House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. BEYER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, June 18, 2019.

I hereby appoint the Honorable DONALD S. BEYER, Jr. to act as Speaker pro tempore on this day.

NANCY PELOSI, Speaker of the House of Representatives.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Mariel Ridgway, one of his secretaries.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2019, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 1:50 p.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

AMERICANS SUPPORT THE GI BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, 12 days ago, the eyes of the world were focused on the beaches of Normandy, France, to observe the 75th anniversary of the D-day invasion. It was a solemn moment to rightly honor the sacrifice and courage of the combined Armed Forces of the Allied Powers, who, from that moment, launched the final, decisive assault that eventually destroyed the Axis Powers’ murderous stranglehold on Europe and Asia.

Mr. Speaker, another 75th anniversary surrounding the epic effort to save democracy will occur in 4 days, this Saturday, June 22. On that day 75 years ago, President Franklin Roosevelt signed into law the Servicemen’s Readjustment Act, more commonly known as the GI Bill. That landmark measure would provide both college tuition and a stipend for returning servicemembers who, as FDR said at the time, “have been compelled to make greater economic sacrifice and every other kind of sacrifice than the rest of us.”

Even though the war would rage on for another year, leaders in Washington wisely recognized that millions of young soldiers, sailors, and airmen would soon be returning back into civilian life; and for their sake and for the sake of a healthy postwar economy, creating this educational pathway made tremendous sense.

In the 75 years since the GI Bill was signed into law, it is now recognized as one of the most successful pieces of domestic legislation ever enacted. The postwar economic boom and the blossoming of the American middle class have both been attributed, in part, to the GI Bill.

Many renown Americans, including Bob Dole, Johnny Carson, Harry Belafonte, William Rehnquist, and Clint Eastwood, were beneficiaries of the GI Bill.

Economic studies have shown that, for every dollar the government spent on the GI Bill, our economy saw nearly $7 in return of additional economic output in tax revenues from income growth.

Despite its stellar performance, the relative strength of the GI Bill deteriorated in the late 20th century. By 2008, it was clear that tuition assistance and living stipends had not kept pace with the rising cost of a college education.

As a freshman Congressman in the House Armed Services Committee at the time, I heard from returning Iraq and Afghan vets who were forced to choose between dropping out of school or shouldering the burden of daunting student loans. To fix this decline, we passed the Post-9/11 GI Bill, which was signed into law by George Bush on June 30, 2008.

The updated law boosted tuition to match the cost of a 4-year public university in servicemembers’ home States and increased the living stipend to keep faith with the original law. It also allowed GI benefits to be transferred to a spouse or dependent child, a groundbreaking change which transformed the value of military service for families.

After the bill signing, I flew to Iraq in late 2008 for a committee visit and vividly recall being surrounded by soldiers bursting with questions about when and how the new law would be implemented. Since then, it has become clear that the transferability of the GI Bill has been an enormous morale booster and a valuable incentive to enlist and remain in service.

Unfortunately, Mr. Speaker, the Trump Department of Defense announced a new policy last July which would arbitrarily cut off servicemembers with more than 16 years of service from transferring their Post-9/11 GI benefits to eligible family members. We were told at the time that the Department viewed this as a shrewd cost-cutting measure.

However, revoking transferability breaks our commitment to our most dedicated and seasoned servicemembers and their families. In addition, in a tight, lean labor market, it remains...
critically important to attract and retain the best qualified individuals for military service.

I believe it sends exactly the wrong message to some of our most seasoned servicemembers who may have married late in life or started their families later, to make them ineligible for incentives, to continue their service to our Nation.

Two weeks after the Pentagon released this policy, 83 of my colleagues in the House joined me in a letter to the Secretary of Defense objecting to this change and calling for its reversal. So far, DOD has refused to budge.

Mr. Speaker, I have some good news to report today. With the cutoff due to go into effect next month, the House Armed Services Committee last week unanimously passed my amendment to the 2020 National Defense Authorization Act, which would block the Secretary of Defense from restricting GI Bill transferability based on a maximum number of years of service.

As Congress took action 75 years ago to create the GI Bill benefit, today it is our job to restore the hard-fought modernized GI Bill of 2008. That is even more the case today at a time of an All-Volunteer Force. If a servicemember demonstrates that they are ready, able, and willing to continue their service to our Nation, we should uphold our end of the commitment.

To paraphrase President Roosevelt’s words 75 years ago when he signed the Servicemembers Readjustment Act, protecting transferability today “gives emphatic notice to the men and women in our Armed Forces that the American people do not intend to let them down.”

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o’clock and 6 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CLAY) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Gracious God, we give You thanks for giving us another day.

During these coming weeks of House business, we ask Your special blessing upon the Members of this assembly who return from a long Father’s Day weekend. Issues of national security, trade, and the welfare of our citizens stand in the balance of the deliberations of these days.

May each Member be filled with a surfeit of wisdom, patience, and equanimity that these weeks of appropriations might issue forth in solutions that benefit the Nation.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. DAVIDSON) come forward and lead the House in the Pledge of Allegiance.

Mr. DAVIDSON of Ohio led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HOUR OF MEETING ON TOMORROW

Mr. THOMPSON of California. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

RECOGNIZING GUN VIOLENCE AWARENESS MONTH

(Mr. THOMPSON of California asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Gun Violence Awareness Month.

All month members of the Gun Violence Prevention Task Force will be coming to the floor to remember those we have lost and to call upon the Senate to take up H.R. 8, the Bipartisan Background Checks Act.

More than 100 days ago, Democrats and Republicans came together to pass legislation which is supported by more than 90 percent of the American people. Since the beginning of the year, more than 6,500 people have been killed and more than 12,500 have been injured by someone using a gun. Yet, the Senate refuses to allow a simple up or down vote.

On Thursday, activists from around the country will be holding a day of action to call on the Senate leadership to take up universal background checks. No more thoughts. No more prayers.

The Senate should do the right thing. The Senate should pass H.R. 8.

NATIONAL NUCLEAR SECURITY ADMINISTRATION CREATES JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, the National Nuclear Security Administration announced a $5 million investment in workforce development at the Savannah River Site in South Carolina to create jobs.

We are grateful that the Undersecretary for Nuclear Security at the Department of Energy and Administrator of NNSA Lisa Gordon-Hagerty announced the investment through the Workforce Opportunities in National Careers with the Savannah River Site Community Reuse Organization for Aiken Technical College, Augusta Technical College, University of South Carolina Aiken, Augusta University, and the University of South Carolina Salkehatchie.

I thank Rick McLeod, David Jameson, Dr. Sandra Jordan, Dr. Forest Mahan, and Congressman RICK ALLEN.

We appreciate their commitment to partnership and look forward to continuing to work together.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HONORING U.S. ARMY RANGERS

(Mr. DAVIDSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIDSON of Ohio. Mr. Speaker, United States Ranger history predates the Revolutionary War. However, June 19 marks the 77th anniversary of Major William Darby formally organizing and activating the 1st Ranger Battalion.

I rise today to honor the exceptional Americans who have volunteered as Army Rangers, fully knowing the hazards of their chosen profession. One of the greatest and most humbling honors of my life has been serving our Nation in uniform, and particularly, serving in the Army Ranger regiment.

The Army Ranger legacy is as old as the Republic, going back to Francis Marion, to Daniel Boone, to great Americans like Command Sergeant Major Douglas Greenway, and on to current Active Duty Rangers.

It wasn’t until after the Civil War—more than half a century without military Ranger units—that the U.S. Army Rangers were officially born. Seventy-five years ago, fighting on the bitter and bloody beaches of Normandy, Rangers gained their motto: “Rangers lead the way.”

Since Pointe du Hoc, Rangers have led the way, from the Japanese POW camps, to theaters of war, including: Korea, Vietnam, Panama, Operation Desert Storm, Somalia, Operation Enduring Freedom, Operation Iraqi Freedom, and the great war on terror.

Today, I honor the elite soldiers serving our country as U.S. Army Rangers.
MALICIOUS BEHAVIOR FROM IRAN
(Mr. BANKS asked and was given permission to address the House for 1 minute.)
Mr. BANKS. Mr. Speaker, I rise today to address the recent pattern of malicious behavior coming from Iran.

Recently, Speaker PELOSI said that President Trump: “. . . inflames the U.S.-Iran issue.” Respectfully, I couldn’t disagree more. The Iranians are the ones inflaming the relationship by attacking commercial vessels, designating U.S. troops in the Middle East as terrorists, challenging the freedom of navigation in the Persian Gulf, and intending to surpass uranium stockpile limits in just days.

Mr. Speaker, we cannot turn a blind eye to the hostile actions of Iran. The President is right to end the failed Obama-era strategy of appeasement toward Iran, and to call for our allies to stand up to this regime’s threatening behavior.

I stand with the President and urge my colleagues to do the same, to protect Americans’ security and economic interest in the region.

TEMPLE TERRACE DECLARES ITSELF A TRAFFICKING-FREE ZONE
(Mr. SPANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)
Mr. SPANO. Mr. Speaker, I rise today to commend the city of Temple Terrace and Mayor Mel Jurado for officially declaring the city a trafficking-free zone. As part of the effort, the city of Temple Terrace has pledged to take important steps to crack down on buyers in the sex trade, which will reduce the demand for sex workers and decrease the number of victims trafficked, specifically.

Temple Terrace is implementing a zero-tolerance policy where city employees will be automatically terminated if they are caught soliciting prostitutes. The Temple Terrace Police Department has also been encouraged to increase enforcement against buyers of sex work by conducting more stings.

And, finally, city staff are required to take mandatory training on how to spot signs of trafficking and how to help potential victims.

This is a monumental step forward for our community, and I am honored to join the city of Temple Terrace and Mayor Mel Jurado in the fight against human trafficking.

STOP OFFENDING BORDER PATROL
(Mr. ROY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)
Mr. ROY. Mr. Speaker, I rise today to highlight that one of my colleagues on the other side of the aisle compared the activities of the United States Government and Border Patrol on the southern border of the United States to concentration camps.

For the life me, I cannot understand why we have allowed discourse to get to this place where the efforts by Border Patrol to secure our border, to house children, to house women, to house families, to deal with the fact that the cartels are attacking our border and profiting while doing it, and trying to care for these people while we are trying to enforce our laws, comparing that to the horrors of World War II, and saying that my friend Hector Garza is somehow the Gestapo today, and comparing what is happening at the border to concentration camps.

I am really troubled and offended, and I think that the people of south Texas and Border Patrol are offended after what they are doing to try to defend the United States of America against cartels attacking the United States and profiting by moving people across the border.

REQUEST TO CONSIDER H.R. 962, BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT
Mr. GUEST. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 962, the Born-Alive Abortion Survivors Protection Act, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. Under guidelines consistently issued by successful Speakers, as recorded in section 956 of the House Rules and Manual, the Chair is constrained not to entertain the request unless it has been cleared by the bipartisan floor and committee leaderships.

Mr. GUEST. Mr. Speaker, I urge the Speaker to immediately reschedule this important bill.

The SPEAKER pro tempore. The gentleman is not recognized for debate.

COMMUNICATION FROM THE CLERK OF THE HOUSE
The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK
HOUSE OF REPRESENTATIVES
WASHINGTON, DC

HON. NANCY PELOSI
Speaker of the House of Representatives

DEAR MADAM SPEAKER:

Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 18, 2019, at 9:07 a.m.

That the Senate passed without amendment H.R. 3151.

With best wishes, I am

Sincerely,

CHERYL L. JOHNSON.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE WESTERN BALKANS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, is to continue in effect beyond June 26, 2021.

The threat constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the former Republic of Macedonia (what is now the Republic of North Macedonia) and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244
of June 10, 1999, in Kosovo, has not been resolved. In addition, Executive Order 13219 was amended by Executive Order 13304 of May 28, 2003, to take additional steps with respect to acts obstructing implementation of the Ohrid Framework Agreement of 2001 relating to the former Republic of Macedonia (what is now the Republic of North Macedonia).

The acts of extremist violence and obstructionist activity outlined in these Executive Orders are hostile to United States interests and continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to the Western Balkans.

Donald J. Trump,
THE WHITE HOUSE, June 18, 2019.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 2:45 p.m. today.

Accordingly (at 2 o'clock and 16 minutes p.m.), the House stood in recess.

1445

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CLAY) at 2 o'clock and 45 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today at 2:45 p.m. on the motion to suspend the rules and pass the bill (H.R. 3253) to provide for certain extensions of authority to Medicaid fraud and abuse control units to investigate and prosecute cases of Medicaid patient abuse and neglect in any state, and to postpone further proceedings on the motion to suspend the rules and pass the bill (H.R. 3253) to provide for certain extensions of authority to Medicaid fraud and abuse control units to investigate and prosecute cases of Medicaid patient abuse and neglect in any state.

The House will resume proceedings on the postponed question at a later time.

