flow of opioids through bilateral efforts of their respective law enforcement agencies, and while 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 illicit 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.

(5) the United States and the People’s Republic of China to support the effective enforcement of the new regulations, adopted May 1, 2019, to treat all fentanyl analogues as controlled substances under the laws of the United States or any jurisdiction within the United States; and

(6) the United States and the People’s Republic of China, including by devoting sufficient resources for implementation and strict enforcement of the new regulations; and

(7) the effective enforcement of the new regulations should result in diminished trafficking of illicit 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 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” have the meanings given those terms in section 101 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, and the minority leader and the majority leader of the Senate; and

(B) the Committee on Armed Services, 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 “scheduled substance” 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) FORUM 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) KNOWNING.—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(8) OPIOID TRAFFICKING.—The term “opiod 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 being used in the production or 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 OPIOD 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
(C) providing an update on cooperative efforts with the Governments of Mexico and the People’s Republic of China with respect to combating foreign opioid traffickers.

(2) AUTHORIZATION OF FOREIGN PERSONS.—If, at any time after submitting a report required by paragraph (1) and before the submission of the next such report, the President determines that a foreign person not identified in the report is a foreign opioid trafficker, the President shall submit to the appropriate congressional committees and the Attorney General an additional report containing the information required by paragraph (1) with respect to the foreign person.

(3) REQUIREMENTS.—The President shall not be required to include in a report under paragraph (1) or (2) any persons with respect to which the United States has imposed sanctions or in which the United States is an ongoing criminal investigation or prosecution.

(4) FORM OF REPORT.—(A) IN GENERAL.—Each report required by paragraph (1) or (2) shall be submitted in unclassified form but may include a classified annex.

(5) AVALIABILITY TO PUBLIC.—The unclassified portion of a report required by paragraph (1) or (2) shall be made available to the public.

(B) CLASSIFIED REPORT.—(1) IN GENERAL.—The President shall submit to the appropriate congressional committees and the Attorney General an additional report containing the following information:

(A) describing in detail the status of sanctions imposed under this subtitle, including the personnel and resources directed toward the implementation of such sanctions during the preceding fiscal year;

(B) providing background information with respect to persons newly identified as foreign opioid traffickers or their illicit activities;

(C) describing actions the President intends to undertake or has undertaken to implement this subtitle; and

(D) providing a strategy for identifying additional foreign opioid traffickers.

(6) EFFECT ON OTHER REPORTING REQUIREMENTS.—The report required by paragraph (1) is in addition to the obligations of the President to keep Congress fully and currently informed of any contract for the procurement of, any goods or services from the foreign person.

(7) FOREIGN ENSLAVEMENT.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the foreign person has any interest.

(8) FOREIGN ENFORCEMENT.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by the financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve an interest of the foreign person.

(9) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, or transporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property;

(C) conducting any transaction involving such property.

(10) BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any transaction in foreign equity or debt of a foreign person that commits an unlawful act described in subclause (A) through (F) that are applicable.

(11) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICER OR OFFICERS OF FOREIGN PERSON.—Sanctions on principal executive officer or officers of the foreign person, or on individuals performing similar functions and with similar authority as such officer or officers of the foreign person, as described in paragraphs (1) through (8) that are applicable.

(12) PENALTIES.—(A) A person that violates, attempts to violate, conspires to violate, or causes a violation of any regulation, license, or order issued to carry out subsection (a) shall be subject to the penalties set forth in subsections (b) and (c) of section 1713 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.

(B) EXCEPTIONS.—

(C) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the foreign person.

(D) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICER OR OFFICERS OF FOREIGN PERSON.—Sanctions on principal executive officer or officers of the foreign person, or on individuals performing similar functions and with similar authority as such officer or officers of the foreign person, as described in paragraphs (1) through (8) that are applicable.
(a) W AIVER FOR STATE-OWNED FINANCIAL INSTITUTIONS IN COUNTRIES THAT COOPERATE IN MULTILATERAL ANTI-TRAFFICKING EFFORTS.—

(1) IN GENERAL.—The President may waive for a period of not more than 12 months the application of sanctions under this subtitle with respect to a financial institution that is owned or controlled, directly or indirectly, by a foreign government if the President finds that cooperating with the United States to prevent opioid trafficking of that government is—

(A) implementing domestic laws to schedule all fentanyl analogues as controlled substances;

(B) doing two or more of the following:

(i) Implementing substantial improvements in regulations involving the chemical and pharmaceutical production and export of illicit opioids.

(ii) Implementing substantial improvements in judicial regulations to combat transnational criminal organizations that traffic opioids.

(iii) Increasing efforts to prosecute foreign opioid traffickers.

(iv) Increasing intelligence sharing and law enforcement cooperation with the United States with respect to opioid trafficking.

(2) SUBSEQUENT RENEWAL OF WAIVER.—The President may renew a waiver under paragraph (1) for subsequent periods of not more than 12 months each, if, not less than 15 days before the renewal is to take effect, the President certifies to the appropriate congressional committees and leadership of the Congress that any such findings would harm—

(A) American national security interests of the United States; or

(B) United States persons to prescription medications.

(3) NOTIFICATION.—Not later than 15 days after a waiver under paragraph (1) is not renewed for a subsequent period of not more than 12 months, the President shall notify the appropriate congressional committees and leadership of the Congress of the determination.

SECTION 1716. PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.

(a) In GENERAL.—If a finding under this subtitle, or a preliminary finding, or penalty imposed as a result of any such finding, is based on classified information as defined in section 3 of the Classified Information Procedures Act (50 U.S.C. App.), and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the President must submit such information to the court for consideration.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to confer or authorize a right of action in any court of the United States for a violation of any such finding.

SECTION 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 of the Congress a comprehensive briefing on efforts to implement this subtitle.

SECTION 1718. INCLUSION OF ADDITIONAL MATERIAL IN 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) An assessment conducted by the Secretary of State, in consultation with the heads of the appropriate Executive departments and agencies, 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 taken action to measure, described in clause (i), and, with respect to those countries, other measures the Secretary of State recommends that the United States take to effectively implement financial 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 such options within the strategic approach described in subsection (a)(1).

(4) To analyze 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 laws and to supply illicit synthetic opioids to persons in the United States, including those to states that allow opioid traffickers to divert such substances in the People’s Republic of China and other countries that allow opioid traffickers to divert such substances.

(6) To report on the deficiencies in the regulation of pharmaceutical and chemical production, including up-to-date estimates of the scale of illicit synthetic opioids flows from the People’s Republic of China.

(7) To report on the scale of contaminated or counterfeit drugs originating from the People’s Republic of China and India.

(8) To describe the ways in which 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.

(4) Access After Termination of 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 2011 (122 Stat. 2369) 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 of Defense”;

(3) subsections (h)(2)(A) and (1)(1)(A) of that section shall be applied and administered by substituting “level V of the Executive Schedule under section 5315” for “level IV of the Executive Schedule under section 5315”;

(e) Treatment of Information Relating to National Intelligence.—The Director of National Intelligence shall, in accordance with the provisions of subsection (d), make the information related to the national security of the United States that is received, considered, or used by the Commission under this section available to the Commission.

(2) Information Provided by 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 concurrence of the Commission or, if the Commission is in existence, the Commission or the Member of Congress, as the case may be, that provided the information to the Commission.

(3) Acceptance of National Security Information.—Notwithstanding any other provision of law, after the termination of the Commission under subsection (h), only the members and designees of the appropriate congressional committees and leadership, the Director of National Intelligence (and the designees of the Director), and such other officials of the United States as 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.

(f) 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 the submittal of the initial report under paragraph (1), a final report on the activities and recommendations of the Commission under this section.

(g) 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 in any of fiscal years 2020 through 2023.

(h) Termination.—

(1) In General.—The Commission, and all the authorities described in paragraph (2) shall terminate at the end of the 120-day period beginning on the date on which the final report required by subsection (f)(2) is submitted to the appropriate congressional committees and leadership.

(2) Winding Up of Affairs.—The Commission may use the 120-day period described in paragraph (1) for the purposes of concluding its activities, including providing testimony to Congress concerning the final report required by subsection (f)(2) and disseminating the report.

Subtitle C—Other Matters

SEC. 1731. DIRECTOR OF NATIONAL INTELLIGENCE PROGRAM ON USE OF ILLEGAL DRUGS AND ILICIT FINANCE 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 use of resources of the intelligence community, including intelligence collection and analysis, to assist the Secretary of the Treasury, the Secretary of State, and the Attorney General of the United States in carrying out the Office of National Drug Enforcement Administration in efforts to identify and impose sanctions with respect to foreign opioid traffickers under subtitle A.

(2) Focus on Illicit Finance.—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 Office of Foreign Enforcement 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, conduct a comprehensive review of the current intelligence collection priorities of the intelligence community for counternarcotics purposes, and then report 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 2018.

(c) Reports.—(1) Quarterly Reports on Program.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, 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 2018.

(2) 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 such review 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 reasons why the priorities were so chosen and a description of how those priorities could be modified 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 solely for operations and activities described in subsection (c) and (d) of section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).
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.—The Secretary may transfer funds authorized to be appropriated 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 this subsection 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. 1732. DEPARTMENT OF STATE FUNDING.

(a) Authorization of Appropriations.—There are authorized to be appropriated to the Secretary of State for diplomatic programs the following amounts, which shall be available to carry out the operations and activities described in subsection (b): (1) $25,000,000 for fiscal year 2020.

(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 Secretary 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.

(3) Transfer Authority.—(1) In General.—The Secretary of the Treasury may transfer funds authorized to be appropriated by 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. 1734. DEPARTMENT OF THE TREASURY FUNDING.

(a) Authorization of Appropriations.—There are authorized to be appropriated to the Secretary of the Treasury to carry out the operations and activities described in this subsection:

(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 Secretary 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.

(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 State or any other department or agency of the United States Government in such fiscal year, including any limitation specified in an annual foreign operations authorization Act for such fiscal year.

SEC. 1735. TERMINATION.

The provisions of this title, and any sanctions imposed pursuant to this title, shall terminate on the date that is 7 years after the date of the enactment of this Act.

SEC. 1736. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) In General.—The authorities and requirements to impose sanctions under this title shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) Good Defined.—In this section, the term "good" means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

SEC. 1737. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.

In this subtitle, the term "appropriate committees of Congress" means:

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

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

SA 582. Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction and defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 401, in the item relating to Family of Medium Tactical Vehicle (FMTV), strike the amount in the Senate Authorized column and insert "$138,057.

In the funding table in section 401, in the item relating to Heavy Expanded Mobile Tactical Truck Extended Service, strike the amount in the Senate Authorized column and insert "$138,057.

In the funding table in section 401, in the item relating to Total Other Procurement, Army, strike the amount in the Senate Authorized column and insert "$138,057.

In the funding table in section 401, in the item relating to Total Procurement, strike the amount in the Senate Authorized column and insert "$138,057.

In the funding table in section 401, in the item relating to Military Personnel Appropriations, strike the amount in the Senate Authorized column and insert "$138,057.

In the funding table in section 401, in the item relating to Total Military Personnel, strike the amount in the Senate Authorized column and insert "$138,057.

In the funding table in section 401, in the item relating to Total Military Personnel, strike the amount in the Senate Authorized column and insert "$138,057.

SA 583. Mr. JOHNSON (for himself and Ms. BALDWIN) 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 VIII, add the following:

SEC. 843. SENSE OF SENATE ON IMPORTANCE OF MAINTAINING A STRONG DEFENSE SUPPLY INCLUDING SMALL BUSINESS SUPPLIERS.