EMPOWERING BENEFICIARIES, ENABLING ACCESS, AND STRENGTHENING ACCOUNTABILITY ACT OF 2019

Mrs. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3253) to provide for certain extensions with respect to the Medicaid program under title XIX of the Social Security Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3253

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ‘‘Empowering Beneficiaries, Enabling Access, and Strengthening Accountability Act of 2019’’.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; Table of contents.
Sec. 2. Extension of Money Follows the Person Rebalancing Demonstration.
Sec. 3. Clarifying authority of State Medicaid fraud and abuse control units to investigate and prosecute cases of Medicaid patient abuse and neglect in any state.
Sec. 4. Extension of protection for Medicaid recipients of home and community-based services against fraud and abuse.
Sec. 5. Extension of the Community Mental Health Services Demonstration Program.
Sec. 6. Preventing inappropriately low rebates under Medicaid drug rebate program.
Sec. 7. Medicaid Improvement Fund.
Sec. 8. Determination of budgetary effects.

SEC. 2. EXTENSION OF MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION.

(a) IN GENERAL.—

(1) FUNDING.—Section 6071(h) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(A) in paragraph (1) — (i) in subparagraph (E), by striking ‘‘and’’ at the end;
(ii) in subparagraph (F)—
(I) by striking ‘‘subject to paragraph (3)’’, 132,000,000’’, and inserting ‘‘$132,000,000’’;
(II) by striking the period at the end and inserting a semicolon; and
(iii) by adding at the end the following new subparagraphs:

(1) ‘‘$417,000,000 for fiscal year 2020;’’;

(2) ‘‘$500,000,000 for each of fiscal years 2021 through 2023;’’ and

(3) ‘‘$225,000,000 for fiscal year 2024.’’;

(B) in paragraph (2)—

(i) by striking ‘‘Subject to paragraph (3)’’, amounts’’, and inserting ‘‘Amounts’’; and
(ii) by striking ‘‘2021’’ and inserting ‘‘2024’’;

and

(C) by striking paragraph (3).

(2) RESEARCH AND EVALUATION.—Section 6071(g) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(A) in paragraph (1) — by striking ‘‘2016’’ and inserting ‘‘2024’’; and

(B) in paragraph (3), by inserting ‘‘and for each of fiscal years 2019 through 2024.’’ after ‘‘2016.’’.

(3) CHANGES TO INSTITUTIONAL RESIDENCY PERIOD REQUIREMENT.—

(1) IN GENERAL.—Section 6071(b)(2) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(A) in subparagraph (A)(i), by striking ‘‘90’’ and inserting ‘‘60’’; and
(B) by striking the flush sentence after subparagraph (B).

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the date that is 30 days after the date of the enactment of this Act.

(3) UPDATES TO STATE APPLICATION REQUIREMENTS.—Section 6071(c) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(1) in paragraph (3), by striking ‘‘which shall include’’ and all that follows through ‘‘provision’’;

(2) in paragraph (7)—

(A) in the paragraph heading, by striking ‘‘REBALANCING’’ and inserting ‘‘EXPENDITURES’’;
(B) in subparagraph (A), by adding ‘‘and’’ at the end; and

(C) in subparagraph (B)—

(i) in clause (i), by striking ‘‘and’’ at the end;

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

(iii) by adding at the end the following:

‘‘(iii) include a work plan that describes for each Federal fiscal year that occurs during the 60-month MFP demonstration period—

(1) the use of grant funds for each proposed initiative that is designed to accomplish the objective described in subsection (a); including a funding source for each activity that is part of each such proposed initiative;

(2) an evaluation plan that identifies expected results for each such proposed initiative; and

(3) a sustainability plan for components of such proposed initiatives that are intended to improve transitions, which shall be updated with actual expenditure information for each Federal fiscal year that occurs during the MFP demonstration project; and

(4) contain assurances that grant funds used to accomplish the objective described in subsection (a) shall be obligated not later than 24 months after the date on which the funds are awarded and shall be expended not later than 60 months after the date on which the funds are awarded (unless the Secretary approves a waiver of either such requirement).’’; and

(3) in paragraph (13)—

(A) in subparagraph (4), by striking ‘‘and’’; and

(B) by redesignating subparagraph (B) as subparagraph (D); and

(C) by inserting after subparagraph (A) the following:

‘‘(B) Providing the Secretary with the information and analyses required under subsection (a) and inserting ‘‘and’’ in such manner as will meet the reporting requirements set forth for the Transformed Medicaid Statistical Information System (T-MSIS);’’;

(d) FUNDING FOR QUALITY ASSURANCE AND IMPROVEMENT TECHNICAL ASSISTANCE PROJECT—OVERSIGHT.—Section 6071(f) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by striking paragraph (2) and inserting the following:

‘‘(2) FUNDING.—From the amounts appropriated pursuant to subsection (b)(1) for each of fiscal years 2019 through 2024, $1,000,000 shall be available to the Secretary for each such fiscal year to carry out this subsection.’’.

(e) BENCHMARKS AFTER EVALUATION.—Section 6071 of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by adding at the end the following:

‘‘(1) REPORT.—The Secretary, directly or through grant or contract, shall submit a report to the President and Congress not later than September 30, 2026, that contains findings and conclusions on best practices from the State MFP demonstration projects carried out with grants made under this section. This report shall include information and analyses with respect to the following:

(A) The most effective State strategies for transitioning beneficiaries from institutional to qualified community settings carried out under the State MFP demonstration projects and how such strategies may vary
for different types of beneficiaries, such as beneficiaries who are aged, physically disabled, intellectually or developmentally disabled, or individuals with serious mental illness, through other targeted waiver beneficiary populations.

(2) The most common and the most effective State uses of grant funds carried out under TEA-21 demonstration projects are for transitioning beneficiaries from institutional to qualified community settings and improving health outcomes, including differing for coverage and reimbursement for current initiatives that are designed for such purpose and funding for proposed initiatives that are designed for such purpose.

(3) The most effective State approaches carried out under State MFP demonstration projects for improving person-centered care and planning.

(4) Identification of program, financing, and other flexibilities available under the State MFP demonstration projects, that are not available under the traditional Medicaid program, and which directly contributed to successful transitions and improved health outcomes under the State MFP demonstration projects.

(5) State strategies and financing mechanisms for effective coordination of housing financed or supported under State MFP demonstration projects with local housing authorities of other resources.

(6) Effective State approaches for delivering Money Follows the Person transition services through managed care entities.

(7) Other best practices and effective transition strategies demonstrated by States with approved MFP demonstration projects, as determined by the Secretary.

(8) Analysis of prior opportunities and challenges to integrating effective Money Follows the Person transition services into the traditional Medicaid program.

(9) COLLABORATION.—In preparing the report under this subsection, the Secretary shall collect and incorporate information from States with approved MFP demonstration projects and beneficiaries participating in such projects, and providers participating in such projects.

(10) FUND.—From the amounts appropriated under subsection (b)(1) for each of fiscal years 2020 and 2021, not more than $300,000 shall be available to the Secretary for each such fiscal year to carry out this subsection.

(f) MACPAC REPORT ON QUALIFIED SETTING CRITERIA.—Section 6071 of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note), as amended by subsection (e), is further amended by striking "prior to" and inserting "in the case of such Act (42 U.S.C. 1396b(a)(6)) is amended, in the matter following subparagraph (A), by inserting "as determined by the Secretary."

(1) in paragraph (3), by striking "June 30, 2019" and inserting "December 31, 2021"; and

(2) in paragraph (7)(B), by striking "De-
Money Follows the Person helps ensure that seniors and people with disabilities are able to live in their homes and in their communities. It provides States with vital funding and supports to ensure that they continue to help people move out of institutions. Earlier this year, I held a roundtable discussion in my district with patients, providers, and advocates to talk about the challenges we face in providing long-term care in this country. Every part of our country supports reauthorizing Money Follows the Person because it makes it easier for people to get care in the setting of their choice. By passing this bill today, we are giving hope to those who need it.

I want to thank my friend and colleague, Representative GUTHRIE, for his commitment to this program and his leadership on this issue. It has been an honor to work with him on it.

This bipartisan bill would not have been possible without the leadership of Representatives WELCH and WALBERG, and I want to thank them for their hard work to protect Medicaid beneficiaries from abuse.

This bill also extends the promising Excellence in Mental Health demonstration for an additional 2 years. As we continue to struggle through the opioid epidemic, this program ensures that people with substance use disorder and mental health issues can receive critical treatment when they need it the most. The early results of the demonstration have been promising, and this extension will allow States to build on that success.

I want to thank Representatives MATSU and WELCH for their ongoing support of this program.

Finally, this legislation adopts a commonsense proposal to ensure drug companies pay their fair share in Medicaid rebates. It will help provide additional funds to State Medicaid programs that are struggling to pay for increasingly expensive prescription drugs.

I want to thank Representatives KENNEDY and JASON SMITH for their leadership on this issue. I urge my colleagues to support the passage of H.R. 3253, and I reserve the balance of my time.

Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3253, the Empowering Beneficiaries, Ensuring Access, and Strengthening Accountability Act of 2019.

This legislation will extend the Money Follows the Person program through 2024. This important program provides resources to State Medicaid programs to help individuals with chronic conditions and disabilities transition from institutions back into local communities if they choose to do so.

Money Follows the Person offers a choice for individuals who often have very limited options. This program allows the person to choose where they would like to receive their care.

This legislation will also extend the Spousal Impoverishment program through 2024.

H.R. 3253 will also extend the Excellence in Mental Health demonstration for 2 years. The Excellence Act is designed to increase Americans’ access to community health in substance use treatment services.

In addition, this bill will clarify the authority of State Medicaid fraud and abuse control units. This clarification will give these important units the authority to investigate and prosecute abuse and neglect of Medicaid beneficiaries in noninstitutional settings, as well as broaden the permissible use of Federal Medicaid fraud and abuse control units to screen complaints or reports alleging potential abuse or neglect of Medicaid beneficiaries.

I have enjoyed working with my colleagues, Representatives DINGELL and WELCH, and the hard work that she has put into this program, both this Congress and the previous Congress, to move this forward.

Mr. Speaker, I reserve the balance of my time.

Mrs. DINGELL. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSU).

Ms. MATSU. Mr. Speaker, I rise in support of the Empowering Beneficiaries, Ensuring Access, and Strengthening Accountability Act of 2019 and its provisions extending critical access to mental health and addiction treatment.

Let’s be clear: One in five Americans live with a mental illness. Nearly all of us have a friend, a family member, or neighbor who has been diagnosed. Mental illness touches all our lives in some way. When we passed the Excellence in Mental Health Act in 2014, we created an investment in mental health that expanded access to necessary treatment. Eight States established community-based clinics providing 24-hour crisis care, better coordinating physical, mental, and substance abuse treatment. This provided much-needed support to patients and their families.

In combating opioid addiction, Certified Community Behavioral Health Centers are already making a difference. In the first year of implementation, these clinics served nearly 400,000 patients with serious mental health and addiction disorders, providing 80,000 individuals with lifesaving treatment for the first time.

Mr. Speaker, I rise today in support of H.R. 3253, which takes several important steps to strengthen the Medicaid program; and I thank my friends and colleagues, Representatives DINGELL and GUTHRIE, for this legislation.

I am especially pleased that the bill includes a piece of bipartisan legislation I authored, along with my colleagues from Vermont, Congressman WIZNITZ.

Our legislation broadens the authority of Medicaid Fraud Control Units to better protect the most vulnerable and bring bad actors to justice.

Medicaid Fraud Control Units are charged with investigating and prosecuting State Medicaid provider fraud and resident abuse complaints. Nationally, these units contributed to 2,500 convictions and $1.8 billion in recoveries from 2017 alone. They are a vital instrument of justice for protecting Medicaid beneficiaries from abuse.

However, current law prevents these units from investigating cases of patient abuse in noninstitutional settings, such as home-based care. It doesn’t make sense.

Our committee has heard from States that have had to turn a blind eye to cases of abuse simply because the abuse occurred in a noninstitutional setting. This arbitrary restriction simply does not make sense.

There has been substantial growth in home and community-based services...
since the initial statute was enacted decades ago. It is time that we update the law so we are not needlessly tying the hands of those who are charged with protecting the most vulnerable. Our legislation will empower attorneys general to expand the scope of their State's fraud units so they can combat patient abuse wherever it might occur.

This reform has broad bipartisan support from AGs in red States and blue States. It is just common sense, and it will help better serve those in need.

One of the primary reasons why my colleagues on the great Energy and Commerce Committee for their bipartisan collaboration. I encourage passage of H.R. 3253.

Mrs. DINGELL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I rise to enthusiastically support H.R. 3253 and to particularly congratulate, for their leadership, Congresswoman DINGELL and Congressman GUTHRIE and indicate an oversight role for my enthusiastic support is what I believe every Member knows, and that is the frail among us are the most vulnerable. Those individuals may be our seniors, as I am dealing with a person who is seeking to get outpatient rehabilitation, and they need extra support in getting that care.

In this instance, the extension of 4½ years to be able to have the protection of the legislation that deals with abuse in Medicaid home and community-based services so that the persons receiving the services is least able to speak about the abuse.

I believe the extension will help in determining the level of abuse and also remedies for such abuse.

It is clear that if someone is in Medicaid home-based programs, they are as equally in need as those who are in institutionalized programs.

Mr. Speaker, I congratulate the Congresswoman. I would say that in impoverished communities and communities of color, the Medicaid-based program is the basis of their healthcare, and they are the most vulnerable.

Mr. Speaker, I support H.R. 3253, the Empowering Beneficiaries, Ensuring Access, and Strengthening Accountability Act of 2019, for its very vital and important element of extending this review for 4.5 years. We have to get it right. We have to protect these people. We have to give them the quality of life that they deserve. “Abuse” should not be in their vocabulary.

Mr. Speaker, I support this legislation.

Mr. GUTHRIE. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WALDEN), the Republican leader of the Energy and Commerce Committee and my good friend.

Mr. WALDEN. Mr. Speaker, I rise today in strong support of this bipartisan bill that extends several key Medicaid programs, H.R. 3253, the Empowering Beneficiaries, Ensuring Access, and Strengthening Accountability Act of 2019.

Mr. Speaker, this is a bill that strengthens the healthcare safety net for our communities and provides long-term certainty for patients. Mr. Speaker, I thank my colleague, Chairman FRANK PALLONE of the Energy and Commerce Committee, for his partnership and willingness to work in good faith on both sides of the aisle to get this done.

We passed a short-term extension of these programs back in March, Mr. Speaker, to ensure that patients were still protected as we ironed out the details. Today, we are delivering the long-term deal that I know we all wanted all along.

A big priority of mine in this package is the 2-year extension of the Excellence in Mental Health demonstration program at CMS. Eight States, including my home State of Oregon, are currently participating in this pilot program that will transform access to mental health and substance use treatment services.

Mr. Speaker, I include in the RECORD a letter from the Oregon AFSCME Council 75.

OREGON AFSCME COUNCIL 75,
June 18, 2019.

MEMBERS OF THE OREGON DELEGATION,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES: On behalf of the more than 25,000 Oregon AFSCME Council 75 members, we ask you to approve the Empowering Beneficiaries, Ensuring Access, and Strengthening Accountability Act of 2019 (H.R. 3253) when the House of Representatives considers the bill this week.

We strongly support H.R. 3253 because it extends the Certified Community Behavioral Health Clinics (CCBHC) program through December 2021. On June 30, the CCBHCs in our state, and throughout the nation, Missouri, Nevada, New Jersey, New York, Oklahoma, and Pennsylvania, face extreme financial threat. We appreciate that Representative Walden’s leadership as Ranking Member of the House Energy and Commerce Committee, worked in bipartisan effort to avert the March 30 fiscal cliff in Oregon and Oklahoma and is an original co-sponsor for H.R. 3253.

At Cascadia Behavioral Health in Portland, Oregon, AFSCME Council 75 members who are therapeutic coordinators, crisis counselors, residential counselors, support staff and other workers, deliver whole health care—integrated mental health and addiction treatment services—through the CCBHC program. These health care workers never stop working to help those who want to get healthy and recover. It is not just a job, it is a calling.

That core commitment to helping people heal is why Alexandra Birch, a Qualified Mental Health Associate, cares deeply about the CCBHC program. It has helped innovate and improve the delivery of care. She was hired in 2017 as a Care Coordinator at Cascadia because of an investment Congress has made in the Oregon Medicaid program through the CCBHC fiscal model that covers 100 percent of costs.

With the fiscal investment in CCBHCs, Congress allows Cascadia staff to reach out to our community to expand access to behavioral health services for individuals with serious mental illnesses. Cascadia works with Portland’s 24-hour mental health crisis emergency room, Unity Center Behavioral Health. Cascadia staff establish crisis patients with Cascadia primary care providers immediately after Unity hospital care. This enables patients to continue medications that ensure mental stability until they have fully connected with Cascadia’s mental health providers.

We urge you to pass H.R. 3253 and extend the CCBHC program. It would be tragic to lose this funding that has sustained and expanded vital behavioral and medical services to our community.

Sincerely,

STACY CHAMBERLIN,
Executive Director.

Mr. WALDEN. Mr. Speaker, this is really important legislation.

Last year, my legislation, the SUPPORT for Patients and Communities Act, our opioids legislation, the most comprehensive bill to address a single drug crisis in our Nation’s history, was signed into law. Our committee has made major strides in addressing the substance use disorder crisis that is plaguing our communities.

The Excellence in Mental Health demonstration continues that good work by increasing Medicaid reimbursement for community-based mental health and addiction treatment services. This 2-year extension for the participating States will give us time for a full evaluation to determine the effectiveness of the program and whether it should be expanded.

Also included in this bill is an extension of the Medicaid Managed Person program through fiscal year 2024. This provides resources to state Medicaid programs to help individuals with chronic conditions and disabilities transition back into their communities.

We also secured an extension of what is known as the spousal impoverishment provisions in Medicaid. To be

H4709

CONGRESSIONAL RECORD — HOUSE
clear, this bill actually helps keep spouses of elderly patients from impoverishment and out of costly nursing home settings. For spouses of patients receiving home or community-based care, the bill will protect them from impractical reductions in their income or resources and ensures that they can live out their lives with independence and dignity.

Finally, we clarified the authority of State Medicaid fraud and abuse control units that investigate and prosecute abuse and neglect of Medicaid beneficiaries. This is simply good government. It is good government oversight, and it protects patients who are some of America’s most vulnerable.

In closing, Mr. Speaker, I thank my good friends on the Energy and Commerce Committee for their work on the bill: Dr. Burgess, Mr. Guthrie, Mr. Upton, Mr. Walberg, and their counterparts on the Democratic side, Ms. Eshoo, Mrs. Dingell, Ms. Matsui, Mr. Welch, and, of course, Chairman Pallone.

Mrs. Dingell. Mr. Speaker, I reserve the balance of my time.

Mr. Guthrie. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker. In closing, I thank Chairman Pallone, Republican leader Walten, and the Energy and Commerce Committee staff for their hard work to help this bipartisan package come together.

Mr. Speaker. I also thank my colleagues, Congresswoman Debbie Dingell, for working with me on extending Medicaid Follows the Person. I also thank my colleagues, Representative Matsui, Representative Eshoo, Representative Welch, and Representative Walberg, for their hard work on this package.

Mr. Speaker. I urge my colleagues to support this bill, and I yield back the balance of my time.

Mrs. Dingell. Mr. Speaker, in closing, I want to echo the words of my colleague, Mr. Guthrie, and thank all of those who helped bring this bill to the floor today. I give particular thanks to Chairman Pallone and Ranking Member Walten for their leadership.

Mr. Speaker. I urge all Members to support H.R. 3253.

As a caregiver, I have met so many people in the last few years who are desperate and scared and who need us to care. This bill does that. I hope the House today will show this country we can act bipartisanly, giving hope.

Mr. Speaker. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. Dingell) that the House suspend the rules and pass the bill, H.R. 3253, as amended.

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Mr. Brooks of Alabama. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

The SPEAKER pro tempore. Pursuant to House Resolution 436 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the House.

The Chair directs the Clerk to report the further consideration of the bill, H.R. 2740.

Will the gentlewoman from North Carolina (Ms. Adams) kindly take the chair?

☐ 1509

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, with Ms. Adams (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. The Chair directs the Clerk to report the further consideration of the bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, with Ms. Adams (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. The Chair directs the Clerk to report the further consideration of the bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, with Ms. Adams (Acting Chair) in the chair.

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The Clerk read the title of the bill.
AMENDMENT NO. 28 OFFERED BY MRS. DINGELL OF MICHIGAN
Page 223, line 22, after the dollar amount, insert “(reduced by $7,700,000)”.
Page 223, line 6, after the dollar amount, insert “(increased by $5,000,000)”.

AMENDMENT NO. 30 OFFERED BY MR. BERA OF CALIFORNIA
Page 223, line 22, after the dollar amount, insert “(reduced by $20,000,000)”.
Page 223, line 6, after the dollar amount, insert “(increased by $20,000,000)”.

AMENDMENT NO. 2 OFFERED BY MR. MOULTON OF MASSACHUSETTS
Page 222, line 15, after the first dollar amount, insert “(reduced by $4,300,000)”.
Page 222, line 15, after the first dollar amount, insert “(increased by $4,000,000)”.

AMENDMENT NO. 5 OFFERED BY MR. EMMER OF MINNESOTA
Page 221, line 4, insert “(reduced by $3,000,000)” after the dollar amount.
Page 221, line 6, after the dollar amount, insert “(reduced by $2,000,000)”.

AMENDMENT NO. 4 OFFERED BY MR. KLEDER OF MICHIGAN
Page 223, line 22, after the dollar amount, insert “(reduced by $8,000,000)”.
Page 222, line 12, after the dollar amount, insert “(increased by $5,000,000)”.

AMENDMENT NO. 38 OFFERED BY MR. CARBAJAL OF CALIFORNIA
Page 223, line 22, after the dollar amount, insert “(reduced by $5,000,000)”.
Page 222, line 6, after the dollar amount, insert “(increased by $5,000,000)”.

AMENDMENT NO. 6 OFFERED BY MR. CARBAJAL OF CALIFORNIA
Page 223, line 22, after the dollar amount, insert “(reduced by $4,000,000)”.
Page 246, line 18, after the dollar amount, insert “(increased by $5,000,000)”.

AMENDMENT NO. 52 OFFERED BY MR. O’HALLERAN OF ARIZONA
Page 246, line 18, after the dollar amount, insert “(increased by $8,000,000)”.
Page 247, line 17, after the dollar amount, insert “(reduced by $6,000,000)”.

AMENDMENT NO. 3 OFFERED BY MR. BROWN OF MARYLAND
Page 222, line 15, after the dollar amount, insert “(reduced by $3,000,000)”.
Page 247, line 17, after the dollar amount, insert “(increased by $5,000,000)”.

AMENDMENT NO. 51 OFFERED BY MR. BRINDISI OF NEW YORK
Page 223, line 22, after the dollar amount, insert “(reduced by $5,000,000)”.
Page 247, line 6, after the dollar amount, insert “(increased by $5,000,000)”.

AMENDMENT NO. 55 OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE
Page 223, line 22, after the dollar amount, insert “(increased by $6,000,000)”.
Page 223, line 22, after the dollar amount, insert “(reduced by $2,000,000)”.

AMENDMENT NO. 56 OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE
Page 246, line 18, after the dollar amount, insert “(reduced by $5,000,000)”.
Page 247, line 17, after the dollar amount, insert “(reduced by $2,500,000)”.

AMENDMENT NO. 7 OFFERED BY MS. SHERRILL OF NEW JERSEY
Page 223, line 22, after the dollar amount, insert “(reduced by $3,000,000)”.
Page 247, line 17, after the dollar amount, insert “(increased by $3,000,000)”.

AMENDMENT NO. 8 OFFERED BY MS. TORRES SMALL OF NEW MEXICO
Page 223, line 22, after the dollar amount, insert “(reduced by $5,000,000)”.
Page 246, line 18, after the first dollar amount, insert “(reduced by $5,000,000)”.
Page 246, line 18, after the dollar amount, insert “(increased by $5,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from Indiana (Mr. VISCOSKY) and the gentleman from California (Mr. CALVERT) each will control 10 minutes. The Chair recognizes the gentleman from Indiana, Mr. VISCOSKY.

Madam Chair, I yield myself such time as I may consume.

Madam Chair, the amendments included in the en bloc amendment, and I thank the Defense Subcommittee chairman for working with our side to include many amendments important to our Members. The chairman has been a great partner and has been very fair throughout this process.

Madam Chair, I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise in support of the amendment: I thank the Defense Subcommittee chairman for working with our side to include many amendments important to our Members. The chairman has been a great partner and has been very fair throughout this process.

Madam Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. VISCOSKY. Madam Chair, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Chair, let me thank the chair of the Defense Subcommittee and ranking member of the subcommittee as well.

I am delighted that my amendment No. 12 has been made in order and that we will have an opportunity to save and improve the lives of many women around the world.

My amendment provides flexibility for the Secretary of Defense to allocate resources needed to provide technical assistance by U.S. military women to military women in other countries combating violence as a weapon of war, terrorism, human trafficking, and narcotics trafficking to ameliorate their impact on women and girls around the globe.

Madam Chair, the most vulnerable people in vulnerable nation-states are women and girls and women and children. That is both in terms of sexual violence and domestic violence, and also in terms of the denial of access to education.

As the co-chair of the Congressional Afghanistan Caucus, I am reminded of the aftermath of the Afghan war. As we began to write the constitution, we thought we had made progress. But the Taliban, after a period of time, began to burn the schools that were designated for girls only.

This amendment allows women in the military of these respective countries that are prone to hostilities, violence, and disparate treatment of women and girls to work with our women in the United States military and be able to be trained on the issues of fighting terrorism, human trafficking, and narcotics trafficking.

According to a UNICEF report, rape, torture, and human traffickers and terrorist and militant groups have been employed as a weapon of war affecting over 20,000 women and girls, and those numbers are going up.

My amendment will curb terrorism abroad by making available American technical and military expertise to military forces in other countries, like Nigeria, who are combating violent jihadists.

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Madam Chair, I include in the RECORD “U.S. Special Operations Command’s HERO Combat Human Trafficking” and “The Role of the Military in Combating Human Trafficking: A South African Perspective.”
Since 2013, more than 130 veterans and transitioning service members have entered the HERO program. Of the successful graduates, 74 have been offered careers in federal law enforcement, and another 31 are in internships, Moros said. “HEROs and HERO interns now make up over 25 percent of the Homeland Security combating human trafficking workforce,” said Robert Kurtz, unit chief for HERO at Homeland Security Investigations.