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.
SA 584. Mr. JOHNSON (for himself, Mr. BARRASSO, Mrs. CAPITO, Mr. CORNYN, Mr. Cramer, Mr. GRASSLEY, Mr. PORTMAN, Mr. TOomey, Mr. WHITEHOUSE, Mr. THUNE, 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 subd. D of title XII, add the following:

SEC. 1247. SENSE OF SENATE ON MULTINATIONAL 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 the United Nations Charter and the Helsinki Final Act, which condemn the threat or use of force as means of altering international boundaries.

(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.

(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 continued to hold the Ukrainian crew members or returned the Ukrainian ships that were seized illegally.

(6) European Commissioner Julian King stated that the European External Action Service and the European Commission launched a disinformation campaign over a year ago designed to paint Ukraine and NATO as provocateurs in the ongoing findings:

Kerch Strait action.

(7) Calls upon the President to use the authority under section 1244 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1659) to enhance the capability of the Ukrainian military;

(8) Calls upon the President, through the Department of State and the Department of 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;

(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 multinational freedom of navigation operation in the Black Sea to help demonstrate support for internationally recognized borders, bilateral agreements among NATO members through the Kerch Strait and Sea of Azov; and

(B) to push back against excessive Russian Federation claims of sovereignty;

(2) calls upon the North Atlantic Treaty Organization to enhance allied maritime presence and capabilities, including maritime domain awareness and coastal defense in the Black Sea and Sea of Azov;

(3) urges the President to use the authority under section 1244 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1659) to enhance the capability of the Ukrainian military;

(4) urges the President, through the Departments 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;

(5) 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

(6) 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;

(7) calls upon United States allies and partners in the region to act to strengthen the sea safety of passage and the protection of human rights, including through the release of political prisoners;

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the "Saudi Arabia Nuclear Nonproliferation Act of 2019".
the People's Republic of China or with any other foreign governments on advancing its missile programs and acquiring missile and other associated technologies that would be restricted under the Missile Technology Control Regime.

(F) The extent to which Saudi Arabia has made substantial progress on improving the standards of human rights, including through the release of political prisoners.

(3) On or after the date of the submission of the proposed agreement and report required by paragraphs (1) and (2), a joint resolution stating that Congress approves such agreement has been enacted.

SA 587. Mr. MARKEY (for himself, Mr. RUBIO, Mr. KAIN, 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 Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. 3116. REPORTING REQUIREMENTS RELATING TO 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 the following:

"(1) QUARTERLY REPORTS.—

"(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the appropriate congressional committees an application for the authorization to develop and produce special nuclear material outside the United States.

"(B) ELEMENTS.—Each report required by subparagraph (A) shall include—

"(i) a summary of each application for an authorization under subsection (b), 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 regulation or rule) during that period.

"(2) ADDITIONAL MATERIAL IN INITIAL REPORT.—In addition to the materials required under subsection (a), the Secretary shall include—

"(A) an assessment of what specific capabilities the United States intelligence community would have to develop and deploy to ensure that no loss of collection capability would occur in the event of the lapse of the New START Treaty, including a description of—

"(a) the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Foreign Relations of the Senate; and

"(b) the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Foreign Affairs of the House of Representatives;"
(A) what intelligence insights, if any, the intelligence community would lose and would not be replaceable if the New START Treaty were to lapse; and

(b) the measures the intelligence community would need to take to account for any lost capabilities, including the cost to replace any lost capabilities, and the time to replace them.

(5) A cost estimate and estimated timeline for developing these new or additional capabilities, and a description of how new intelligence gathering requirements related to the Russian Federation’s nuclear forces may affect other United States intelligence gathering needs.

(6) An assessment of projections for Russian Federation nuclear and non-nuclear force size, structure, and composition with the New START Treaty limitations in place and without the limitations in place.

(7) An assessment of Russian Federation actions, intentions, and likely responses to the United States withdrawing from, suspending its obligations under, or allowing to lapse the New START Treaty and subsequently developing platforms and weapons beyond the New START Treaty’s limitations.

(c) BRIEFINGS.—The Director of National Intelligence shall brief the appropriate congressional committees on the assessments set forth in subsection (a) when the National Intelligence Estimate is submitted.

(d) DEFINITIONS.—In this section—

(1) the term ‘‘appropriate congressional committees’’ means—

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

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


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 section II of title XII, add the following:

SEC. 12... REVIEW AND REPORT ON OBLIGATIONS OF THE UNITED STATES UNDER THE TAIWAN RELATIONS ACT

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

(1) Taiwan is a vital partner of the United States and a central component 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 of Taiwan and 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 actions of the 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 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 590. Mr. MARKY 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 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 after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the review conducted under subsection (a).

SA 591. Mr. CORNYN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of title F of title V, add the following:

SEC. 982. MILITARY SPOUSE PROFESSIONAL LICENCE 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 gaining State.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense 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 each such State each profession for which such a license is so transferable.

(2) A ranking of the States by transferability of licenses by military spouses, with appropriate weight being afforded to various mechanisms for transferring a license by endorsement, temporary or provisional licensing, and expedited application for licenses.

SA 592. Mr. CORNYN (for himself 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 Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection D of title I, add the following:

SEC. 147. F–15EX AIRCRAFT PROGRAM.

(a) DESIGNATION OF MAJOR SUBPROGRAM.—In accordance with section 243(a) 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:

(1) A joint requirement oversight council review has occurred.

(2) A technology readiness assessment has been completed.

(3) An analysis of alternatives has been completed, including consideration of the following options:

(A) Procurement in the F-35 procurement.

(B) Purchase F-15EX aircraft to recapitalize the F-15C fleet.

(C) Purchase F-16 Block 70 to recapitalize the F-15C fleet.

(D) Accelerate penetrating counterair next generation air dominance.

(4) A full and open competition or sole source justification has been performed and Congress has been notified.

(c) EXCEPTION FOR PRODUCTION OF PROTOTYPE AIRCRAFT.—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.

(d) 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.

(d) F-15EX PROGRAM DEFINED.—In this section, the term "F-15EX program" means the F-15EX aircraft program of the Air Force as described in materials submitted to Congress by the Secretary of Defense in support of the budget of the President for fiscal year 2020 (as submitted to Congress under section 1105(a) of title 31, United States Code).

SA 593. Mr. CORNYN (for himself 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 Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 147. F-35 PROGRAM PRODUCTION.

(a) The Department of the Air Force shall procure a minimum of 80 F-35A lightning aircraft per year beginning in fiscal year 2021.

(b) LIMITATION ON PROCUREMENT.—Unless and until the Department requests authorization and appropriation for a minimum of 80 F-35As per year, the Department of Air Force may not procure other "new" tactical fighter type aircraft without approval from the congressional defense committees for any authorization and appropriations bill enacted after September 30, 2019.

SA 594. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 466. AUTHORITY TO RESTRICT PROCUREMENT FROM COUNTRIES THAT QUALIFY FOR RECIPROCAL PROCUREMENT.

The Secretary of Defense may restrict acquisitions pursuant to subsection (c) of section 223(d)-7 of the Defense Federal Acquisition Regulation (as added by section 223(d)-7 of the National Defense Authorization Act for Fiscal Year 2017) to domestic sources or reject an otherwise acceptable offer from a qualifying country listed in subsection (a) of such section (or any successor regulation).

CA 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 appropriate place in title X, insert the following:

SEC. 1105. PILOT PROGRAM TO IMPROVE OPERATIONAL COLLABORATION.

(a) The Secretary of Defense shall use any funds made available to carry out the National Cybersecurity Strategy of the United States to establish a pilot program to improve cybersecurity operational collaboration.

(b) The Secretary of Defense shall—

(i) in subparagraph (A), by striking "or" at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting "or" and the semicolon; and

(iii) by adding at the end the following new subparagraph:

"(i) in subparagraph (B), by striking the period at the end and inserting "or" and the semicolon; and

(ii) by adding at the end the following new subparagraph:

"(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(c) The Secretary of Defense shall—

(i) in subparagraph (B), by striking the period at the end and inserting "or" and the semicolon; and

(ii) by adding at the end the following new subparagraph:

"(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(d) the Committee on Homeland Security and Governmental Affairs of the House of Representatives.

CA 596. 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 appropriate place, insert the following:

SEC. 467. AUTHORITY TO GIVE PREFERENCES TO COMPANIES THAT QUALIFY FOR RECIPROCAL PROCUREMENT.

The Secretary of Defense may restrict acquisitions pursuant to subsection (c) of section 223(d)-7 of the Defense Federal Acquisition Regulation (as added by section 223(d)-7 of the National Defense Authorization Act for Fiscal Year 2017) to domestic sources or reject an otherwise acceptable offer from a qualifying country listed in subsection (a) of such section (or any successor regulation) under any of the following circumstances:

(A) the country is not a party to a free trade agreement with the United States; or

(B) the country is not a member of the North American Free Trade Agreement.

CA 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 appropriate place, insert the following:

SEC. 1105. PILOT PROGRAM TO IMPROVE OPERATIONAL COLLABORATION.

(a) The Secretary of Defense shall—

(i) in subparagraph (A), by striking "or" at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting "or" and the semicolon; and

(iii) by adding at the end the following new subparagraph:

"(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

"(B) the Committee on Homeland Security and Governmental Affairs of the House of Representatives.

CA 596. 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 appropriate place, insert the following:

SEC. 467. AUTHORITY TO GIVE PREFERENCES TO COMPANIES THAT QUALIFY FOR RECIPROCAL PROCUREMENT.

The Secretary of Defense may restrict acquisitions pursuant to subsection (c) of section 223(d)-7 of the Defense Federal Acquisition Regulation (as added by section 223(d)-7 of the National Defense Authorization Act for Fiscal Year 2017) to domestic sources or reject an otherwise acceptable offer from a qualifying country listed in subsection (a) of such section (or any successor regulation) under any of the following circumstances:

(A) the country is not a party to a free trade agreement with the United States; or

(B) the country is not a member of the North American Free Trade Agreement.

CA 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 appropriate place, insert the following:

SEC. 1105. PILOT PROGRAM TO IMPROVE OPERATIONAL COLLABORATION.

(a) The Secretary of Defense shall—

(i) in subparagraph (A), by striking "or" at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting "or" and the semicolon; and

(iii) by adding at the end the following new subparagraph:

"(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

"(B) the Committee on Homeland Security and Governmental Affairs of the House of Representatives.

CA 596. 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 appropriate place, insert the following:

SEC. 467. AUTHORITY TO GIVE PREFERENCES TO COMPANIES THAT QUALIFY FOR RECIPROCAL PROCUREMENT.

The Secretary of Defense may restrict acquisitions pursuant to subsection (c) of section 223(d)-7 of the Defense Federal Acquisition Regulation (as added by section 223(d)-7 of the National Defense Authorization Act for Fiscal Year 2017) to domestic sources or reject an otherwise acceptable offer from a qualifying country listed in subsection (a) of such section (or any successor regulation) under any of the following circumstances:

(A) the country is not a party to a free trade agreement with the United States; or

(B) the country is not a member of the North American Free Trade Agreement.
(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 that term in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 15606(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 (44 U.S.C. 18502), that affects 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 (44 U.S.C. 18502); and 
(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 providers in order to facilitate, as appropriate—
(1) sharing of information relating to potential actions by the Federal Government against 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).

(d) Roles and Responsibilities.—
(1) In general.—The non-Federal entities involved in the partnership described in subsection (c) shall facilitate all non-Federal coordination, planning, and action relating to the pilot program. 