HUMAN TRAFFICKING

“Human trafficking includes using force, fraud, or coercion to compel a person to provide labor, services or sex. It’s a violation of basic human rights,” said Linda Dixon, DOD Combating Trafficking in Persons Office Program Manager. “Combating trafficking in persons is a duty that DOD takes seriously as we do in other situations that bring harm to our nation. It is a global concern, and our goal is to educate every member of DOD on how to recognize and report human trafficking in the U.S. as well as around the world.”

The three most common forms of trafficking, according to DOD’s Combating Trafficking in Persons office, are forced labor, sex trafficking, and child soldiering.

Moros said the area behind the HERO Corps is a simple one.

“When it comes to hunting those who prey on the innocent, who better than our nation’s military and law enforcement?” she said. “Much of today’s human trafficking and child sexual exploitation is technology facilitated. Offenders utilize the internet and digital technologies to coordinate their activity, advertise, share information and hide evidence. HEROs receive training in counter-child exploitation as well as digital forensics and victim identification. And they are then embedded with federal law enforcement.”

She said the HERO Child-Rescue Corps saves children in several ways. “As law enforcement first responders, they are at every crime scene, searching for critical clues that might provide evidence for an arrest or to find a victim,” Moros said.

Back at the forensic lab, the HERO is the lead digital investigator, searching out clues that can lead to organized criminal rings, evidence of sex abuse and production of child abuse imagery, she said.

“In many cases, it has been the relentless focus and military mindset that has allowed HEROs to be in the right place at the right time and to be done in traditional law enforcement to find a victim,” she added.

Kurtz said federal law enforcement is just beginning to track rescues. In 2016, Homeland Security Investigations identified and rescued 820 known child victims from sexual exploitation.

“But the real number is undoubtedly many times greater,” Moros said. “As a major segment of the digital forensic workforce, and one especially dedicated to combating child sexual exploitation, trafficking, they [HEROs] have been instrumental in working hundreds of those cases.”

THE ROLE OF THE MILITARY IN COMBATING HUMAN TRAFFICKING: A SOUTH AFRICAN PERSPECTIVE

(By Nina Mollema, University of South Africa)

ABSTRACT

Human trafficking is a complex and diverse crime affecting both individuals and countries across the world. As a significant facet of transnational organised crime and one of the most lucrative criminal enterprises worldwide, human trafficking is ranked as the second most profitable crime around the world in 2015, making it the fastest-growing source of revenue for organised criminal operations internationally. In 2015, South Africa implemented comprehensive anti-trafficking legislation. Before such legislation was enacted, the South African government also ratified several international and regional human rights instruments in 2003, ratified for criminal offences. Furthermore, the South African National Defence Force (SANDF) take the initiative in formulating a similar policy in order to effect better co-operation amongst nations to combat the rapidly growing problem of human trafficking.

Although not a novel phenomenon, the crime of human trafficking is complex, diverse, and constantly evolving as traffickers adapt to new financial and human rights strategies. Human trafficking affects not only individuals, but also countries across the world. It has been estimated by various international organisations that millions of victims are trapped in trafficking. Although both international entities and domestic jurisdictions have proposed various strategies to combat the growing problem of human trafficking, the combating of this criminal activity remains a challenge for all branches of law enforcement, including the deployment of digital technologies to coordinate their activity, advertise, share information and hide evidence. The SANDF in the fight against human trafficking therefore develop evidence-based strategies and policies, regional coordination in combating trafficking is paramount. The article examines current developments in South Africa regarding human trafficking in order to make recommendations for counter-trafficking policy standards and best practices for the SANDF.

BACKGROUND TO HUMAN TRAFFICKING IN SOUTH AFRICA

Although people have heard of human trafficking, very few people really know what it entails. In South Africa, the role of the military in combating human trafficking is one of the most lucrative criminal enterprises globally. Human trafficking was ranked as the second most profitable crime around the world in 2015, making it the fastest-growing source of revenue for organised criminal operations internationally. In order to combat the trade in human cargo, legal jurisdictions have adopted a range of international standards and obligations, which underlines the necessity of a coordinated and integrated, multi-sectoral approach. In this regard, the South African National Defence Force (SANDF) take the initiative in formulating a similar policy in order to effect better co-operation amongst nations to combat the rapidly growing problem of human trafficking. This is vital as South Africa with its viable and developing economy has become a magnet for illegal migrants and human traffickers, attracting millions of illegal immigrants from all over Africa, as well as other foreign countries. It has been acknowledged that since the adoption of international instruments, the United Nations (UN) Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, of 2000, (Trafficking Protocol) is already 17 years old. Yet, continued efforts to combat trafficking have produced minimal positive results. South Africa is no exception in this regard. Since the end of apartheid, the jurisdiction has been experiencing an increase of illegal immigrants from all over Africa, as well as other foreign countries. It has further been acknowledged that since the time of apartheid, men, women, and children into various exploitative sectors, such as labour trafficking and involuntary sex work, amongst others, have also escalated in South Africa.

This multi-dimensional illicit modern-day slavery industry must be fought at national, regional and international level with an integrated, multi-sectoral approach. In this respect, the SANDF also has a role to play, and can learn a great deal from the SANDF, amongst others, for guidelines and best practices. The Policy on Combating Trafficking in Human Beings of 2004 of this intergovernmental military alliance recognises that human trafficking feeds on corruption and organised crime, and is a tool for criminal organisations to destabilise fragile governments”. As such, the SANDF currently exists in the SANDF. It is proposed that the Defence Force evaluate and develop policies, strategies and force design through the implementation of specific evidence-based codes of conduct or strategic plans to combat this offence.

Apart from the violation of the fundamental human rights of persons being trafficked, trafficking is a substantial source of revenue for organised crime. Furthermore, these criminal activities may destabilise legitimate governments and undermine the mission of the military. The military may become a security issue under threat from new challenges. However, as known from previous experiences, military troops themselves can create or increase the demand for trafficked women and children. Combating trafficking is therefore not only necessary as it is first necessary to explain which conduct falls under human trafficking in South African and international law. Second, the measures that can be taken to prevent and combat trafficking in South Africa are considered. Next, the role of the military in South Africa in combating human trafficking is considered and what they can do to prevent and combat trafficking. Finally, the role of the military in combating human trafficking is considered.

In order to combat the trade in human cargo, legal jurisdictions have adopted a range of international standards and obligations, which underlines the necessity of a coordinated and integrated, multi-sectoral approach. In this regard, the South African National Defence Force (SANDF) take the initiative in formulating a similar policy in order to effect better co-operation amongst nations to combat the rapidly growing problem of human trafficking. This is vital as South Africa with its viable and developing economy has become a magnet for illegal migrants and human traffickers, attracting millions of illegal immigrants from all over Africa, as well as other foreign countries. It has been acknowledged that since the adoption of international instruments, the United Nations (UN) Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, of 2000, (Trafficking Protocol) is already 17 years old. Yet, continued efforts to combat trafficking have produced minimal positive results. South Africa is no exception in this regard. Since the end of apartheid, the jurisdiction has been experiencing an increase of illegal immigrants from all over Africa, as well as other foreign countries. It has further been acknowledged that since the time of apartheid, men, women, and children into various exploitative sectors, such as labour trafficking and involuntary sex work, amongst others, have also escalated in South Africa.

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The three most common forms of trafficking, according to DOD’s Combating Trafficking in Persons office, are forced labor, sex trafficking, and child soldiering.

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“But the real number is undoubtedly many times greater,” Moros said. “As a major segment of the digital forensic workforce, and one especially dedicated to combating child sexual exploitation, trafficking, they [HEROs] have been instrumental in working hundreds of those cases.”
and children to, from and within South Africa for mainly labour and sex trafficking.

South Africa has the highest number of asylum seekers in the world. Although South Africa is a country of refugees and asylum seekers, the jurisdiction is also home to an estimated five million illegal immigrants, including some three million Zimbabweans. In response to the dynamics of supply and demand, migration (which has always been endemic in Africa) to South Africa is aided by the porous nature of the country’s borders. This, as well as effective monitoring of land, rail and sea transportation modes, trafficked people are indistinguishable amongst these flows.

In each of the multi-dimensional crime of human trafficking in the country, South Africa became a signatory to the Trafficking Protocol in 2000, and ratified the instrument in 2004. As a result, the jurisdiction became subject to international obligations in terms of which specific duties were imposed upon the state to combat and punish the crime effectively and to protect the rights of victims. The need to enact domestic anti-trafficking legislation was prioritised, and on 29 July 2013, the Prevention and Combating of Human Trafficking Act (Act No. 8 of 2013) was signed into law but only became operational on 9 August 2015.

The Act introduces a universally acceptable but instrument- and country-specific definition of human trafficking:

"Trafficking" includes the delivery, recruitment, procurement, capture, removal, transportation, sale, exchange, lease, disposal or receiving of a person, or the adoption of a child facilitated or secured through legal or illegal means, within or across the borders of the Republic, of a person trafficked or an immediate family member of the person trafficked, by means of:

(a) a threat of harm;
(b) the threat or use of force, intimidation or other forms of coercion;
(c) the abuse of vulnerability;
(d) fraud;
(e) deception or false pretenses;
(f) debt bondage;
(g) coercion;
(h) kidnapping;
(i) the abuse of power;
(j) the giving or receiving of payments, compensation, rewards, benefits or any other advantage, for the purpose of any form or manner of exploitation, sexual grooming or abuse of such person, including the commission of any sexual offence or any offence of a sexual nature in any other law against such person or performing any sexual act with such person, whether committed in or outside the borders of the Republic.

In essence, this definition holds that persons are trafficked if they have been moved within or across the borders of the Republic complete with a result of force, fraud or manipulation and are exploited or compelled to work under threat of violence for no pay, beyond subsistence, except for the requirement that a person be removed, transported, or transferred from one place to another, other acts such as the mere harbouring, sale or exchange of a perpetrator through a threat of intimidation with the intent to exploit the person are sufficient for the crime to be committed. With regard to the role of the military, a perpetrator who trafficks persons from one country to another, or within the country, through deceptive or violent means for any type of exploitative purpose is of particular significance. The exploitative purposes may include forced labour, involuntary sex work, begging, stealing, drug running, forced marriage and the sale of body parts, amongst others.

Amongst other requirements, the Trafficking Protocol obliges member states to establish methods to investigate and prosecute traffickers. The Trafficking Protocol also instructs that states must adopt or strengthen legislative or other measures to ensure that traffickers face the strictest penalties.

Another important condition that the Protocol stipulates for signatory states is to undertake border control measures. Border management is one of the roles the SANDF undertakes in South Africa, along with other secondary functions such as peacekeeping and humanitarian support. However, very few joint efforts have been made with neighbouring countries to deal multilaterally with border issues and crimes such as human trafficking and human smuggling. Cooperating with countries such as Namibia South Africa and its neighbours in this regard is usually not of a preventative nature, but only takes place after the occurrence of smuggling or trafficking has occurred.

I ask my colleagues to support this amendment.

Madam Chair, I rise in support of Chairman Vislosky’s En Bloc Amendment, which includes Jackson Lee Amendment #12. I wish to thank Chairwoman McGovern and Ranking Member Cole of the Rules Committee for making this Jackson Lee Amendment in order.

I thank Chairwoman Vislosky and Ranking Member Calvert for their hard work in bringing Division C, the Defense portion of this omnibus appropriations legislative package, to the floor and for their devotion to the men and women of the Armed Forces who risk their lives to keep our nation safe and their work in ensuring that the United States Armed Forces have the resources needed to keep our Armed Forces the greatest fighting force for peace on earth.

Madam Chair, thank you for the opportunity to explain my amendment, which is simple and straightforward and affirms an example of the national goodness that makes America the most exceptional nation on earth.

The purpose of Jackson Lee Amendment #12, which is identical to the amendment adopted twice in the last Congress, is to provide the Secretary of Defense flexibility to allocate resources needed to provide technical assistance by U.S. military women to military women in other countries combating violence as a weapon of war, terrorism, human trafficking, narcotics trafficking.

Madam Chair, the United States is committed to combating violent extremism, protecting our borders and the globe from the scourge of terrorism.

The United States Armed Forces possess an unparalleled expertise and technological capability that will aid not only in combating and defeating terrorists who hate our country and prey upon our citizens, especially women, girls, and the elderly.

But we must recognize that notwithstanding our extraordinary technical military capabilities, we face adversaries who adapt very quickly because they are not constrained by geographic limitations or norms of morality and decency.

I urge my colleagues to support Jackson Lee Amendment #12 by voting for the Chairman’s En Bloc Amendment to Division C of RCP 116–17.

I ask my colleagues to support the underlying amendment.

Mr. Calvert. Madam Chair, I yield 1 minute to the gentleman from Michigan (Mr. Walberg).

Mr. WALBERG. Madam Chair, I rise today to support my amendment, which would prohibit the expenditure of money from going directly to the Taliban.

According to recent news stories, the Defense Department asked Congress for
increasing DoD’s investments for Historically Black Colleges and Universities strengthens these goals and institutions, as well as our national security. I am encouraged that this amendment was included in the package of bipartisan en bloc amendments. I urge my colleagues to support this amendment.

Ms. MOORE. Madam Chair, I am in support of my amendment to increase funding for the Air National Guard’s Facility Modernization and Sustainment account. I appreciate the support of the chairman for its inclusion in en bloc No. 2 to the Defense Appropriations bill. I am proud of the work of the men and women in the National Guard, including in my home state of Wisconsin.

Unfortunately, decrepit, outdated, and decaying Air National Guard facilities are a dis-service to the men and women who put on the uniform.

They deserve facilities that are up-to-date and which will help improve their ability to carry out their missions in defense of our nation and their communities.

Yet, we know that such aging and inefficient facilities exist nationwide including in my district where the 128th Air Refueling Wing is operating out of a building which was built in 1970, has aging and hard to maintain critical building systems and where much of the current square footage is unusable. That’s according to the Defense Department. This is why I think an increase here is necessary.

I appreciate the chairman, in his mark, for boosting funding for this critical account. I applaud his recognition of the situation facing many Air Guard units across the country and his commitment to putting funding into this account.

But the needs simply continue to outpace available resources.

I am aware that there are National Guard units across our country that have worthwhile projects directly related to military readiness that they would like to pursue. This additional funding should be prioritized for projects that can help increase mission readiness at minimal additional costs to the taxpayers.

For example, projects that would give help Air Guard units the advantage of and utilize available local assets such as national jet fuel pipelines to provide instant access to additional fuel reserves and provide a critical second, reliable, secure and convenient fuel delivery method that would help ensure that strategic missions such as refueling could continue uninterrupted should the primary method of receiving fuel be disrupted.

Now that the House has approved my amendment, I urge the Defense Department to utilize these additional funds for needed projects to better serve our national defense. The reality is that there are plenty out there.

Again, I support the Chairman’s mark and I am grateful for the inclusion of my amendment to help enable more projects that can build greater resiliency for execution of critical State and Federal Air National Guard missions.

Mr. SMITH of New Jersey. Madam Chair, Lyme disease is the most prevalent vector-borne disease in the United States today, and members of the U.S. Armed Forces are not immune to its debilitating effects, as they train and complete exercises out in grassy and wooded areas.

According to the February 2018 Medical Surveillance Monthly Report, published by the Armed Forces Health Surveillance Branch, tick-borne diseases accounted for more than half of the confirmed cases of vector-borne diseases among service members—active duty and reserve—recorded over seven years, from 2010–2016. Lyme disease alone had the largest number of confirmed cases.

In its inaugural report to Congress, the federal Tick-Borne Disease Working Group stated that “Tick-Borne Diseases have rapidly become a serious and growing threat to public health in the United States. Despite many scientific unknowns, experts agree that the incidence and distribution of tick-borne diseases are increasing.” The Working Group also stated that “Federal funding for tick-borne diseases is less per new surveillance case than that of any other disease.”

While the tick-borne disease research at CDMRP has been continuously funded at $5 million since Fiscal Year 2016, the Working Group’s report is a sign that there is still much more to be done.

The amendment I offer today will increase funding by $2 million for the Congressionally Directed Medical Research Program (CDMRP) for the purposes of tick-borne disease research. The added funding will enable the CDMRP to support more innovative research to address gaps in knowledge and information on tick-borne diseases. Military and civilian healthcare providers and their dependents who are at risk will be better informed and prepared with enhanced awareness, education, and research programs.

I urge support for this amendment—we cannot shortchange our federal responsibility. We owe it to the countless patients, including our men and women in uniform suffering from tick-borne diseases and their families.

Ms. SHERRILL. Madam Chair, I rise today in support of the en bloc amendment, and to thank the Defense Subcommittee Chairman, Mr. Visclosky, for including the Sherrill Amendment S8 in the en bloc package.

My amendment reduces the Surface and Shallow Water Mine Countermeasures program by $5 million in order to add $5 million for the Navy to advance the qualification and certification of Advanced Manufacturing processes for the integration of 3-D printed components into undersea warfare platforms. This amendment furthers the Navy’s goal of embracing cutting-edge technologies.

3-D printing reduces the cost of manufacturing parts for which there is limited supply. It also creates unique parts that would otherwise be prohibitively expensive to make with traditional manufacturing.

I am very proud of the work Marotta Controls in Montville, New Jersey, is doing to support the Navy and American manufacturing efforts. Marotta is a family-owned business, now in its third generation of ownership. President and CEO Patrick Marotta is proudly carrying on the work his grandfather began when he founded the company during WWII. I thank Marotta Controls for their work to ensure efficiency and quality control to enable our Navy’s submarines to continue to play their critical role in defense of our nation.

I thank Defense Subcommittee Chairman Visclosky and Ranking Member Calvert for their leadership in adopting this important provision.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Indiana (Mr. Visclosky).
The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BROOKS of Alabama. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments en bloc offered by the gentleman from Indiana will be postponed.

AMENDMENT NO. 15 OFFERED BY MR. LANGEVIN

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part A of House Report 116–111.

Mr. LANGEVIN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 246, line 18, after the dollar amount, insert "(increased by $10,000,000)".

Page 246, line 19, after the dollar amount, insert "(reduced by $10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I would like to begin by thanking the Rules Committee for making my amendment in order, as well as Chairman VISCLOSKY and Ranking Member CALVERT for their hard work on this division of the appropriations package.

Madam Chair, I offer this bipartisan amendment with my good friends and colleagues, Mr. LAMBORN and Mr. LIEU, in support of electromagnetic railgun, a technology that has been described as "revolutionary" and a potential multi-mission "game changer."

The electromagnetic railgun truly transforms naval power projection. This technology can rapidly launch high-velocity projectiles capable of precision strikes at a range of more than 100 miles, all without the need for combustible propellants or motors. Ships deploying with this system will have longer ranges, deeper magazines, and lower cost-per-shot than conventional naval artillery.

This technology has already received initial investments; however, current and future investment is absolutely vital to ensure the railgun module being developed is built to meet the needs of the Future Surface Combatant specifications and can be tested aboard existing naval vessels.

The additional $10 million provided by this amendment will help keep delivery of an integrated prototype mount system on its original timeline of being ready by 2021. Continued investment in this program will also support live-fire engagement testing using hypervelocity projectiles and the next generation of shipboard compatible pulsed power.

While I believe the United States continues to lead the way, our adversaries are not resting on their laurels, as they are also investing, researching, and developing these groundbreaking technologies. Earlier this year, for instance, reports emerged of the Chinese Navy fielding an electromagnetic railgun. So it is absolutely critical that we not allow them or anyone to beat us to the punch.

Given the maturity of the technology and the urgency impressed upon us by our competitors, I hope the House will send a well-funded railgun program to the Senate.

Madam Chair, I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chair, I rise in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Indiana is recognized for 5 minutes.

There was no objection.

Mr. VISCLOSKY. Madam Chair, I appreciate the gentleman's persistence to provide robust funding for the Navy's electromagnetic railgun and recognize that he has offered a similar amendment on the fiscal year 2019 appropriations bill.

I would point out to my colleagues that the bill currently fully funds the Navy's railgun and recognize that he has offered a similar amendment on the fiscal year 2019 appropriations bill.

While I do not think the additional $10 million investment will accelerate the development of a demonstrator mount and continued testing, I have no objection to the gentleman's amendment.

Mr. CALVERT. Will the gentleman yield?

Mr. VISCLOSKY. I yield to the gentleman from California.

Mr. CALVERT. Madam Chair, I accept the gentleman's amendment.

Mr. VISCLOSKY. Madam Chair, I reserve the balance of my time.

Mr. LANGEVIN. Madam Chair, I have no further speakers, and I am prepared to close. I yield myself the balance of my time.

Madam Chair, first of all, I want to thank Chairman VISCLOSKY and Ranking Member CALVERT for their comments and their support and for their hard work on the consideration of this division of the appropriations package and all they have done and continue to do to advance our national security and make sure that our warfighters never enter a fair fight.

This bipartisan amendment supports game-changing technology that is already demonstrating tactically relevant capability. Just last month at White Sands Missile Range, the Navy fired a railgun on a 34-degree trajectory at 5 megajoules and will be firing at 20 megajoules by August.

By building upon years of development and investment, the Navy railgun will be tested as early as next year aboard surface vessels, firing explosive and nonexplosive projectiles at air- and sea-based targets.

Along with my colleagues Mr. LAMBORN and Mr. LIEU, I urge support of this amendment.

Madam Chair, I yield back the balance of my time.

Mr. VISCLOSKY. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BROOKS of Alabama. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 15 OFFERED BY MR. LANGEVIN

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part A of House Report 116–111.

Mr. LANGEVIN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 245, line 5, after the dollar amount, insert "(reduced by $2,000,000)".

Page 247, line 17, after the dollar amount, insert "(increased by $10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Madam Chair, I yield myself such time as I may consume.

Madam Chair, my amendment would provide $2 million for civics education grants under the Department of Defense National Defense Education Program as authorized by the House fiscal year 2020 National Defense Authorization Act that was passed by the Armed Services Committee last week.

Madam Chair, it is not an exaggeration to say American democracy is under attack, and we need to shore up our defenses. For many, particularly Russia, are actively engaged in efforts to undermine our democracy and sow seeds of discord among the electorate, and they have been frighteningly successful.

In the special counsel's report on Russian interference in the 2016 Presidential election, Director Mueller described Russia's election meddling operations as "sweeping and systemic."

Russia systematically waged a misinformation campaign to weaken our confidence and participation in the democratic process, including by discouraging voting, undermining confidence in our institutions of government, promoting false political narratives, and widening social divisions.

Madam Chair, we need to increase our resilience to these attacks on our democracy, and I believe civics education must be a major part of this strategy. Civics programs provide students with an understanding of American law, how government works, and the skills to participate in democracy.
A citizenry armed with a civic background, I believe, is absolutely crucial to a healthy democracy; and in the context of the threats that we face today, I believe it is vital to the stability of our democracy.

Unfortunately, only 17 percent of Americans say they can trust the Federal Government to do what is right at least most of the time; only 26 percent of Americans can name all three branches of government; and less than 30 percent of fourth, eighth, and twelfth graders scored proficient on the 2014 National Assessment of Education Progress civics test.

Furthermore, in 2016, only 56 percent of the United States voting-age population voted in the Presidential election, a number lower than most other developed democratic nations.

It should come as no surprise that we are vulnerable to misinformation campaigns. Too many of us do not fully understand or engage in the democratic process.

Madam Chair, I believe that we need to increase participation and improve civic knowledge, and education is, I believe, the way to do it.

$2 million for civics education is just a start, and I also fund the development of innovative, evidence-based civics programs at the Department of Defense schools to start with.

Working with colleges and universities or expert nonprofits, DOD schools will help pilot new curricula targeted to improving longitudinal metrics, including democratic participation and media literacy. This will allow us to build new programs, test their efficacy, and, from there, chart a broader path forward.

Madam Chair, I urge my colleagues to support this amendment and encourage the development of more effective civics education programs.

Madam Chair, I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chair, I rise in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Indiana is recognized for 5 minutes.

There was no objection.

Mr. VISCLOSKY. Madam Chair, I simply want to take the time to thank my colleague for the work he is doing to advocate and advance knowledge of our nation’s birth on the rights and duties of citizenship. Again, I thank him for his work.

Madam Chair, I reserve the balance of my time.

Mr. LANGEVIN. Madam Chair, I have no further speakers, and I will close by just thanking Chairman Vis- closky and Ranking Member CALVERT for their work on the Defense Subcommittee portion of this package and for their commitment to our national defense.

As I said, I am troubled by the work of our enemies and adversaries to try to undermine confidence in government, sowing divisions among the electorate. I am hoping that by strengthening our civics education, starting with our young people, we will build resilience into protecting our democracy and everything that we love about this country.

Mr. Chair, I urge my colleagues to support the amendment, and I yield back the balance of my time.

Mr. BROOKS of Alabama. Madam Chair, I yield a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 19 OFFERED BY MR. LIPINSKI

Mr. LIPINSKI. Madam Chair, I yield my amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 247, line 17, after the first dollar amount, insert "(reduced by $10,000,000) (increased by $10,000,000)"

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from Illinois (Mr. LIPINSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. LIPINSKI. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise in support of my amendment to provide an additional $10 million for the National Security Innovation Network, or NSIN, which was originally called MD5.

Section 225 of the 2018 NDAA authorized the national security innovation and entrepreneurial education programs, including what is now known as NSIN. NSIN aims to educate and build a network of innovators and entrepreneurs equipped with the expertise, know-how, tools, and resources required to develop, commercialize, and apply technology for defense and national security applications.

NSIN initiatives provide education and technology innovation and entrepreneurship. Of note, they provided a unique pathway for veterans to leverage their expertise, while learning cutting-edge business innovation methodology, and apply their knowledge to new national security problems.

Through these initiatives, DOD is growing a cadre of entrepreneurs that are adept at critical thinking, innovative problem solving, and the creation of successful ventures that deliver economic national security and social value.

One initiative in the National Security Innovation Network is the highly successful Hacking for Defense course. Hacking for Defense, or H4D, is a course currently taught at more than twelve dozen universities around the Nation. It pairs student teams with sponsors from across the defense and intelligence community to apply lean startup methodology developed in Silicon Valley to rapidly solve challenging, unclassified national security problems.