(2) Responsibilities of the Secretary.—The Secretary shall facilitate all Federal coordination, planning, and action relating to the pilot program. 

(e) Annual Reports to Appropriate Congressional Committees.—
(1) In general.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Secretary shall submit 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 respect 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.

(2) FORM.—Any report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(i) TERMINATION.—The pilot program shall terminate on the date that is 3 years after the date of enactment of this Act.

(ii) Rule of Construction.—Nothing in this section shall be construed to—
(A) authorize a non-Federal entity to engage in any activity in violation of section 1030(a) of title 18, United States Code; or
(B) 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 construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 729. STUDY ON HEALTH DATA SAFETY OF MEMBERS OF THE ARMED FORCES AND VETERANS. 

(a) In General.—The Comptroller General of the United States shall conduct a study on the following:
(1) the prevalence of theft of medical identification of veterans. 
(2) the measures taken by the Department of Defense to preserve health data safety in the medical record system of the Department while changing over to electronic records. 
(3) how often the Secretary of Veterans Affairs corrects inaccurate medical records of veterans and how pervasive of a problem in accurate medical records are for the Department of Veterans Affairs. 
(4) the length of time it takes for the Secretary to correct inaccurate medical records. 
(5) whether any veterans are being denied their medical treatment or incarcerated as a result of erroneous medical record, and if so, the prevalence of such an occurrence.
(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 Government of 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 identify 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).

SEC. 7. DESIGNATION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—
(1) the Committee on Armed Services, the Committee on State, 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 Appropriations Committee, and the Permanent Select Committee on Intelligence of the House of Representatives.

(e) SUNSET.—The authority under this section that is described in subsection (a) and provided 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. 6. 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 1031(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 authorize such imprisonment or detention.”

(c) APPLICATION.—Nothing in section 4001(a)(2) of title 18, United States Code, as added by (B), may be construed to limit, narrow, abrogate, or revoke any detention authority 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.

(d) 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 authorization 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 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, a lawful permanent resident, 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. 2. REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.


(1) expresses the sense of Congress that, due to threats that are ever-changing, Congress must be informed with respect to all contributions of defense to properly assess the readiness of the United States and the countries described in subsection (c)(2) for threats; and

(2) requires the Secretary of Defense to submit to Congress an annual report on the contributions of allies to the common defense.

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

(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) an acceptance of international security responsibilities and agreements to make contributions to the common defense in accordance with the existing defense agreements or treaties to which such country is a party.

(c) REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.—

(1) IN GENERAL.—Not later than March 1 each year, the Secretary, in coordination with the heads of other Federal agencies, as the Secretary determines to be necessary, shall submit to the appropriate committees of Congress a report containing a description of—

(A) the annual defense spending by each country described in paragraph (2), including available data on nominal budget figures and defense spending as a percentage of the gross domestic product of each such country for the fiscal year immediately preceding the fiscal year in which the report is submitted;

(B) the activities of each such country to contribute to military or stability operations in which the Armed Forces of the United States are a participant or may be called upon in accordance with a cooperative defense agreement to which the United States is a party;

(C) any limitations placed by any such country on the use of such contributions; and

(D) any actions undertaken by the United States or by other countries to minimize such limitations.

(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) REPORT.—Each report under paragraph (1) shall be submitted in an unclassified form, but may contain a classified annex.

(k) AVAILABILITY.—A report submitted under paragraph (1) shall be made available on request to any Member of Congress.

(l) 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. 3. 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 SCARCITY 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 12113, if the agency requesting that waiver reasonably demonstrates to the head of an agency that—

“(A) there is no product carrier, with respect to a specified good, that meets such requirements, exists, and is available to carry such good; and
"(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) REQUEST DEEMED GRANTED.—If the head of an agency has neither granted nor denied the request before the response deadline described in subparagraph (A), the request shall be deemed granted on the date that is 61 days after the date on which the head of an agency received the request. A waiver that is deemed granted under this subparagraph shall be valid for a period of 30 days.

(B) AUTOMATIC DENIAL.—If the head of an agency is unable to grant or deny the request before the response deadline described in subparagraph (A), the request shall be denied on the date that is 61 days after the date on which the head of an agency received the request. A denial that is deemed granted under this subparagraph shall be valid for a period of 30 days.

(5) NOTICE TO CONGRESS.—(A) IN GENERAL.—The head of an agency shall notify Congress of the granting or denial of a temporary waiver under this subsection, not later than 48 hours 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' includes—

(iii) that appropriate entities in the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. 602. COMPARATIVE CAPABILITIES OF ADVERSARIES IN ARTIFICIAL INTELLIGENCE.

(a) EXPANSION OF DUTIES OF OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR COORDINATION OF ACTIVITIES RELATING TO DEVELOPMENT AND DEMONSTRATION OF ARTIFICIAL INTELLIGENCE.—Section 238(h)(2)(I) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) is amended—

(1) in clause (1), by striking ‘‘; and’’ and inserting ‘‘; and’’;

(2) in clause (2), by striking the period at the end and inserting ‘‘; and’’;

(3) by adding at the end the following new clause:

(iv) the Secretary of Defense, in coordination with the Director of the National Geospatial-Intelligence Agency, shall—

(1) consider the needs of the National Reconnaissance Office, the National Geospatial-Intelligence Agency, and the Department of Defense geospatial intelligence (GEIONT) user community, including the combatant commanders; and

(c) DEFINITION OF APPROPRIATE COMMITTEES.—In this section, the term ‘‘appropriate committees’’ means—

(1) Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.
when he was appointed as the 19th Chairman of the Joint Chiefs of Staff on October 1, 2015.

(6) General Dunford is only the second United States Marine to hold the position of Chairman of the Joint Chiefs of Staff.

(7) During his nearly four years as Chairman of the Joint Chiefs of Staff, General Dunford supervised and executed the duties of the office to the highest degree.

(8) General Dunford has an extensive record of impeccable service to the United States.

(b) SENSE OF SENATE.—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. 1452. 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 2308 of title 10, United States Code, is amended by inserting before the period at the end the following: "or for a minor military construction project at a Naval Warfare Center"

(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 G of title V, add the following:

SEC. 5. SENSE OF CONGRESS ON THE HONORABLE AND DISTINGUISHED SERVICE OF GENERAL JOSEPH F. DUNFORD, UNITED STATES MARINE CORPS, TO THE UNITED STATES.

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

(1) General Joseph F. Dunford was commissioned a second lieutenant in the United States Marine Corps in 1977.

(2) Since 1977, General Dunford has served as an infantry officer at all levels and has held numerous leadership roles, including Commander of the 5th Marine Regiment during Operation IRAQI FREEDOM, Commander of the International Security Assistance Force and United States Forces-Afghanistan, and Commander, Marine Forces United States Central Command.

(3) General Dunford served as the 32nd Assistant to the Chairman of the Marine Corps from October 17, 2014, to September 24, 2015.

(4) General Dunford subsequently served as the 36th Commandant of the Marine Corps from October 23, 2010, to December 15, 2012.

(5) General Dunford became the highest-ranking military officer in the United States
and for defense activities of the Department of Energy, to prescribe military personnel 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. 594. PILOT PROGRAM ON THE JUNIOR RESERVE OFFICERS’ TRAINING CORPS PROGRAM AT LUCY GARRETT BECKHAM HIGH SCHOOL, CHARLESTON COUNTY, SOUTH CAROLINA.

(a) In general.—The Secretary of the department in which the Coast Guard is operating may carry out a pilot program to establish and maintain a Junior Reserve Officers’ Training Corps (JROTC) program unit in cooperation with the Charleston County School District, in Charleston, South Carolina.

(b) Program requirements.—The pilot program carried out by the Secretary under this section shall provide to students at Lucy Garrett Beckham High School—

(1) instruction in subject areas related to operations of the Coast Guard;

and (2) training in skills which are useful and appropriate for a career in the Coast Guard.

(c) Additional support.—In carrying out the pilot program under this section, the Secretary may provide to Lucy Garrett Beckham High School—

(1) course development, instruction, and other support activities; and

(2) necessary and appropriate course materials, equipment, and uniforms.

(d) Employment of retired Coast Guard personnel.—

(1) In general.—Subject to paragraph (2), the Secretary may authorize the Lucy Garrett Beckham High School to employ, as administrators and instructors for the pilot program, retired Coast Guard and Coast Guard Reserve commissioned, warrant, and petty officers not on active duty who request that employment and who are approved by the Secretary and Lucy Garrett Beckham High School.

(2) Authorized pay.—

(A) in general.—Retired members employed under paragraph (1) are entitled to receive their retired or retainer pay and an additional amount of not more than the difference between—

(i) the amount the individual would be paid as pay and allowance if the individual was considered to have been ordered to active duty during the period of employment; and

(ii) the amount of retired pay the individual is entitled to receive during that period.

(B) Payment to school.—The Secretary shall pay to Lucy Garrett Beckham High School an amount equal to one-half of the amount described in subparagraph (A), from funds appropriated for such purpose.

(3) Employment not active-duty or inactive-duty training.—Notwithstanding any other provision of law, while employed under this subsection, an individual is not considered to be on active-duty or inactive-duty training.

SA 610. 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 B of title XXXI, add the following:

SEC. 3116. MODIFICATION TO CERTAIN REQUIREMENTS RELATING TO PLUTONIUM PIT PRODUCTION CAPACITY.

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

(1) In testimony before the Committee on Armed Services of the Senate on February 6, 2019, General John Hyten, Commander of United States Strategic Command, stated, “The highest NNSA infrastructure priority is re-establishing a plutonium pit production and fabrication facility meet infrastructure 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 CNSA 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.”

(c) Training and personnel.—

(A) Additional condition on source of funds.—Section 2808(a) of title 10, United States Code, is amended—

(1) in subsection (a), by striking paragraph (5) and inserting the following:

“(5) in subsection (d), by striking ‘‘56,800;’’ and

(B) Additional condition on source of funds.—Section 2808(a) of title 10, United States Code, is amended—

(1) 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 be used only within the United States, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $500,000,000,000.

(2) The amount that may be transferred pursuant to section 1012 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.—(A) In general.—Section 2808 of title 10, United States Code, is amended—

(1) in subsection (a), by striking paragraph (3), as redesignated by subsection (e) and (f), respectively; and

(2) by inserting after paragraph (a) the following new subsection:

“(c) MODIFICATION TO REQUIREMENTS.—Section 2419 of the Atomic Energy Defense Act (50 U.S.C. 4219) is amended—

(1) in subsection (a), by striking paragraph (5) and inserting the following:

“(5) the (d) area of plutonium production shall not less than 80 war reserve plutonium pits;”.

(2) by striking subsection (b);

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively; and

(4) by redesignating paragraph (2) by striking “2027 or, if the authority under subsection (b) is exercised, 2029” and inserting “2030”.

(5) in subsection (c), as redesignated 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 appropriate place, insert the following:

SEC. 611. CREDIT MONITORING.

Section 635A(4) of the Fair Credit Reporting Act (15 U.S.C. 1681c(4)) is amended by striking paragraph (4):
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 for construction projects authorized by this section to waive or disregard another provision of law to undertake any construction projects using the construction authority described in subsection (a), shall include the following:

(1) such other provision of law does not provide a means by which compliance with the requirements of the law may be waived, modified, or expedited; 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 (c) 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 acquisition pertaining to the construction projects, and certification of compliance with the funding conditions imposed by subsections (b) and (c).

(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 appurtenant 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 impact 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.