H4D was authorized in the 2018 National Defense Authorization Act and has been taught for 3 years, already producing innovative solutions to national security problems. For example, a team at Columbia University helped Special Operations Command automate communication of essential information from the battlefield to Central Command; a Stanford team helped develop an innovative way for Navy SEALs to spend less time underwater.

And other successful innovations have been developed by students in these classes. The innovation and entrepreneurial education that occurs within H4D also helps to train the next generation of our industrial-based innovators. In this way, it provides tremendous benefit to our national security.

Madam Chair, I have had discussions with Chairman Visclosky on this amendment about the best way to move forward with this funding increase, and I believe we have come to an agreement on the best way to move forward to get an even bigger increase.

Madam Chair, I yield 1 minute to the gentleman from Indiana (Mr. Visclosky), chairman of the Appropriations Defense Subcommittee.

Mr. VISCLOSKY. Madam Chair, I appreciate the gentleman yielding, and I certainly do support him.

The amendment expands the Hacking for Defense program, designed to provide students the opportunity to learn how to work with the Department and intelligence community to better address the Nation’s emerging threats. It is an important activity, and he is absolutely correct.

Madam Chair, I would point out for my colleagues that, in the current fiscal year, this program was funded at $7 million. In the appropriations—Mr. Chair, I appreciate his advocacy on behalf of this program—that has now been increased to $40 million. Money is not everything, but it is important to this program to make sure it is adequately funded.

I, again, thank the gentleman very much for his work.

Mr. LIPINSKI. Madam Chair, I thank Chairman Visclosky for his work on this appropriations bill and for working with me on this amendment. America’s strength and entrepreneur- ship and innovation, we need to use those to protect our Nation in a rapidly evolving threat environment and
maintaining our security. A small increase in investment in Hacking for Defense helps us do this, while also training the next generation of innovators who understand the need to contribute to our national security.

Madam Chair, with the agreement of the chairman, I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 21 OFFERED BY MR. BROWN OF MARYLAND

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part A of House Report 116–111.

Mr. BROWN of Maryland. Madam Chair, as the designee of the gentlewoman from California (Ms. SPEIER), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division C (before the short title), insert the following:

Sec. None of the funds made available by this Act may be used to implement Directive-type Memorandum (DTM)-19-004, Military Service by Transgender Persons and Persons with Gender Dysphoria, March 12, 2019 (effective date April 12, 2019). The Acting CHAIR. Pursuant to Mr. BROWN of Maryland, the gentleman from Maryland (Mr. BROWN) and a Member opposed each will control 5 minutes.

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part A of House Report 116–111.

Mr. BROWN of Maryland. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise to offer this amendment on behalf of Congresswoman JACKIE SPEIER from California, who has been a determined leader and partner in pushing back on this administration’s ban on transgender service members.

Madam Chair, this amendment is very simple. It states that no money appropriated in this Defense appropriations bill will be used to implement the President’s ban on transgender service members. No money shall be used to ask whether or not a service member has transitioned: to force them to remain closeted in a Don’t Ask, Don’t Tell environment; to force them out to their colleagues before they are ready to outwardly express who they are; and to ultimately force them out of the service.

The President and his administration wrongly argue that it is about military readiness and unit cohesion, but these arguments are the same ones that were made to keep the military racially segregated.

Madam Chair, my service in an integrated armed service did not harm readiness, and neither does the service of the more than 14,000 transgender soldiers, sailors, airmen, and marines.

Transgender service members increase lethality and readiness. They have served honorably and have received prestige commendations. They are proof that anyone who can serve should be afforded the opportunity to serve. This legacy of honorable service will outlast this administration, this transgender ban, and this administration’s attack on transgender Americans.

Madam Chair, I urge my colleagues to do what is right: Put country before party; defend the thousands of Americans who are making the greatest sacrifice they can make for our country. Defend the brave and patriotic service members who have come forward to Congress to talk about their service and the service of other transgender service members. Defend them unconditionally.

Defend the thousands of transgender service members impacted. Defend them as they have defended us.

Madam Chair, I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I claim the time in opposition to the amendment.

Mr. CALVERT. Madam Chair, this amendment risks undermining the readiness of our military at a time when we can least afford it. It does so by prohibiting the implementation of a careful and thoughtful policy developed by a panel of military experts last year regarding military service by transgender individuals.

Then-Secretary of Defense Mattis wrote that, in his best professional judgment, allowing military service by transgender individuals in the absence of this policy could “undermine the readiness, disrupt the unit cohesion, and impose an unreasonable burden on the military that is not conducive to military effectiveness and lethality.”

This current policy is not—I repeat, not—a ban on service by transgender individuals. It carefully balances the readiness needs of the military with the medical needs of transgender individuals who wish to serve.

As new recruits, those individuals can serve openly under their biological gender as long as they have not suffered from gender dysphoria within 36 months and have not undergone gender transition procedures.

Furthermore, the new policy only applies to those seeking to join the military after its April 12, 2019, implementation across the service and the Coast Guard to waive its application in individual cases.

This issue is not one of social policy but of deployability. Individuals with medical conditions that do not allow them to deploy, such as those identified in the policy, adversely impact military readiness and reduce the military’s warfighting capability.

I would also point out that individuals who require daily injections for other medical conditions are also not deployable, such as people who have diabetes.

Madam Chair, the military is an institution with one primary mission: to fight and win our Nation’s wars. Anything that interferes with its readiness for that mission poses an unacceptable risk to our men and women in uniform.

Unfortunately, this amendment poses just such a risk by disregarding the professional judgment and interfering with the policy developed to preserve warfighting readiness.

Madam Chair, I strongly oppose this amendment. I urge my colleagues to do so as well, and I yield back the balance of my time.

Mr. BROWN of Maryland. Madam Chair, no one would argue that military readiness and deployability are paramount, but transgender service members do not inherently impact either.

Every service chief testified that transgender service would not disrupt unit cohesion or readiness and emphasize soldier deployability and not their gender identity.

Madam Chair, I yield 1 minute to the gentleman from Indiana (Mr. VISCLOSKY), chairman of the Appropriations Defense Subcommittee.

Mr. VISCLOSKY. Madam Chair, I appreciate the gentleman yielding.

I would point out that the chiefs of the Army, Navy, and Air Force and the Commandant of the Marine Corps testified that the inclusive policy adopted under the Obama administration has caused no readiness issues. A panel of retired military Surgeons General released a report finding the ban’s rationale for inclusion is contradicted by ample evidence and that the ban “harms readiness through forced dishonesty, wasted talent, double standards, and barriers to adequate care.”

Madam Chair, this is the right thing to do, and I would simply close by saying, with so much anger and so much hate in this world today, it is time to be kind to people.

Madam Chair, I thank the gentleman from Maryland for yielding.

Mr. BROWN of Maryland. Madam Chair, I yield inquiring as to how much time I have remaining.

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. BROWN of Maryland. Madam Chair, I yield the balance of my time to the gentlewoman from Texas (Ms. ESCOBAR).

Ms. ESCOBAR. Madam Chair, I thank my colleague and also Congresswoman Jackie Speier and her leadership on this critical issue.

Madam Chair, I am so disappointed that in 2019 this amendment is even necessary. Our military is strong and capable because of our dedicated service members, including nearly 15,000 transgender individuals.

This year, the Armed Services Committee held a hearing on the President’s policy, and Active-Duty transgender service members testified before this House for the first time. Each one was an incredibly capable, experienced, and decorated leader.

The DOD’s exhaustive review found no valid reason to ban these patriotic
Americans who meet the same criteria as their peers. For 3 years, our military has operated under a de facto inclusive policy where thousands could serve openly, to quote General Millie, "precisely zero unit cohesion problems."

Eighteen militaries already have inclusive policies without incidents or impact to readiness, and the facts reveal this policy for what it is: discrimination.

I urge my colleagues to support Ms. SPEIER's amendment.

Mr. BROWN of Maryland. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. BROWN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BROOKS of Alabama. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 24 OFFERED BY MR. AMASH

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in part A of House Report 116-111.

Mr. AMASH. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division C (before the short title), insert the following:

SEC. 702. (a) Title (other than "Title III").

(b) The Communications Situation.

The communications can be used to investigate and prosecute Americans. The government can use an American's data to send them to prison without ever obtaining a warrant for it.

Mr. AMASH. Madam Chair, the proposed change inserts a new test for the certification of acquisition and is likely meant to make it more difficult for the NSA to target foreign nationals if the intended target is in communication with someone in the United States.

I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chair, I rise in strong opposition to this amendment. The amendment gives my Republican colleagues an opportunity to show that their concern about Fourth Amendment violations extends to the countless Americans that are impacted by the government's warrantless FISA surveillance.

The communications can be used to investigate and prosecute Americans. The government can use an American's data to send them to prison without ever obtaining a warrant for it.

Mr. VISCLOSKY. Madam Chair, the proposed change inserts a new test for the certification of acquisition and is likely meant to make it more difficult for the NSA to target foreign nationals if the intended target is in communication with someone in the United States.

I would point out, however, to the gentleman that this is an appropriation bill. This is not an authorization bill. The amendment is a serious change in policy and deserves more debate, we were able to pass a bipartisan, bicameral compromise bill in the last Congress that preserved the operational flexibility of section 702 while instituting reforms to further protect U.S. persons' privacy.

President Trump signed this legislation into law in January of 2018. The amendment today seeks to reopen a debate that was settled last Congress. Rather than debating this issue within the relevant committees of jurisdiction, however, Members who lost the debate last year now seek to have another bite at that apple to subvert the legislative process by enacting legislation on an amendment on the floor.

I rise in strong opposition to this amendment. The amendment gives my Republican colleagues an opportunity to show that their concern about Fourth Amendment violations extends to the countless Americans that are impacted by the government's warrantless FISA surveillance.

I reserve the balance of my time.

Mr. CONAWAY. Madam Chairwoman, I rise in strong opposition to this amendment. For over 3 years, the House Intelligence Committee posted biweekly classifiedEverybody described in the United States is not the intelligence community might not be able to use section 702 to target that terrorist because he is communicating with a person in the United States. For example, the Afghan courier community was able to thwart Najibullah Zazi's planned terrorist attack to detonate explosives in Manhattan. If this amendment were enacted, the FBI and NSA might not have been able to use section 702 to target the al-Qaeda courier in Pakistan. Counterterrorism efforts in the United States, including indications of terrorist activities in the United States, the intelligence community might not be able to use section 702 to target that terrorist because he is communicating with a person in the United States.

I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chairwoman, I rise in strong opposition to this amendment. The amendment gives my Republican colleagues an opportunity to show that their concern about Fourth Amendment violations extends to the countless Americans that are impacted by the government's warrantless FISA surveillance.

I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chairwoman, I rise in strong opposition to this amendment. For over 3 years, the House Intelligence Committee posted biweekly classified biweekly classifiededucation sessions for Members to learn about FISA section 702.

FISA section 702 is a critical national security authority that has helped the United States collect vital intelligence on terrorists and other hostile actors located overseas. After vigorous debate, we were able to pass a bipartisan, bicameral compromise bill in the last Congress that preserved the operational flexibility of section 702 while instituting reforms to further protect U.S. persons' privacy.

President Trump signed this legislation into law in January of 2018. The amendment today seeks to reopen a debate that was settled last Congress. Rather than debating this issue within the relevant committees of jurisdiction, however, Members who lost the debate last year now seek to have another bite at that apple to subvert the legislative process by enacting legislation on an amendment on the floor.

First, the amendment creates new, strict requirements on targeting of foreign actors overseas just because the hostile foreign actor is communicating with an associate in the United States. If this amendment were to pass, if a terrorist located in a foreign country communicates with an American located overseas. After vigorous debate, we were able to pass a bipartisan, bicameral compromise bill in the last Congress that preserved the operational flexibility of section 702 while instituting reforms to further protect U.S. persons' privacy.

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Section 702 was enacted to prevent this type of event. This example illustrates the amendment’s callous disregard for the history of the program.

Second, the amendment would limit NSA’s about communications collection. About communications collection takes place in NSA’s upstream collection, and due to how internet communications work, allows NSA to collect the communications that may reference a target’s email address.

Again, we debated this issue last Congress and placed a statutory restriction on NSA’s ability to continue about collection until meeting certain requirements. I strongly urge opposition to this amendment.

Mr. AMASH. Madam Chairwoman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Michigan has 2½ minutes remaining.

Mr. AMASH. Madam Chairwoman, my colleague is parroting the same thing we hear each time we try to make any reforms to the government surveillance authorities. These arguments are no longer credible.

Just a few months ago, the former Director of National Intelligence admitted that the government “may have oversold” the importance of the NSA’s dragnet of Americans’ phone records when Congress was considering reforms in 2013. Now we have seen reports that the program has been shuttered entirely despite the government’s dire warnings about limiting it to protect Americans’ rights.

Madam Chair, my amendment still allows the government to use section 702 for its purpose of surveilling for Americans’ rights.

Madam Chair, my amendment still allows the government to use section 702 for its purpose of surveilling for Americans’ rights.

Mr. ROY. Madam Chair, I thank the gentleman from Michigan, and I want to rise to offer my support for his tireless efforts on this topic, in particular. It should not be a hard question that the American citizens, the people who live here afforded protections under our Constitution, should not be targeted unnecessarily, even when we are doing our appropriate job to target those who wish to do us harm abroad.

I believe that the amendment in question attempts to do just that, to ensure we have those tools to target those abroad while protecting American citizens, and I thank the gentleman for his efforts.

Mr. AMASH. Madam Chair, may I ask how much time I have remaining?

The Acting CHAIR. The gentleman from Michigan has 1½ minutes remaining.

Mr. AMASH. Madam Chair, I yield 30 seconds to the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN. Madam Chairwoman, I thank the gentleman for yielding.

I want to thank the gentleman from Michigan and the gentlewoman from California for sponsoring this amendment. This is needed.

I just want to read this body of a couple statements. One was made by Attorney Emmet Flood talking about what took place with the President of the United States, and he said this: “We would all do well to remember, if it can happen—talking about the FISA issue—if it can happen, imagine what they can do to you and I. Imagine what they can do to you and I. We need reform in this program.”

Second, Chuck Schumer. When the leader in this Congress, leader in the Senate was on the Rachel Maddow Show on January 3 talking about what took place with the President.

The Acting CHAIR. The time of the gentleman has expired.

Mr. AMASH. Madam Chair, I yield an additional 15 seconds to the gentleman from Ohio.

Mr. JORDAN. Madam Chair, Mr. SCHUMER said this, about the President. He said: “Let me tell you: You take on the community, they have six ways from Sunday at getting back at you.”

That is not how it is supposed to work in this country. That is not how it is supposed to work. The unelected people do not respect individuals. This is about reforming this program, making sure it respects our fundamental liberties. I respect the gentleman for bringing the amendment forward.

Mr. AMASH. Madam Chairwoman, when I go back to my district, I hear from my constituents and they always ask: What is wrong with Washington? We can see what is wrong with Washington right here. We have Republicans for months saying: We are worried about FISA abuse. FISA is out of control.

Here we are trying to limit FISA, and they are running against it. They are saying: No, we can’t limit FISA. Democrats say: We want to hold the President in check. Executive powers are out of control.

We have an amendment to hold the President in check. This is our time to stand up for the American people.

I am sick of going home and telling them that wanted to defend their rights. I want to thank Ms. LOCKHART for joining me in this amendment, and I yield back the balance of my time.

Mr. VISCLOSKY. Madam Chair, I yield the remainder of my time to my colleague from Michigan, and the gentlelady from California for sponsoring this amendment.

Bipartisan majorities of the House and Senate have recognized the national security importance of the section 702 program that it can help protect our country and respect the privacy of our citizens, and that these goals need not be in conflict. This near consensus was founded in part on recognition of the 702 program’s close and cooperation by the DNI and DOJ, by the Foreign Intelligence Surveillance Court, by The Privacy and Civil Liberties Oversight Board, by inspectors general—and of course, by the judiciary and intelligence committees in the House and Senate.

Even against this background, I have long supported privacy and transparency reforms that preserve the undoubted value of the section 702 program to U.S. National security. For that reason, I joined in strongly backing the bipartisan compromise legislation, which improved new privacy safeguards while reauthorizing section 702 activities. And I do strongly believe that, as Members of Congress charged with upholding the Constitution, we should be actively and always looking for ways to shore up section 702’s already rigorous framework for protecting the rights of U.S. persons—in a fashion that still permits the IC to accomplish its mission.

And that is where I think the amendment goes too far, and needlessly risks doing serious harm to what is perhaps our government’s most valuable mechanism for obtaining the communications of non-U.S. persons located outside the United States for foreign intelligence purposes.

This FISA section 702 program is an important tool for the intelligence community to gather foreign intelligence information to protect the homeland against international terrorism, weapons proliferation, hostile actions, cyber actors, and other threats to the national security.

Importantly its focus is on foreigners located abroad. It does not allow the intelligence community to target U.S. persons. Section 702 collections already include significant protection for civil liberties and privacy.

While the amendment may be well-intentioned, I fear it will upset the delicate balance reflected in current wording of this provision. The recent comprehensive review and bipartisan reauthorization of section 702 by Congress would strongly suggest that additional changes to the program without a full review of the potential impact is ill-aided.

Madam Chairwoman, intelligence officials from the Obama administration and the Trump administration have asserted, as FBI Director Christopher Wray recently reiterated, that section 702 is one of the most viable tools we have in our toolbox to keep America safe. Accordingly, I oppose this amendment.

Mr. VISCLOSKY. Madam Chair, I am opposed to the amendment, and yield back the balance of my time.

Mr. SCHIFF. Madam Chairwoman, the amendment in opposition to the amendment offered by the gentleman from Michigan and the gentlelady from California.

Mr. SCHIFF. Madam Chairwoman, intelligence officials from the Obama administration and the Trump administration have asserted, as FBI Director Christopher Wray recently reiterated, that section 702 is one of the most viable tools we have in our toolbox to keep America safe. Accordingly, I oppose this amendment.

Mr. VISCLOSKY. Madam Chair, I am opposed to the amendment, and yield back the balance of my time.

Mr. AMASH. Madam Chairwoman, intelligence officials from the Obama administration and the Trump administration have asserted, as FBI Director Christopher Wray recently reiterated, that section 702 is one of the most viable tools we have in our toolbox to keep America safe. Accordingly, I oppose this amendment.

Mr. VISCLOSKY. Madam Chair, I am opposed to the amendment, and yield back the balance of my time.
would risk the section 702 program’s temporary cessation, while the IC takes steps to understand and comply with the amendment’s mandates.

Moreover, as written the amendment strongly suggests that the IC immediately would have to stop collecting the communications of a suspected terrorist abroad, simply because the suspected terrorist was communicating with an individual thought to be within the United States. The IC should not be required to cease collection of intelligence in situations where it is entirely appropriate to collect it, and where Congress has already provided the IC to do so—such as the Najibullah Zazi case, where the IC detected and foiled what would have been a deadly terrorist plot to detonate explosives on subway lines in Manhattan.

The amendment would also deny funds for so-called “about” collection, which the IC on its own decided to discontinue in 2017—and thus go well beyond the compromise carefully crafted by Congress the following year. Under existing law such collection might resume one day, provided the IC first convinces the courts and Congress that such a decision can be conducted in a manner that fully safeguards privacy rights. The IC should not be banned from collecting intelligence in a fashion that protects privacy, if it can devise an appropriate means of doing so. And yet that is precisely what the amendment would take off the table, in advance.

I see no reason to disturb the balance that we struck in 2018, after such extensive and rigorous deliberation. And I see many, strong reasons to leave in place this critically necessary intelligence gathering tool, on which our intelligence professionals rely every day.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. AMASH).

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 33 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

Mrs. DINGELL. Madam Chair, I yield myself such time as I may consume.

Madam Chair, our servicemen and -women suffer from arthritis at disproportionately high rates compared to the civilian population. Arthritis is the leading cause of disability among our second leading cause of medical discharge among members of the Army. However, there is currently no dedicated funding for researching arthritis among our servicemembers and veterans.

This permanent bill, which my friend from West Virginia, Congressman McKinley, and I have worked on as co-chairs of the Congressional Arthritis Caucus, would provide dedicated funding for arthritis research in the military.

Establishing this line of funding within the CDMRP will help improve our understanding of arthritis in the military. While some CDMRP money is already used to research arthritis, this funding can fluctuate from year to year and is not specified in statute. Our researchers need stable, consistent funding in order to complete the long-term studies needed to better understand this disease.

I am proud that our amendment is supported by over 20 veterans service organizations.

I thank Chairman Visclosky for his consideration of this proposal and for his commitment to continue working with us on future appropriations bills to include arthritis research. With this commitment, we are prepared to withdraw the amendment.

Madam Chair, I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 34 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

The Acting CHAIR. The amendment is withdrawn.
BRAD SCHNEIDER emphasizes the importance of the DOD funding research to increase the capacity of the defense industry to produce lead-free electronics that meet the performance requirements of our Nation’s Armed Forces. This research will ensure that American industry can supply the men and women who keep us safe with modern, resilient technology that meets their unique needs.

I look forward to working with the DOD and the designee of the gentleman from Indiana (Mr. VISCLOSKY) to ensure funding for development of this program.

Madam Chair, I yield 2 minutes to the gentleman from Illinois (Mr. VISCLOSKY).

Mr. VISCLOSKY. Madam Chair, I appreciate the gentlewoman yielding me time and simply would suggest that the committee has no opposition to the amendment.

I would point out that, again, she struck a chord with me when she talked about the global transition, the United States America, the industrial sector, and the industry, that the United States America, America, industry continues to rely upon lead-based technology because lead-based assembly is considered structurally superior.

To ensure the reliability and performance of lead-free technology for defense and aerospace electronics, additional research and development are needed. Because the DOD electronics market is just a small fraction of the defense aerospace electronics industry, conversion to lead-free components over 15 years ago. Despite this global transition, the United States aerospace and defense electronics industry continues to rely upon lead-based technology because lead-based assembly is considered structurally superior.

To ensure the reliability and performance of lead-free technology for defense and aerospace electronics, additional research and development are needed. Because the DOD electronics market is just a small fraction of the broader electronics market, commercial industry needs Federal leadership in this area.

As technological advances in civilian electronics continue to incorporate lead-free technology, this problem will only become more acute. As a result, the DOD cannot rapidly integrate state-of-the-art lead-free components, including semiconductors, cutting-edge technologies like hyperconics, artificial intelligence, and robotics that impact numerous DOD weapons systems.

This disconnect between the defense and commercial electronics industries can no longer be ignored.

My amendment, which I am offering with my colleague Representative Ms. KUSTER of New Hampshire (Ms. KUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

MODIFICATION TO AMENDMENT NO. 38 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

Ms. KUSTER of New Hampshire. Madam Chair, my amendment inadvertently contains a numerical drafting error that would increase spending. Therefore, I ask unanimous consent that my amendment be modified with the form that I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

The amendment is modified to read as follows:

Page 247, line 17, insert “(increased by $5,000,000) (reduced by $5,000,000)" after the dollar amount.

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from New Hampshire (Ms. KUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

AMENDMENT TO AMENDMENT NO. 38 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

Ms. KUSTER of New Hampshire. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I am pleased to offer my amendment that addresses an important supply chain issue related to defense electronics.

Driven by environmental regulations outside the United States, the worldwide $1 trillion commercial electronics industry converted to lead-free components over 15 years ago. Despite this global transition, the United States aerospace and defense electronics industry continues to rely upon lead-based technology because lead-based assembly is considered structurally superior.

To ensure the reliability and performance of lead-free technology for defense and aerospace electronics, additional research and development are needed. Because the DOD electronics market is just a small fraction of the broader electronics market, commercial industry needs Federal leadership in this area.

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As technological advances in civilian electronics continue to incorporate lead-free technology, this problem will only become more acute. As a result, the DOD cannot rapidly integrate state-of-the-art lead-free components, including semiconductors, cutting-edge technologies like hyperconics, artificial intelligence, and robotics that impact numerous DOD weapons systems.

This disconnect between the defense and commercial electronics industries can no longer be ignored.

My amendment, which I am offering with my colleague Representative
It found that rising global temperatures, changing precipitation patterns, climbing sea levels, and more extreme weather events will intensify the challenges of global instability, hunger, poverty, and conflict.

It will likely lead to food and water shortages, pandemic disease, displacement over refugees and resources, and destruction by natural disasters in regions across the globe.

Earlier this year, the department released another report that found that more than two-thirds of the military’s operationally critical installations are threatened by climate change.

It noted that the effects of a changing climate are a national security issue with potential impacts to the Department of Defense’s missions, operational plans, and installations.

As an example, the Air Force currently oversees 15 radar sites in Alaska. Since the Cold War, they have monitored above much of the Bering Sea and the Arctic. When the radar sites were selected in the 1950s, along Alaska’s coastlines and deep in its interior, melting permafrost and coastal erosion were not yet long-term strategic concerns for the department.

However, melting permafrost is happening more rapidly than Pentagon officials predicted, and it is causing the ground beneath the sites to settle. Three radar sites in Alaska were forced to close in 2007 due in part to soil erosion.

A 2014 Government Accountability Office report found that the installations are seeing erosion that the Pentagon did not expect to occur until 2040.

This amendment ensures that the Department of Defense continues to provide scientifically based information about the effects of climate change on national security.

Madam Chair, I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, just 5 months ago, the Department of Defense completed a public assessment titled “Report on Effects of a Changing Climate to the Department of Defense.”

The report accompanying the bill includes further directive language regarding additional reporting requirements for the department.

How many reports do we need on this topic in 1 year? This amendment is extraneous and unnecessary; I urge my colleagues to oppose it; and I yield back the balance of my time.

Mr. VISCLOSKY. Madam Chair, I would simply state that the department must be transparent in reporting the strategic, operational, and financial costs of climate change.

I would ask support for the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. VISCLOSKY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CALVERT. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana will be postponed.