(2) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) Appropriations.—In the section "army, Navy, Air Force, and Marine Corps" of the Committee on Appropriations, for fiscal year 2020 for military construction projects, the term "appropriate committees of Congress" means—

(1) the congressional defense committees;

(2) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SA 614. 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 subsection 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 air forces 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 and the surface and aviation forces of other allies.

(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 allies.

(c) Form.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) Definitions.—In this section:

(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:
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 National Intelligence Director, 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, including the threat such forces might pose to Naval surface or aviation forces in the manner such forces currently operate.

(4) A comparison of—

(A) current domain awareness capabilities in the Arctic 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.

(2) Appropriate Committees of Congress defined.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional defense committees; and

(2) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure 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 activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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 the Advanced Research 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 $5,000,000, with the amount of the increase to be available for Information Systems Security Program (PE 0303416DIZ) for the National Security Agency National Cryptologic School for cybersecurity and artificial intelligence curriculum development and establishment of a pilot program to enable workforce transformation to drive critical technology development.

(b) Additional amount for research on advanced digital radar systems.—The amount authorized to be appropriated for fiscal year 2020 by section 201 for research, development, test, and evaluation is hereby increased by $5,000,000, with the amount of the increase to be available for Information Systems Security Program (PE 0601103N) 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 procurement of the Department of Defense Healthcare Management System Modernization.

SA 618. Mr. PORTMAN (for himself, Mr. HEINRICHS, Ms. ERNST, and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12. PRECLUDING FOREIGN NATIONALS THAT POSE A NATIONAL SECURITY RISK FROM WORKING ON DEPARTMENT OF DEFENSE-FUNDED PROJECTS.

(a) Prohibition.—Subject to subsection (d), the Secretary of Defense may not provide any funding to any institution of higher education or any other entity to conduct any research or development project unless the Secretary has completed an assessment of the institution or entity under subsection (b) and determined that the institution or entity meets the requirements set forth under subsection (c).

(b) Assessment.—The Secretary of Defense, in consultation with the Secretary of Energy, the Secretary of State, and the Director of National Intelligence, shall assess each institution of higher education and any other entity participating in the programs authorized under this Act to determine whether the institution or entity meets the requirements set forth under subsection (c).

(c) Requirements.—The requirements set forth under this subsection are, with respect to any institutional projects, as follows:

(1)(A) Any foreign national working on such a project does not have ties to a foreign government, military, or intelligence agency, either officially or unofficially through sponsorship or coercion, that would put a United States national security interest at unnecessary risk; or

(B)(i) a foreign national working on such a project is known to have such a tie and the foreign national has been thoroughly vetted by either the Counterintelligence and Security Center, the Counterintelligence Division at the Defense Intelligence Agency, or the appropriate Department of Defense entity in charge of investigating counterintelligence concerns to ensure that the foreign national’s participation does not result in sensitive intellectual property, technologies, or research projects being known to a government that could use it against the United States or its allies; and

(ii) the National Counterintelligence and Security Center, the Counterintelligence Division at the Defense Intelligence Agency, or the appropriate Department of Defense entity has consulted with the appropriate Department of Defense entity in charge of investigating counterintelligence concerns to establish and implement appropriate information security and counterintelligence best practices, including educating researchers to guard against a foreign threat to a critical technology.

(d) Waiver.—

(1) In general.—The Secretary of Defense may waive the prohibition in subsection (a) for an institution of higher education or any other entity in the United States if the Secretary determines that such a waiver is in the national security interest of the United States, and

(2) not later than 30 days after the date on which the Secretary makes a determination under subparagraph (A), submits to the appropriate committees of Congress a report on such determination and the reasons for the determination, including any countries to which the determination applies.

(2) Form of report.—A report submitted under paragraph (1) shall be submitted in an unclassified form, but may contain a classified annex.

(3) Standing exemptions.—The Secretary, in consultation with the National Intelligence Director, may create a standing exemption to the prohibition in subsection (a) for foreign nationals that are citizens of Great Britain, Canada, Australia, and New Zealand.
(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 currently 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.

(c) **DEFINITIONS.**—In this section, the term "explainable artificial intelligence" means artificial intelligence that has the ability to demystify 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.

### SECTION 119. 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: "[The Asia Reassurance Initiative Act, a bipartisan legislation, was signed into law on December 31, 2018—](Public Law 115–409)."

(2) **The limitations of explainable artificial intelligence** to meet defense requirements and technology development goals.

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

**SEC. 120. 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 XII, 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 spray, and firefighting system specialty 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. 361. 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. 362. USE OF TESTING FACILITIES TO RESEARCH AND DEVELOP HYPERSONIC TECHNOLOGY.**

The Secretary of Defense shall ensure that the Department of Defense uses all appropriate Federal testing facilities to ensure proper research and development of hypersonic technology.

**SEC. 363. JOHN S. MCCAIN III HUMAN RIGHTS COMMISSION ESTABLISHMENT.**

(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.

(2) **MEMBERSHIP.**—Any Senator may become a member of the Commission by submitting a written statement to that effect to the Commission.

(B) **CO-CHAIRPERSONS OF THE COMMISSION.**—

(1) **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.

(2) **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.

(C) **APPOINTMENTS.**—Appointments under this paragraph shall be in the Congressional Record.

(D) **VACANCIES.**—Any vacancy in the position of co-chairperson of the Commission shall be filled in the same manner in which the original appointment was made.

(b) **COMMISSION STAFF.**—

(1) **COMPENSATION AND EXPENSES.**—

(2) **BRIEFING.—**The briefing required under subsection (a) shall be provided in unclassified form, but may include a classified supplement.

(d) **F R A M E W O R K . ** — I n t h i s s e c t i o n , t h e t e r m "explanable artificial intelligence" means artificial intelligence that has the ability to demystify 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.

### SECTION 119. 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: "[The Asia Reassurance Initiative Act, a bipartisan legislation, was signed into law by President Trump on December 31, 2018—](Public Law 115–409)."

(b) The limitations of explainable artificial intelligence to meet defense requirements and technology development goals.

(c) **Other matters as the Secretary considers appropriate.**

### SECTION 120. 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 XII, 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 spray, and firefighting system specialty 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. 361. 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. 362. USE OF TESTING FACILITIES TO RESEARCH AND DEVELOP HYPERSONIC TECHNOLOGY.**

The Secretary of Defense shall ensure that the Department of Defense uses all appropriate Federal testing facilities to ensure proper research and development of hypersonic technology.

**SEC. 363. JOHN S. MCCAIN III HUMAN RIGHTS COMMISSION ESTABLISHMENT.**

(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.

(2) **MEMBERSHIP.**—Any Senator may become a member of the Commission by submitting a written statement to that effect to the Commission.

(B) **CO-CHAIRPERSONS OF THE COMMISSION.**—

(1) **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.

(2) **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.

(C) **APPOINTMENTS.**—Appointments under this paragraph shall be in the Congressional Record.

(D) **VACANCIES.**—Any vacancy in the position of co-chairperson of the Commission shall be filled in the same manner in which the original appointment was made.

(b) **COMMISSION STAFF.**—

(1) **COMPENSATION AND EXPENSES.**—

(2) **BRIEFING.—**The briefing required under subsection (a) shall be provided in unclassified form, but may include a classified supplement.

(d) **FRAMEWORK.**—In this section, the term "explainable artificial intelligence" means artificial intelligence that has the ability to demystify 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.
(i) employ such staff in the manner and at a rate not to exceed that allowed for employ-ees of a committee of the Senate under ses-
tion 105(e)(3) of the Legislative Branch App-
propriation Act (2 U.S.C. 4575(e)(3)); and
(ii) incur such expenses as may be nec-
essary or appropriate to carry out its duties and functions.

(b) EFFECTIVE DATE.—The amendments
made by subsection (a) shall take effect as if
included in the enactment of the FAA Reau-
thorization Act of 2018 (Public Law 115-254).

SA 624. Ms. GILLIBRAND (for her-
self, Mr. TILLIS, and Mr. COONS) sub-
mitted an amendment intended to be pro-
posed by her to the bill S. 1790, to au-
thorize appropriations for fiscal year 2020 for
military activities of the De-
partment of Defense, for military con-
struction, and for defense activities of the
Department of Energy, to prescribe
military personnel strengths for such
fiscal year, and for other purposes;
which was ordered to lie on the table; as fol-
loving:

At the end of subtitle C of title II, add the fol-
lowing:

SEC. 3511. AUTHORIZATION OF THE MARITIME
ADMINISTRATION.

(a) IN GENERAL.—There are authorized to
be appropriated for operations of the United
States Merchant Marine Academy, $95,944,000, of
which—

(A) $77,944,000 shall remain available until
September 30, 2021, for Academy operations;
and

(B) $18,000,000 shall remain available until
expended for capital asset management at the
Academy.

(b) EFFECTIVE DATE.—The amendments
made by subsection (a) shall take effect as if
included in the enactment of the National Defense
Authorization Act for Fiscal Year 2019 (Pub-
lic Law 115-224).

SA 625. Mr. WICKER (for himself and
Ms. CANTWELL) 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 Department of
Energy, to prescribe military personnel strengths for such
fiscal year, and for other purposes; which was ordered to lie on the table; as fol-
loving:

Mr. WICKER (for himself and
Ms. CANTWELL) 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 Department of
Energy, to prescribe military personnel strengths for such
fiscal year, and for other purposes; which was ordered to lie on the table; as fol-
loving:

Title XXX—Maritime Administration

SEC. 3501. SHORT TITLE.

This title may be cited as the “Maritime
Administration Authorization and Enhance-
ment Act of 2019.”

Subtitle A—Maritime Administration

SEC. 3501. SHORT TITLE.

This title may be cited as the “Maritime
Administration Authorization and Enhance-
ment Act of 2019.”

Subtitle A—Maritime Administration

SEC. 3501. SHORT TITLE.

This title may be cited as the “Maritime
Administration Authorization and Enhance-
ment Act of 2019.”

Subtitle A—Maritime Administration

SEC. 3501. SHORT TITLE.

This title may be cited as the “Maritime
Administration Authorization and Enhance-
ment Act of 2019.”
(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $5,000,000, which shall remain available until expended.

(6) Expenses necessary to maintain and preserve a United States flag Merchant Marine to serve the national security needs of the United States under chapter 331 of title 46, United States Code, $300,000,000, which shall remain available until expended.

(7) For expenses necessary for the loan guarantee program authorized under chapter 337 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 537(2) 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) Necessary to implement the Port and Intermodal Improvement Program, $600,000,000, except that no funds shall be used for a grant award to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary determines that 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 “2019” in subsection (a)(1) and inserting “2020” in subsection (a)(1).

(b) EFFECTIVENESS OF OPERATING AGREEMENTS.—Section 53104(a) of title 46, United States Code, is amended by striking “2025” and inserting “2035”.

(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, 2024, and 2025;” and inserting “$ 3,700,000 for each of fiscal years 2022, 2023, 2024, and 2025;” and

(3) by adding at the end the following:

“(C) $ 3,700,000 for each of fiscal years 2022, 2023, 2024, and 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 “$ 22,000,000 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:

“(D) $ 314,007,780 for each of fiscal years 2022, 2023, 2024, and 2025.”

SEC. 3515. DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL REPORT.

The Inspector General of the Department 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 V and 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: Defining its Mission, 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. 3514. APPOINTMENT OF CANDIDATES ATTENDING SPONSORED PREPARATORY SCHOOL.

Section 53105 of title 46, United States Code, is amended—

(1) by striking “The Secretary” and inserting “(a) In General.—The Secretary”;

(2) by adding at the end the following:

“(b) APPOINTMENT OF CANDIDATES SELECTED FOR SPONSORSHIP.—The Secretary of Transportation may appoint each year as cadets at the United States Merchant Marine Academy not more than 49 qualified individuals sponsored by 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.”.

SEC. 3515. INDEPENDENT STUDY ON THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this title, the Secretary 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 (2); and

(B) systemic changes needed to help the United States Merchant Marine Academy achieve more robust and educating the next generation of the mariner workforce on a long-term basis.

(b) DEADLINE AND REPORT.—Not later than 1 year after the date of enactment of this title, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an independent study on the United States Merchant Marine Academy.

(c) 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 that are charged under the National License Examination, Issue, and Examination for members of the uniformed services on active duty, if a waiver is authorized and 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;

(2) direct the applicable services to take all necessary and appropriate actions to provide for the waiver of fees that are charged under the National License Examination, Issue, and Examination for members of the uniformed services on active duty, if a waiver is authorized and 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;

(3) ensure that members of the applicable services who are to be discharged from active duty and who request certification or verification of sea service be provided such certification or verification no later than 1 month after discharge or release;

(4) ensure the applicable services have developed, or continue to operate, as appropriate, the online resource known as Credentialed 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 national maritime needs, including the Army Corps of Engineers, the Customs and Border Protection, the United States Coast Guard, and the National Oceanic and Atmospheric Administration.
(2) APPOINTMENTS OF RETIRED MEMBERS OF THE ARMED FORCES.—Except in the case of positions in the Senior Executive Service, the requirements of section 3326(b) of title 5, United States Code, shall not apply with respect to the hiring of a separated member of the uniformed services under paragraph (1).

(e) SEPARATED MEMBER OF THE UNIFORMED SERVICES.—In this section, the term ‘‘separated member of the uniformed services’’ means an individual who—

(1) is retiring or is retired as a member of the uniformed services;

(2) is voluntarily separating or voluntarily separated from the uniformed services at the end of enlistment or service obligation; or

(3) has a separation from the uniformed services that is administratively separated from the uniformed services with an honorable or general discharge characterization.

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:—

‘‘(f) FUNDS 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, if so reimbursable as provided in section 50301(a) of this title and shall be available for the purposes of the war risk revolving fund and shall be available for the purposes of the war risk revolving fund.

‘‘(2) Fifty percent of the net funds recovered shall be deposited in the Vessel Operations Revolving Fund as established by section 50301(a) of this title and shall be made available to the Administrator of the Maritime Administration for programs, projects, activities, and expenses related to maritime services and goods under a reimbursable agreement with a Federal entity, State or local entity, or the Maritime Administration for the payment or reimbursement of expenses incurred by or on behalf of the Maritime Administration for the period of availability of obligations for that appropriation has expired, to the appropriation of funds that is currently available to the Secretary for assistance under subsection (e) for war risk purposes. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the purposes of, and subject to the same limitations, as amounts in such fund or account.

‘‘(5) ADVANCE PAYMENTS.—Payments made 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 GOODS.

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 specified agreements for the receipt, 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 United States Maritime Commission, or the War Shipping Administration.

‘‘(f) MILITARY CRAFT.—The Secretary of Transportation shall consult with the Secretary of the military department concerned prior to engaging in or authorizing any activity under subsection (e) that will disturb a Federal channel; or

‘‘(g) RECOVERIES.—Notwithstanding other provisions of law, the net proceeds from salvage agreements entered into as authorized in subsection (e) shall remain available until expended and be distributed as follows for marine insurance-related salvages:

‘‘(i) Fifty percent of the net funds recovered shall be deposited in the Vessel Operations Revolving Fund as established by section 50301(a) of this title and shall be available to the Administrator of the Maritime Administration for programs, projects, activities, and expenses related to maritime services and goods under a reimbursable agreement with a Federal entity, State or local entity, or the Maritime Administration for the payment or reimbursement of expenses incurred by or on behalf of the Maritime Administration for the period of availability of obligations for that appropriation has expired, to the appropriation of funds that is currently available to the Secretary for assistance under subsection (e) for war risk purposes. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the purposes of, and subject to the same limitations, as amounts in such fund or account.

‘‘(5) ADVANCE PAYMENTS.—Payments made 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. 3520. PORT OPERATIONS, RESEARCH, AND TECHNOLOGY.

(a) SHORT TITLE.—This section may be cited as the ‘‘Ports Inclusion Act of 2019’’.

(b) PORT AND INTERMODOAL IMPROVEMENT PROGRAM.—Section 50032 of title 46, United States Code, is amended by striking subsection (c) and inserting the following:—

‘‘(c) PORT AND INTERMODOAL IMPROVEMENT PROGRAM.—

‘‘(1) GENERAL AUTHORITY.—Subject to the availability of appropriations, the Secretary of Transportation shall make grants, on a competitive basis, to eligible applicants to accomplish in funding eligible projects the purpose of improving the safety, efficiency, or reliability of the movement of goods through ports and intermodal connections to ports.

‘‘(2) ELIGIBLE APPLICANTS.—The Secretary may make a grant under this subsection to—

‘‘(A) a State;

‘‘(B) a political subdivision of a State, or a local government;

‘‘(C) A public agency or publicly chartered authority established by 1 or more States;

‘‘(D) A special purpose district with a transportation function.

‘‘(E) An Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f, without regard to capitalization), or a consortium of Indian Tribes.

‘‘(F) A multistate or multijurisdictional group of entities described in this subsection.

‘‘(G) A lead entity described in subparagraph (A), (B), (C), (D), or (E), jointly with a private entity or group of private entities.

‘‘(3) ELIGIBLE PROJECTS.—The Secretary shall make a grant under this subsection to—

‘‘(A) for a project, or package of projects, that—

‘‘(i) is either—

‘‘(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;

‘‘(II) the movement of goods into, out of, around, or within a port, such as for highway or rail infrastructure, intermodal facilities, terminals, marshalling yards, freight intelligent transportation systems, and digital infrastructure systems;

‘‘(III) environmental mitigation measures and operational improvements directly related to enhancing the efficiency of ports and intermodal connections to ports; or

‘‘(IV) the movement of vessels in and out of the port facility by dredging a vessel berthing area, making other improvements to a vessel berth, or performing construction or maintenance dredging that is not part of a Federal channel; or

‘‘(B) notwithstanding paragraph (6)(A)(v), to provide financial assistance to 1 or more projects under subparagraph (A) for development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, permitting, and preliminary engineering and design work.

‘‘(4) PROHIBITED USES.—A grant award under this subsection shall not be used—

‘‘(A) to finance or refinance the construction, reconstruction, reconditioning, or purchase of a vessel that is eligible for such assistance under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f), unless the Secretary determines that such vessel—

‘‘(i) is necessary for a project described in paragraph (3)(A)(i) or (III) of this subsection; and

‘‘(ii) is not receiving assistance under chapter 537; or

‘‘(B) for a project, or package of projects, that is—

‘‘(i) transportation, reconstruction, reconditioning, or purchase of a vessel that is eligible for such assistance under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f), unless the Secretary determines that such vessel—

‘‘(ii) is necessary for a project described in paragraph (3)(A)(i) or (III) of this subsection; and

‘‘(iii) is not receiving assistance under chapter 537; or

‘‘(C) for purposes ofparagraph (2)(B), for providing financial assistance to a project, or package of projects, described in subparagraph (A) or (B).
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) for research harbors.

"(ii) Applicants.—Notwithstanding paragraph (2), the Secretary may allow entities that are not designated to be eligible applicants for grants under this subparagraph.

"(B) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

"(1) IN GENERAL.—To be eligible under this subsection, an eligible project shall meet the requirements of this subparagraph.

"(ii) The Federal share of the total costs of a project under this subsection shall not exceed 75 percent.

"(C) GRANT FUNDS NOT USED FOR PURPOSES.—The grantee shall retain all grant funds not used for purposes for which those funds were made available.

"(D) CONDITIONS.—

"(i) In general.—The grantee shall maintain records for each project for which a grant has been made under this subsection that a grantee—

"(ii) Return to the Secretary

"(E) DREDGING PROJECTS.—

"(i) The Federal share of the total costs of projects described in subparagraph (A)(i)(II) shall not exceed 70 percent.

"(ii) The Federal share of the total costs of projects described in subparagraph (A)(i)(III) shall not exceed 50 percent.

"(D) PROJECT SELECTION CRITERIA.—

"(A) IN GENERAL.—The Secretary may select a project described in paragraph (3) for funding under this subsection if the Secretary determines that—

"(i) the project improves the safety, efficiency, or reliability of the movement of goods through a port or intermodal connection to a port;

"(ii) the project is cost effective;

"(iii) the eligible applicant has authority to carry out the project;

"(iv) the eligible applicant has sufficient funding available to meet the matching requirements under paragraph (8);

"(v) the project will be completed without unreasonable delay and

"(vi) the project cannot be easily and efficiently completed without Federal funding or financial assistance available to the project.

"(B) ADDITIONAL CONSIDERATIONS.—In selecting projects described in paragraph (3) for funding under this subsection, the Secretary shall give substantial weight to—

"(i) the utilization of non-Federal contributions;

"(ii) the net benefits of the funds awarded under this subsection, considering the cost-benefit analysis of the project, as applicable; and

"(iii) the public benefits of the funds awarded under this subsection.

"(C) SMALL PROJECTS.—The Secretary may waive the cost-benefit analysis under subparagraph (A)(ii), and establish a simplified, alternative basis for determining whether a project is cost effective, for a small project described in paragraph (7)(B).

"(D) DREDGING PROJECTS.—The Secretary may waive the determination under subparagraph (A)(i) for a project in a research harbor.

"(E) ALLOCATION OF FUNDS.—

"(A) GEOGRAPHIC DISTRIBUTION.—Not more than 25 percent of the amounts made available for grants under this subsection for a fiscal year may be used to make grants for projects in any one State.

"(B) SMALL PROJECTS.—The Secretary shall reserve 3 percent of the amounts made available for grants under this subsection for projects described in paragraph (3)(A)(ii) that require the least non-Federal share of total costs.

"(C) DREDGING PROJECTS.—Not more than 25 percent of the amounts made available for grants under this subsection for a fiscal year may be used to make grants for projects described in paragraph (3)(A)(i)(II,III).

"(D) DEVELOPMENT PHASE ACTIVITIES.—Not more than 10 percent of the amounts made available for grants under this subsection for a fiscal year may be used to make grants for development phase activities under paragraph (3)(B).

"(E) RESEARCH HARBORS.—

"(i) IN GENERAL.—Of the funds that may be used under subparagraph (C), the Secretary

"(ii) The Secretary of Defense shall submit to the congressional defense committees a report for which a grant has been provided under this subsection during that fiscal year.

"(13) ADMINISTRATION.—

"(A) ADMINISTRATIVE OR SUPERVISION.—The Secretary may use not more than 2 percent of the amounts appropriated for each fiscal year under this subsection for the administrative and oversight costs in carrying out the Secretary to carry out this subsection.

"(B) AVAILABILITY.—

"(i) In general.—Amounts appropriated for carrying out this subsection shall remain available until expended.

"(ii) UNEXPENDED FUNDS.—Amounts awarded as a grant under this subsection that are not expended by the grantee during the 5-year period following the date of the award shall remain available to the Secretary for use for grants under this subsection in a subsequent fiscal year.

"(14) DEFINITIONS.—In this subsection:

"(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

"(i) the Committee on Commerce, Science, and Transportation of the Senate; and

"(ii) the Committee on Transportation and Infrastructure of the House of Representatives.

"(B) PORT.—The term 'port' includes—

"(i) a seaport; and

"(ii) an inland waterways port.

"(C) PROJECT.—The term 'project' includes construction, reconstruction, environmental assessment, 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 federally owned vessel operated by a State maritime academy (as defined in section 51102 of title 46, United States Code), or a non-Federal oceanographic research facility.

"(E) RURAL AREA.—The term 'rural area' means an area that is outside an urbanized area.

"(D) ADDITIONAL AUTHORITY OF THE SECRETARY.—In carrying out this section, the Secretary may—

"(1) receive funds from a Federal or non-Federal entity that has a specific agreement with the Secretary to further the purposes of this section;

"(2) 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 of facilities to ensure the efficiency of the transportation system, to increase port security, or to provide greater access to port facilities;

"(3) seek to coordinate all reviews or requirements with appropriate Federal, State, and local agencies; and

"(4) 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 amounts apportioned or allocated before the effective date of the repeal. Such apportioned or allocated funds shall continue to be subject to the requirements to which the funds were subject under section 5020(c)(2) of title 46, United States Code, as in effect on the day before the date of enactment of this title.

SEC. 3521. ASSESSMENT AND REPORT ON STRATEGIC SEAPORTS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of the Senate and the House of Representatives the report required by subsection (b) of this section.
on port facilities used for military purposes at ports designated by the Department of Defense as strategic seaports.

(b) ELIMINATIONS.—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 improve directly or indirectly, national security and readiness requirements;

(B) an assessment of the impact on operational readiness of the Armed Forces if such improvements were undertaken;

(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 to the Secretary of Transportation's responsibilities under section 50302 of title 46, United States Code, with respect to such facilities.

(4) An identification of any statutory or administrative authorities 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 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 environmental improvements by” and inserting “to improve’’;

(ii) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively;

(iii) by inserting before clause (i), the following:

“(A) an assessment of infrastructure improvements to such facilities that would be needed to improve directly or indirectly, national security and readiness requirements;”;

(iv) in clause (ii), as redesignated by paragraph (2)(C), by striking “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) coordinates with the Environmental Protection Agency, the Coast Guard, and other Federal, State, local, or tribal agencies, as appropriate.”

(3) in subparagraph (c)(2), by striking “benefits” and inserting “or 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 5103(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.—

“(1) 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 that—

“(i) 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) 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 supplier.

“(C) DEFINITIONS.—In this section:

“(1) the term ‘commercially available off-the-shelf item’ means—

“(aa) a commercial item, as defined by section 103 of title 41, United States Code, that is available in the United States in sufficient and reasonably available quantities, of a satisfactory quality, or on a timely basis; or

“(bb) sold in substantial quantities in the commercial marketplace; and

“(2) 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 EFFORTS.—Section 8931(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);

(B) by redesigning paragraphs (11) through (14) as paragraphs (12) through (15), respectively; and

(C) by inserting after paragraph (9) the following new paragraph:

“(10) The Director of the Bureau of Ocean Energy Management 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”;

(ii) in paragraph (2), by striking “peer” and inserting “peers”;

(B) in paragraph (3), by striking subparagraph (D) and inserting the following:

“(D) Preexisting facilities”;

(C) by striking “report” and inserting “briefing” each place the term appears; and

(D) by striking paragraph (4) and inserting the following:

“(4) A description of the involvement of Federal agencies and non-Federal contributors participating in the program.”;

(E) in paragraph (5), by striking “and the estimated expenditures, under such programs, projects, and activities during such following fiscal year” and inserting “and 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:

“(2) REPORT.—Not later than March 1 of each fiscal year, the Committee shall enter 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 operator for the partnership program office; and

(B) in paragraph (2)(B), by inserting ‘‘, or appropriate, ‘‘ before ‘‘managing’’; and

(7) by replacing any other provisions that the Secretary or Administrator may document under the laws of the United States with respect to the obligations, the guarantee, or maintenance of the Secretary or Administrator may prescribe.’’.

(2) FUNDS TRANSFERRED.—Funds transferred under section 53703(c) of this title are—

(1) in subsection (a)(4)—

(2) by striking ‘‘Facilities’’.

SEC. 3525. IMPROVEMENTS TO THE MARITIME GUARANTEE LOAN PROGRAM.

(a) DEFINITIONS.—Section 53701 of title 46, United States Code, is amended—

(A) by striking paragraph (5); and

(B) by striking ‘‘facilities’’ and all that follows through the end of the subsection and inserting ‘‘facilities’’; and

(2) in subsection (c)(4)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) through (K), as subparagraphs (A) through (J), respectively.

(c) APPLICATION AND ADMINISTRATION.—

Section 53703 of title 46, United States Code, is amended—

(1) in subsection (a)(1)(A)—

(A) in the matter preceding clause (i), by striking ‘‘including an eligible export vessel’’; and

(B) in clause (iv) by adding ‘‘or’’ after the semicolon;

(C) in clause (v), by striking ‘‘; or’’ and inserting a period; and

(D) by striking clause (vi) and (vii) and inserting the following:

‘‘(vi) by adding at the end following ‘‘or’’ the following:

‘‘(B) REVIEW.—Such list shall be reviewed, and revised every 4 years or as necessary, as follows through the end of the subsection and inserting ‘‘provisions, which shall include—

‘‘(1) provisions for the protection of’’; and

(2) by adding at the end the following:

‘‘any other provisions that the Secretary or Administrator may prescribe.’’.

(2) ADMINISTRATIVE FEES.—Section 53713 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) in subparagraph (A)—

(i) by striking ‘‘, or in the case of’’ and all that follows through ‘‘party’’; and

(ii) by striking ‘‘and’’ after the semicolon;

(iii) in subparagraph (B), by striking the period at the end and inserting ‘‘; and’’;

(B) in subparagraph (B), by striking the period at the end and inserting ‘‘; and’’; and

(C) by adding at the end the following:

‘‘(D) VESSELS OF NATIONAL INTEREST.—’’.

(2) IN GENERAL.—To carry out the purposes of the National Oceanographic Partnership Program, the Council shall have, in addition to other powers otherwise given it under this chapter, the following authorities:

(A) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants or other agreements, and establish and manage new collaborative programs as considered appropriate, to address emerging science priorities using both donated and appropriated funds.

(B) To authorize the program office under subsection (g), on behalf of and subject to the direction and approval of the Council, to accept, receive, and make grants to, and enter into contracts with, public or private organizations, including State or Tribal governments, for the purpose of implementing the National Oceanographic Partnership Program.

(C) 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 that are funded by private grants, contracts, or donations.

(D) To transfer funds to other Federal and State agencies and entities in furtherance of the purposes of the National Oceanographic Partnership Program.

(E) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, for the purpose of implementing the National Oceanographic Partnership Program and carrying out the responsibilities of the Council.

(F) To use, with the consent of the head of the agency or entity concerned, on a non-reimbursable basis, equipment, personnel, facilities, advice, and information provided by a Federal agency or entity, State, local government, Tribal government, territory, or possession, or any subdivision thereof, or the District of Columbia as may be helpful in the performance of the duties of the Council.

(G) FUNDS TRANSFERRED.—Funds identified for direct support of National Oceanographic Partnership Program grants are authorized for transfer between agencies and are exempt from section 5535 of title 31, United States Code (commonly known as the ‘‘Economy Act of 1932’’).

(c) INDEPENDENT ANALYSIS.—

Section 8903(a)(4) of title 10, United States Code, is amended by striking ‘‘State government’’ and inserting ‘‘State and Tribal governments’’.

SEC. 3525. IMPROVEMENTS TO THE MARITIME GUARANTEE LOAN PROGRAM.

(a) DEFINITIONS.—Section 53701 of title 46, United States Code, is amended—

(1) by striking paragraph (5); and

(2) by redesigning paragraphs (6) through (15) as paragraphs (5) through (14), respectively.

(3) by adding at the end the following:

‘‘(15) VESSEL OF NATIONAL INTEREST.—The term ‘Vessel of National Interest’ means a vessel that meets characteristics determined by the Administrator, in consultation with 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).’’.

(b) PURPOSES.—Section 53702(a) of title 46, United States Code, is amended by adding at the end the following:

‘‘(2) PREFERRED ELIGIBLE LENDER.—The Federal Financing Bank shall be the preferred eligible lender of the principal and interest of the guaranteed obligations issued under this chapter.’’.

(c) APPLICATION AND ADMINISTRATION.—

Section 53703 of title 46, United States Code, is amended—

(1) in the section heading, by striking ‘‘procedures’’ and inserting ‘‘and administration’’;

(2) by adding at the end the following:

‘‘(c) INDEPENDENT ANALYSIS.—

‘‘(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 term a guarantee under this chapter is outstanding;’’;

(ii) in lieu of other financial covenants applicable to the obligor under private sector credit agreements, and;

‘‘(ii) based on the financial covenants or financial ratios, if any, that are then applicable to the obligor under private sector credit agreements; and

‘‘(C) documented under the laws of the United States for the term of the guarantee or until the guarantee is paid in full, whichever is sooner.’’; and

(2) by adding at the end following ‘‘; and’’;

‘‘(D) VESSELS OF NATIONAL INTEREST.—’’.

(2) PRIVATE SECTOR EXPERT.—Independent analysis, review, and representation conducted under ‘‘private sector expert’’ shall be performed by a private sector expert in the applicable field who is selected by the Secretary or Administrator.

‘‘(d) 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 such guarantees.

‘‘(2) VESSEL CHARACTERISTICS.—

‘‘(A) IN GENERAL.—The Secretary or Administrator, in consultation with the Secretary of Defense, the Secretary of the Department in which the Coast Guard operates, or the heads of other Federal agencies, shall develop and publish a list of vessel characteristics that meets characteristics determined by the Administrator, in consultation with 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).’’.

(2) REVIEW.—Such list shall be reviewed, and revised every 4 years or as necessary, as follows through (K), as subparagraphs (A) through (J), respectively.

(1) the term ‘‘Economy Act of 1932’’.’’.
(B) by redesigning paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;
(C) by striking "The Secretary" and inserting the following:
"(1) IN GENERAL.—The Secretary; and
"(2) FEES LIMITATION INAPPLICABLE.—Fees collected under subsection (a) are not subject to the limitation of subsection (b)."

(1) BEST PRACTICES; ELIGIBLE EXPORT VESSELS.—Chapter 537 of title 46, United States Code, is further amended by adding at the end the following new section:

"§ 33719. Best practices

"The Secretary or Administrator shall ensure that all standard documents and agreements that relate 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 33722.

(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 consultation 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. The process may include, but is not limited to, the establishment of industry best practices, including proposals to further assist applicants to submit complete applications within 6 months of the initial application.

(4) E XPRESS CONSIDERATION OF LOW-RISK APPLICATIONS.—Not later than 120 days after the date of enactment of this title, the Administrator of the Maritime Administration shall, in consultation with affected stakeholders, prepare and submit a report to Congress on the effectiveness of the United States Federal and industry best practices, including proposals to further assist applicants to submit complete applications within 6 months of the initial application.

(5) 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 consultation 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, 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.

(6) 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 consultation 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, 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.

(k) CONGRESSIONAL NOTIFICATION.—
(1) NOTIFICATION.—Not less than 60 days before reorganizing or consolidating the activities under section 337 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.

(l) 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 33722 the following new item:

"§ 33719. 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 33732.

SEC. 3527. UNITED STATES MERCHANT MARINE ACADEMY'S SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM.

(a) IMPLEMENTATION RECOMMENDATIONS.—The Secretary of Transportation shall ensure that, not later than 180 days after the date of enactment of this title, the Secretary of the United States Merchant Marine Academy's Sexual Assault Prevention and Response Program is implemented, and explaining how those recommendations have been implemented; or

(b) REPORT.—Not later than 180 days after the date of enactment of this title, the Secretary of Transportation shall submit a report to Congress:

(1) confirming that the recommendations described in subsection (a) have been fully implemented, and explaining how those recommendations have been implemented; or

(2) if such recommendations have not been fully implemented as of the date of the report, including an explanation of why such recommendations have not been fully implemented and a description of the resources that are needed to fully implement such recommendations.

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 on the need for vessels to install, operate, and maintain emerging offshore energy infrastructure, including offshore wind energy.

(b) CONTENTS.—Such report shall include:

(1) an inventory of vessels (including existing vessels and vessels that have the potential to be refurbished) to install, operate, and maintain such emerging offshore energy infrastructure;

(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 infrastructure;

(c) TRANSMITTAL.—Not later than 6 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.

SEC. 3531. SHORT TITLES.

(a) SHORT TITLE.—This subtitle may be cited as the "Maritime SAFE Act".

SEC. 3532. TECHNICAL CORRECTIONS.

(a) OFFICE OF PERSONNEL MANAGEMENT GUIDANCE.—Not later than 120 days after the date of enactment of this title, the Director of the Office of Personnel Management, in consultation with the Administrator of the Maritime Administration, shall identify key skills and competencies necessary to maintain a balance of expertise in maritime seagoing service and strategic sealift expertise and competencies necessary to maintain a balance of expertise in merchant marine seagoing service and strategic sealift military service in each of the following positions and under this subsection:

(1) Commandant.

(2) Deputy Commandant.

(3) Tactical company officers.

(4) Medical officers.

(b) SBA YEAR COMPLIANCE.—Section 3531(a)(1)(A) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by inserting "domestic and international" after "criteria that".

SEC. 3533. SHORT TITLES.

(a) SHORT TITLE.—This subtitle may be cited as the "Maritime SAFE Act".

SEC. 3534. 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, in the Federal Register, 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 200 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 maritime boundary of the exclusive economic zone is—

(i) in the case of coastal States, a line co-terminous with the seaward boundary of such state (as described in section 4 of the Submerged Lands Act (43 U.S.C. 1312));

(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, Guam, and the Northern Mariana Islands, a line that is 3 ge- ographic miles from the coastline of Amer- ican Samoa, the United States Virgin Is- lands, Guam, or the Northern Mariana Is- lands, 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) FOOD SECURITY.—The term "food security" means access to, and availability, utilization, and stability of, sufficient food to meet caloric and nutritional needs for an active, healthy life.

(e) GLOBAL RECORD OF FISHING VESSELS, HU- FRIGERATED 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 data to other state authorities about vessels and vessel 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 24th Session of the Committee on Fisheries in Rome on March 2, 2001).

(g) PORT STATE MEASURES AGREEMENT.—The term "Port State Measures Agreement" means the Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing, adopted at the 24th Session of the Committee on Fisheries in Rome on March 2, 2001.

(h) PRIORITY FLAG STATE.—The term "priority flag state" means any country selected in accordance with section 3522(b)(3).

(i) SAFE ACT.—The term "SAFE Act" means the SAFE Act for Fiscal Year 2017 (Public Law 114–328).
(B) that is will ing, 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, facilitated, orabetting 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 catches 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) by improving data sharing 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 and security;

(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 adopt a holistic diplomatic, military, law enforcement, economic, and capacity-building tools to counter IUU fishing; and

(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 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 operations; and

(D) to enhance information sharing within and across governments and multilateral organizations through the development and use of agreed standards for information sharing; and

(E) to support effective, science-based fisheries management regimes that promote legal and safe fisheries and act as a deterrent to IUU fishing;

(4) to promote global maritime security through improved capacity and technological assistance to support improved maritime domain awareness;

(5) to engage with priority flag states to encourage the use of high quality vessel tracking technologies where existing enforcement tools are lacking;

(6) to engage with multilateral organizations working on fisheries issues, 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 enhanced transshipments or 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 transnational organized illegal trade in narcotics and arms, and as applicable, to focus on illicit activity in a coordinated, cross-cutting manner;

(12) to respond and 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 and security;

(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 recognize and respond to IUU fishing and related transnational organized illegal activities.

SEC. 3542. ENGAGEMENT OF DIPLOMATIC MISSIONS OF THE UNITED STATES.

Not later than 1 year after the date of the enactment of this title, each chief of mission referred to in subsection (a) shall—

(1) convene a working group, led by Department of State officials, to examine IUU fishing, which may include stakeholders such as—

(A) United States officials from relevant agencies participating in the interagency Working Group identified in section 3551, foreign officials, nongovernmental organizations, the private sector, and representatives of local fishermen in the region; and

(B) experts on IUU fishing, law enforcement, criminal justice, transnational organized illegal activity, defense, intelligence, vessel movement monitoring, and international development operating in or with knowledge of the region; and

(2) designate a counter-IUU Fishing Coordinator from among existing personnel at the mission if the chief of mission determines that such action is appropriate.

SEC. 3543. ASSISTANCE BY FEDERAL AGENCIES TO IMPROVE LAW ENFORCEMENT IN PRIORITY REGIONS AND PRIORITY FLAG STATES.

(a) IN GENERAL.—The Secretary of State, in collaboration with the Secretary of Commerce and the Commandant of the Coast Guard, shall—

(B) expert on IUU fishing, law enforcement, and priority flag states to help those states improve their capacity to combat IUU fishing; and

(c)dain conform to subsection (a) shall evaluate opportunities to provide assistance, as appropriate, to countries in priority regions and priority flag states to improve the effectiveness of IUU fishing enforcement through clear and measurable targets and indicators of success, including—

(1) by assessing and using existing resources, enforcement tools, and legal authorities to coordinate efforts to combat IUU fishing with efforts to combat other illegal trade, including weapons, drugs, and human trafficking;

(2) by expanding existing IUU fishing enforcement training;

(3) by providing targeted, country- and region-specific training on combating IUU fishing, including in those countries that have not adopted the Port State Measures Agreement;

(4) by supporting increased effectiveness and transparency of the fisheries enforcement sectors of the governments of such countries; and

(5) by supporting increased outreach to stakeholders in the affected communities as key partners in combating and prosecuting IUU fishing.

(c) PORT SECURITY ASSISTANCE.—The officials referred to in subsection (a) shall evaluate opportunities to provide assistance, as appropriate, to countries in priority regions and priority flag states to help those states implement programs related to port security and capacity for the purposes of preventing IUU fishing products from entering the global seafood market, including by supporting other countries in working toward the adoption and implementation of the Port State Measures Agreement.

(c) IN GENERAL.—The officials referred to in subsection (a), in collaboration with the governments of countries in priority regions and priority flag states to help those states implement programs related to port security and capacity for the purposes of preventing IUU fishing products from entering the global seafood market, including by supporting other countries in working toward the adoption and implementation of the Port State Measures Agreement.
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 Port State Measures Agreement, if merited, shall work, as appropriate, with priority flag states and key countries in priority regions—
(1) to enhance knowledge within such countries about the United States transparency and traceability standards for imports of seafood and seafood products;
(2) 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;
(3) to improve the capacities of government, industry, and civil society groups to develop and implement comprehensive traceability systems;
(A) to deter IUU fishing;
(B) to strengthen fisheries management; and
(C) to enhance maritime domain awareness; and
(4) to support the implementation of seafood traceability standards in such countries to prevent IUU fishing products from entering the global seafood market and assessing the capacity and training needs in those countries.

SEC. 3544. TECHNOLOGY PROGRAMS.
The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard, the Secretary of Commerce, and the heads of other Federal agencies, as appropriate, shall develop an enterprise approach to—
(1) promoting the use of technology to combat IUU fishing;
(2) assessing the technology needs, including vessel tracking technologies and data sharing, in priority regions and priority flag states;
(3) engaging with priority flag states to encourage the mandated use of vessel tracking technologies, including by—
(A) using 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
(B) building partnerships with the private sector to assess technologies, including by—
(i) non-profit research organizations, the seafood industry, and the technology, transportation and logistics sectors, to leverage new and existing technologies and data analytics to address IUU fishing.

SEC. 3545. INFORMATION SHARING.
The Director of National Intelligence, in conjunction with other agencies, as appropriate, shall develop an enterprise approach to appropriately share information and data within the United States Government or with international partners or with United States or international organizations, or the private sector, as appropriate, on 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 Department of Homeland Security.
(7) outlining a strategy to coordinate, increase, and use shipper agreements between the Department of Defense or the Coast Guard and relevant countries;
(8) consultation and coordination 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 verifiable the 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 prosecute groups and individuals engaging in IUU fishing.
SEC. 3552. STRATEGIC PLAN.  
(a) STRATEGIC PLAN.—Not later than 2 years after the enactment of this title, the Working Group, after consultation with the relevant stakeholders, shall submit to Congress a 5-year integrated strategic plan on 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 paragraph (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 outlined in paragraph (A).
(3) PRIORITY FLAG STATES SELECTION CRITERIA.—In selecting priority flag states under paragraph (1), the Working Group shall select countries—
(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 and the Committee on Natural Resources 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 forced labor, 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 can be used for either enforcement operations or strategies to combat IUU fishing;
(5) summaries of the situational threats with respect to IUU fishing in priority regions and an assessment of the capacity of countries within such regions to respond to those threats;
(6) an assessment of the progress of countries in priority regions in responding to those threats as a result of assistance by the United States under 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 and agreements that regulate IUU fishing and treaties related to IUU fishing;
(C) an assessment of the progress of countries in priority regions to enhance and improve relevant national enforcement mechanisms to deter illegal practices in the catching of seafood in the countries on the list compiled pursuant to paragraph (1); and
(D) an assessment of the capacity of countries in priority regions to implement shiprider 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 sustain the programs for which the United States has provided assistance under this subtitle;
(7) 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 SUBWORKING 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 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 subworking group’s coordination, and prevention 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 and seq.) to any relevant nation, including the status of any past or ongoing consultations and certification proceeding; and
(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) FUNDING.—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 608(b) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7108(b)) is amended by inserting “the Secretary of Commerce,” after “the Secretary of Labor,” as so amended.
SEC. 3563. HUMAN TRAFFICKING IN THE SEAFOOD SUPPLY CHAIN REPORT.  
(a) IN GENERAL.—Not later than 1 year after the date of 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 seafood 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); and
(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 situations that create conditions that are a factor in human trafficking.
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 multinational 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 having financial authority under this subtitle to the Federal agencies, which includes the Department of Energy, to 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:

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 defense activities of the Department of 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 in title X, insert the following:

SEC. 3. 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 the sustainability and underpinnings of the all-volunteer force of the Armed Forces from the perspective of members 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-of-career problems.

(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 Veterans' Affairs of the Senate;

(iv) one shall be appointed by the Ranking Member of the Committee on Veterans' Affairs of the Senate;

(v) one shall be appointed by the leader of the Senate; and

(vi) one shall be appointed by the majority leader of the Senate.

(B) In General.—The Commission shall consist 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 Senate;

(iv) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(v) one shall be appointed by the leader of the Senate; and

(vi) one shall be appointed by the majority leader of the Senate.

(C) In general.—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 Senate;

(iv) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(v) one shall be appointed by the leader of the Senate; and

(vi) one shall be appointed by the majority leader of the Senate.

(D) In general.—The Commission shall consist 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 Senate;

(iv) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(v) one shall be appointed by the leader of the Senate; and

(vi) one shall be appointed by the majority leader of the Senate.

(E) In general.—The Commission shall consist 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 Senate;

(iv) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(v) one shall be appointed by the leader of the Senate; and

(vi) one shall be appointed by the majority leader of the Senate.

(F) In general.—The Commission shall consist 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 Senate;

(iv) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(v) one shall be appointed by the leader of the Senate; and

(vi) one shall be appointed by the majority leader of the Senate.

(G) In general.—The Commission shall consist 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 Senate;

(iv) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(v) one shall be appointed by the leader of the Senate; and

(vi) one shall be appointed by the majority leader of the Senate.

(H) In general.—The Commission shall consist 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 Senate;

(iv) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(v) one shall be appointed by the leader of the Senate; and

(vi) one shall be appointed by the majority leader of the Senate.
the benefits available to veterans and their families; and
(d) determine where such directory and
database fall short of meeting the transition
needs of veterans, families, and
activities 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 towards sustaining the all-volunteer
nature of the Armed Forces for the contempo-
rary military.
(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-
bers 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
Directory, including recommendations for the
proper proponent of the Directory, the enact-
ment of real-time updating, and full avail-
ability to those in need of such.
(c) DESIGNATION.—The strategy submitted
under paragraph (A) shall be known as the
"National Strategy for Sustainment of the All-Volunteer Force'.
(d) DEFINITIONS.—In this section:
(1) APPROPRIATE COMMITTEES OF
CONGRESS.—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
"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 ap-
propriations for fiscal year 2020 for
military activities of the Department of
Defense, for military construction,
and for defense activities of the De-
partment of Energy, to prescribe mili-
tary personnel strength for 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-
lished Military Operating Areas (MOA) for
manned or unmanned aircraft; and
(2) the training and readiness benefits of a
single, continuous east-west airspace cor-
rridor 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-
rridor involving North Dakota, South Da-
korata, Nebraska, and Kansas that may inter-
sect in a way that would improve the
performance of services for the Commission.
(a) STRATEGY REQUIRED.—Not later than 90
days after the date of enactment of this Act,
the John S. McCain Commission on the Sustainability
of the All-Volunteer Force submits the final
report under section 2(b)(2)(B), the Secretary of
Defense, the Secretaries of Veterans Affairs,
affairs, in consultation with the Commission,
shall submit to the appropriate committees of
Congress a comprehensive strategy on sus-
taining the all-volunteer nature of the
Armed Forces with emphasis on recruiting,
retention, transition and enduring vigilance
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 towards sustaining the all-volunteer
nature of the Armed Forces for the contempo-
rary military.
(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-
bers 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
Directory, including recommendations for the
proper proponent of the Directory, the enact-
ment of real-time updating, and full avail-
ability to those in need of such.
(c) DESIGNATION.—The strategy submitted
under paragraph (A) shall be known as the
"National Strategy for Sustainment of the All-Volunteer Force'.
(d) DEFINITIONS.—In this section:
(1) APPROPRIATE COMMITTEES OF
CONGRESS.—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
"Armed Forces" and "veteran" have the
meanings given such terms in section 101
of title 38, United States Code.
SEC. 628. MR. WARNER submitted an
amendment intended to be proposed by
him to the bill S. 1790, to authorize ap-
propriations 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. 41. CYBERSECURITY COORDINATOR AT NATIONAL SECURITY COUNCIL.

Section 101 of the National Security Act of 1947 (50 U.S.C. 3021 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 operated 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 comprehensive;
(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 across agencies;
(G) To ensure information security resiliency 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. 1207. PROHIBITION ON SALES AND TRANSFERS TO SAUDI ARABIA AND THE UNITED ARAB EMIRATES.

(a) RESTRICTION ON TRANSFER.—Except as provided in paragraph (1), any entity in the United States shall not sell, transfer, or authorize the export of a large attack package to any covered foreign country.

(b) REQUIREMENT.—The Secretary of State shall report to Congress before the expiration of one year of the enactment of this Act and every year thereafter.

SEC. 1208. TRANSFERS TO PROVIDE PROTECTION.

SEC. 1209. REQUIRING DEFENSE CONTRACTORS TO IMPROVE CYBERSECURITY MEASURES.

The Secretary of Defense may not enter into a contract with a contractor or subcontractor with respect to which the Secretary determines has an information system that has been infiltrated or breached by a nation state adversary unless the contractor or subcontractor is able to prevent the infiltration or breach that are equivalent to those of the Department of Defense.

SA 631. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 42. 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 (mm), by adding at the end the following:

"(I) is required to conduct an SBIR program; and
(ii) elects to use the funds allocated to the SBIR program for purposes described in paragraph (1) to the Administration—
(i) for the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (vv); and
(ii) to support the Office of the Administration that administers the SBIR program and the STTR programs and the agreement from other agencies about how the funds will be used, in carrying out those programs and the program described in clause (i)."

(b) PILOT PROGRAM.—
"(A) IN GENERAL.—Of amounts provided to the Administration under paragraph (7), not less than $5,000,000 shall be provided for awards under the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (vv) 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 paragraph (7) to enter into an agreement with another Federal agency to transfer amounts made available under paragraph (7) to provide funds to the Administration under paragraph (7) for the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (vv)."
“(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 section—

“(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, on the basis of an average of any established year, based on the number of annual SBIR program awards made to companies in the State for the preceding 3 years for which the Administrator determined the availability of funds; and

“(ii) an EPSCoR State that—

“(I) is a State described in clause (i); or

“(II) is 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. 1662g);

“(D) the term ‘pilot program’ means the Regional SBIR State Collaborative Initiative Pilot Program established under paragraph (2);

“(E) the term ‘regional collaborative’ means a collaborative consisting of eligible entities that are located in not less than 3 eligible States; and

“(F) 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 but shall be subject to funding within the applicable budgetary amounts; and

“(3) Amendments with companies and entrepreneurs for SBIR program and STTR program education, assistance, and successful outcomes.

“(4) Application.—

“(A) In General.—A regional collaborative that elects 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) the names of each lead eligible entity from each eligible State in the regional collaborative, as designated under subparagraph (5)(A); and

“(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 regional collaborative.

“(5) Lead Eligible Entity.—

“(A) In General.—Each eligible State in a regional collaborative shall designate 1 eligible entity located in the eligible State to serve as the lead eligible entity for the eligible State.

“(B) Authorization by Governor.—Each eligible entity designated under subparagraph (A) shall be authorized to act as the lead eligible entity by the Governor of the applicable eligible State.

“(C) Responsibilities.—Each lead eligible entity designated under subparagraph (A) shall be responsible for administering the activities described in paragraph (7) in the applicable eligible State.

“(6) Regional Collaborative Coordinator.—Each regional collaborative shall designate a coordinator from amongst the eligible entities located in the eligible States in the regional collaborative, who shall serve as the interface between the regional collaborative and the Administrator with respect to measuring cross-State collaboration and program effectiveness and documenting best practices.

“(7) Use of Funds.—Each regional collaborative that is provided an award under the pilot program may, in each eligible State in which an eligible entity of the regional collaborative is located—

“(A) establish an initiative under which first-time applicants for an award under the SBIR program or the STTR program, particularly during Phase II, are reviewed by experienced, national experts in the United States, as determined by the lead eligible entity designated under paragraph (5)(A);

“(B) engage national mentors on a frequent basis to work directly with applicants for an award under the SBIR program or the STTR program to provide advice; and

“(C) create and make available an online portal to serve as a resource for applicants for an award under the SBIR program or the STTR program to identify and connect with Federal labs, prime government contractors, other industry partners, and regional industry cluster organizations.

“(D) conduct focused and concentrated outreach with small business concerns owned and controlled by women, small business concerns owned and controlled by socially and economically disadvantaged individuals (as defined in section 8(d)(3)(C)), and historically black colleges and universities;

“(E) administer a structured program of training and technical support;

“(F) 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, crowd funding, and special loan programs.

“(G) to offer increased one-on-one engagements with companies and entrepreneurs for

“(H) to increase the competitiveness of the SBIR program and the STTR program;

“(I) to prepare applicants for an award under the SBIR program or the STTR program;

“(J) to develop and implement a successful commercialization plan;

“(K) to assist eligible States focusing on transition and commercialization to win Phase III awards from public and private partners;

“(L) to create more competitive proposals to increase awards from all Federal sources, with a focus on awards under the SBIR program and the STTR program; and

“(M) to assist first-time applicants by providing small grants for proof of concept research and

“(N) to assist applicants for an award under the SBIR program or the STTR program to identify sources of outside funding, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs.

“(8) Award Amount.—The Administrator shall provide an award to each eligible State in which an eligible entity of a regional collaborative is located that is not more than $300,000 to carry out the activities described in paragraph (7).

“(9) Duration of Award.—An award provided under the pilot program shall be for a period of not more than 1 year, and may be renewed by the Administrator for 1 additional year.

“(10) Termination.—The pilot program shall terminate on September 30, 2022.

“(11) Report.—

“(A) In General.—Not later than September 30, 2023, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the pilot program, which shall include—

“(i) an assessment of the pilot program and the effectiveness of the pilot program in meeting the goals described in paragraph (3); and

“(ii) an assessment of the best practices, including an analysis of how the pilot program compares to a single State approach; and

“(iii) recommendations as to whether any aspect of the pilot program should be extended or made permanent.

“(B) Information Required.—Not later than March 30, 2023, the head of each Federal agency that participates in the pilot program shall submit to the Administrator any information that is necessary for the Administrator to carry out the duties of the Administrator under subparagraph (A).”.

SA 633. 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:

SEC. 9. CIVILIAN ACTIONS AGAINST FOREIGN STATES FOR DEATHS BY TERRORISM.

(a) In General.—Subsection (a) of section 288A of title 28, United States Code, is amended by inserting after section 1605B the following:

"(4) 'foreign terrorist organization' means a group of 2 or more individuals associated by common purpose, ideal, design, or tenet who agree that violent means are justified to effectuate such group's purpose, ideal, design, or tenet;"
§165C. Torture exception

(a) DEFINITIONS.—In this section—

(1) the term ‘armed forces’ has the meaning given in section 101 of title 10;

(2) the term ‘national of the United States’ has the meaning given in section 101(a)(22) of title 10; and


(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 any State in any case in which money damages are sought against 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 (b) 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 1610(a)(7) of title 28, United States Code, is amended by inserting ‘, 1605C,’ after ‘1605A.’

(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:

SEC. 729. REVIEW OF RECORDS OF FORMER MEMBERS OF THE ARMED FORCES WHO DIED OR WERE WOUNDED OR KILLED IN ACTION OR DURING SEPARATION FROM THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly and retroactively 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) REPORT.—The 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, age, rank within the Armed Forces (such as enlisted and officer), and branch of the Armed Services of the former member.

(b) 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.

SEC. 835. 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. 835. 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 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 include 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 FOREIGN RELATIONS

The Committee on Foreign Relations 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:

1. John B. Dennis, 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, Lina A. Liman, to be United States District Judge for the District of Columbia, 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, Maria M. Pancal, 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 Ohio, William D. Hyslop, to be United States Attorney for the Eastern District of Washington, Gary B. Burton, to be United States Marshal for the Western District of Kentucky, Randall P. Huff, 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.