AMENDMENT NO. 41 OFFERED BY MISS GONZA´LEZ-COLON

The Acting CHAIR. It is now in order to consider amendment No. 41 printed in part A of House Report 116–111, Miss GONZA´LEZ-COLON of Puerto Rico.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 223, line 22, after the dollar amount, insert “(increased by $4,356,000) (reduced by $4,356,000)”.

The Acting CHAIR. Pursuant to House Resolution 436, the gentlewoman from Puerto Rico (Miss GONZA´LEZ-COLON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Puerto Rico.

Miss GONZA´LEZ-COLON of Puerto Rico. Madam Chair, today I rise to speak on behalf of the bipartisan amendment No. 41 to division C of the Defense appropriations division to H.R. 2740.

My amendment seeks to provide an increase of $4,356,000 to further support the Department of Defense’s Innovative Readiness Training program, bringing its total recommended funding level for fiscal year 2020 to $30 million. This proposed increase is made possible by reducing the Operation and Maintenance, Defense-wide account by the same amount.

The Innovative Readiness Training program, IRT program, is a Department of Defense military training opportunity, exclusive to the United States territories; it provides joint opportunities to increase deployment readiness.

Simultaneously, IRT provides key services with lasting benefits for communities across our Nation, thus strengthening the bonds between the American people and the U.S. military.

Each year, this program enhances deployment readiness for approximately 7,000 servicemembers by providing hands-on, real-world training experience for mission-essential tasks, often in remote or underserved areas across the country.

Military units have an opportunity to refine their engineering, healthcare, diving, and transportation skills by performing services and developing projects for American communities that otherwise would not have the resources to conduct them on their own.

In 2018, the services led 39 missions across the United States and Puerto Rico. These missions included two to provide no-cost medical and construction services to local residents.

Through the Ola de Esperanza Sanadora mission, they assisted local authorities in providing medical, dental, and optometry care to over 3,800 patients. Similarly, they partnered with Habitat for Humanity to build a three-family home designed to resist hurricanes in the Quintana neighborhood of San Juan.

Earlier this year, the 1st Mission Support Command and the U.S. Army Reserve Virgin Islands and Puerto Rico soldiers joined more than 500 members from different DOD components in a mission on the island that provided medical service to over 9,000 patients, delivered over 2,000 eyeglasses, and completed over 10,000 medical procedures.

Participating units, therefore, increased their readiness and obtained valuable, hands-on training experience simultaneously helping thousands of their fellow American citizens in Puerto Rico receive the care they need.

Other communities across the Nation have also benefited greatly from this program. In Alaska, as an example, the program supports missions like Operation Arctic Care, which provided roaming medical and dental care to rural and Alaskan Native villages.

In the Northern Mariana Islands—and I want to thank Congressman Sablan for being an original cosponsor of this amendment—these missions have helped renovate and improve the Tinian Health Clinic.

In Mississippi, this mission has partnered with a local foundation in a multi-year mission to build a special-needs camp.

Given how these missions have been vital in improving our servicemembers’ readiness while simultaneously offering quality services to thousands of citizens in need, I strongly believe Congress should provide as much support as possible for the program. This amendment seeks to do that.

I commend Chairman VISCLOSKY, Ranking Member CALVERT, and the House Appropriations Committee for including an increase above the President’s budget request, and my amendment simply seeks to complete this effort by providing an additional increase to bring the program total budget to $30 million, consistent with the recommended funding level in the Senate version for the fiscal year 2020.

Madam Chair, I want to conclude by thanking my colleague Congressman...
Mr. CALVERT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from California (Mr. TED LIEU) and a Member opposed each will control 5 minutes.

The Acting CHAIR. The Clerk will designate the amendment.

The text of this amendment is as follows:

Page 238, line 2, after the dollar amount, insert “(reduced by $7,500,000) (increased by $7,500,000)”.

Mr. NORMAN. Madam Chair, I yield myself as much time as I may consume.

This amendment would establish a pilot program that would allow an expeditionary sea base, ESB, to be equipped with weaponry to defend itself. This pilot program is needed because, currently, an ESB must be accompanied by a destroyer when on a mission. To deploy a destroyer, operational costs add up to $33 million.

If the $7.5 million pilot program—which is the cost—is passed, then this expeditionary sea base will be able to protect itself. A destroyer will no longer be required to accompany it, allowing the destroyer to complete other missions.

Mr. CALVERT. Madam Chair, I rise in opposition, although I am not opposed to the amendment.

There was no objection.

Mr. CALVERT. Madam Chair, I thank the gentleman for this amendment. They make that fine ship in San Diego, California, and we want to defend it to the hilt, so we appreciate this amendment.

It makes the bill a better bill, and I thank the gentleman for bringing that bill forward.

Mr. NORMAN. Madam Chair, I yield back the balance of my time.

Mr. NORMAN. Madam Chair, I would just say, this is a return on investment. This is a good investment that will save this country a lot of money with its passage, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. NORMAN).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 44 printed in part A of House Report 116-111.

Mr. NORMAN. Madam Chair, I rise today because I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division C (before the short title), insert the following:

SEC. 1630. None of the funds made available by this Act may be used to issue export licenses for the following defense items, including defense articles, defense services, and related technical data, described in the certification of Transmittal Numbers DDTC-17-079, DDTC-17-094, DDTC-17-112, DDTC-17-126, DDTC-17-128, DDTC-18-013, DDTC-18-029, DDTC-18-030, DDTC-18-050, DDTC-18-080, DDTC-18-093, DDTC-18-119, DDTC-19-001, 17-09, 17-08, 17-07, 17-06, 17-05, 17-04.

Mr. CALVERT. Madam Chair, at the outset, it should be clear: There is no country that is more hostile to the interests of the United States and our allies, especially Israel, than Iran.

In fact, as we debate this bill, the U.S. and our partners in the region are facing a serious threat from Iran and its proxies.

As our commander of the U.S. Central Command, General Frank McKenzie, said recently, the Iranian threat remains imminent.

Just last month to pass bipartisan, bi-administration sanctions packages that would likely be used in the theatre.

I am offering this amendment because there is no emergency, just a conflict in Yemen that has killed thousands of civilians with U.S.-made weapons and a Congress that is tired of being complicit. That is why we voted last month to pass bipartisan, bicameral resolutions to end U.S. support for the Saudi-led coalition in Yemen.

Despite that clear signal from Congress, the administration decided to use the emergency powers to bypass the congressional review of 22 arms sales to Saudi Arabia and the United Arab Emirates.

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Despite that clear signal from Congress, the administration decided to use the emergency powers to bypass the congressional review of 22 arms sales to Saudi Arabia.

Simply put, is this an egregious abuse of the emergency authority we gave the executive and a direct affront to our institution?

To add insult to injury, the arms in question aren’t even available to be exported. As Assistant Secretary of State for Political-Military Affairs Clarke Cooper testified last week, most of these weapons systems will not be ready for months, if not potentially years.

Our arm sales process was designed to include congressional review specifically to ensure that each case serves U.S. interests.

If the administration believes that these sales can stand on the merits, they should make their case to Congress. Until they do, we must use the power of the purse and every other avenue to block them.

I also want to thank Chairman Viscup for his leadership and support as well. I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the amendment.

Mr. NORMAN. Madam Chair, I would just say, this is a return on investment of my time.
I want to acknowledge that all of us are deeply concerned with the ongoing humanitarian crisis in Yemen. I support the efforts of the executive branch to work with the U.N. Special Envoy toward a political resolution of this conflict.

It is also unfortunate that the Department of State decided to utilize an emergency waiver authority on the arms sales that are the subject of this amendment. Congressional oversight over arms transfers is an important responsibility, and it would have been best had these sensitive matters been handled through the traditional consultative process.

This is not the appropriate vehicle to vindicate those congressional prerogatives. That responsibility rests with the Foreign Affairs and Foreign Relations Committees, and not in this bill.

Madam Chair, accordingly, I oppose this amendment, and I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chair, I appreciate the comments of the gentleman from California.

I simply note that the issue here is not whether we should sell arms to our allies, such as Saudi Arabia and the United Arab Emirates. The issue is whether Congress should have a role or we are going to be completely bypassed by this administration.

That is all this amendment seeks to do, to have Congress take a role in the way we have always taken a role in arms sales.

Madam Chair, I yield 1 minute to the gentleman from Indiana (Mr. Visclosky).

Mr. VISCLOSKY. Madam Chair, I appreciate the gentleman for yielding, and I appreciate the gentleman for offering the amendment.

The operative word here is "bypass." The administration has used an obscure, rarely used provision to skirt congressional oversight of arms sales with Saudi Arabia and the United Arab Emirates.

The administration's lack of justification for using this emergency authority with respect to these sales is troubling, especially when you consider much of the equipment contained in these cases would not be delivered for months, as the gentleman from California rightfully pointed out.

Congress is a coequal branch of government that has oversight responsibilities to review such cases before we sell major weapons systems to other countries. These review requirements are on the books for a reason, and this amendment helps to ensure that the law is adhered to and that Congress is respected and can meet its constitutional requirement.

Mr. TED LIEU of California. Madam Chair, I yield 1 minute to the gentleman from New York (Mr. Engel).

Mr. ENGEL. Madam Chair, I compliment my colleague from California. This is something that is very serious, and obviously, we have been talking about it for a long time now.

We are a coequal branch of government. We want the executive branch, no matter who is in the executive branch, to respect the fact that we are. That is clear to the people in this House. We have voted that way, and we have talked about it. I believe that what the administration did by calling these weapons "emergency" was not the right thing to do. It is clearly not an emergency. It is clearly a way of skirting around Congress. It is clearly a way of trying to not work with Congress.

I think that it is time that the Congress takes back important things, such as declaring war, such as sending our troops into battle, such as deciding these things to our allies.

I feel very, very strongly, and I think that my colleagues will, too, that Mr. LIEU should be supported in this.

Mr. TED LIEU of California. Madam Chair, I yield back the balance of my time.

Mr. CALVERT. Madam Chair, we need to stand by our allies and oppose Iran. This amendment is not helpful. I encourage all of our colleagues to vote "no" on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. Ted Lieu).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. ROY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 45 OFFERED BY MR. GALLAGHER OF WISCONSIN

The Acting CHAIR. It is now in order to consider amendment No. 45 printed in part A of House Report 116–111.

Mr. GALLAGHER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 233, line 22, after the dollar amount, insert "(increased by $76,000,000)]."

Page 246, line 11, after the dollar amount, insert "(increased by $20,000,000)."

Page 247, line 17, after the dollar amount, insert "(increased by $76,000,000)."

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from Wisconsin (Mr. Gallagher) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GALLAGHER. Madam Chair, I yield myself such time as I may consume.

Last December, in lockstep with our NATO allies, the U.S. determined that Russia is in material breach of the Intermediate-Range Nuclear Forces, or INF, Treaty. This followed determinations by the State Department in 2014, 2015, 2016, and 2017 that Russia has failed to comply with its INF obligations.

As one of only two parties in the agreement, and the only party currently playing by the rules, the U.S. is subject to severe restrictions on our military capabilities faced by no other nation on Earth. This problem is especially acute in Asia, where the U.S. most projecting power across vast distances and with enormous logistics chains.

While the original treaty was about intermediate-range nuclear weapons, China has seized upon the potential of conventional intermediate ranges, which are likewise banned under the INF. The Chinese military has invested in thousands of conventional ground-based missiles, roughly 95 percent of which would be prohibited by the treaty if Beijing were a signatory.

This arsenal puts us on the wrong side of the cost competition. As you can see from this chart from the nonpartisan Center for Strategic and Budgetary Assessments, the Chinese military is dangerously outranged at intermediate distances.

No matter how capable or affordable, our ships, fighters, and bombers will never be cheaper than ground-based cruise missiles. This is a recipe for disaster, both in war and in peacetime competition.

Two years ago, to remedy this, Congress began R&D funding for ground-based conventional intermediate missiles. Now that the United States is months away from a post-INF world, Congress is threatening to undo this process by zeroing out R&D for these purely conventional missile systems.

To be clear, early-stage R&D on intermediate missiles is allowable under the treaty. It is why we have been doing it over the past 2 years.

The cuts contained in this bill already go beyond what is mandated by the agreement. It would not only keep us fiscally tied to a treaty that no one else is honoring, but it would also expand the scope of our commitment by blocking R&D funding.

Madam Chair, this is insanity. No other conventional weapons system would ever be held to this standard. We wouldn't do it for planes. We wouldn't do it for ships. We wouldn't do it for tanks. Yet, we are doing it for missiles that would provide credible, dispersed, and lethal firepower.

I would understand if my colleagues, some on both sides of the aisle, have concerns on nuclear weapons. I understand. I appreciate that. I would welcome a conversation with any of my colleagues about prohibiting R&D dollars from going toward intermediate-range nuclear.

But despite the INF name, this amendment has nothing to do with nuclear weapons. This is all about conventional deterrence.

Go talk to the men and women who are downsizing in the Indo-Pacific Command who are, on a daily basis, dealing with the real-world ramifications of an increasingly unfavorable
conventional military balance. They will tell Members, and, indeed, they have told us on the Armed Services Committee, that deploying intermediate-range conventional missiles in Asia would help increase our deterrence and, therefore, improve our ability to avoid war, which is what it is all about.

Madam Chair, I cannot be clear enough. By zeroing out R&D funding for intermediate-range conventional missiles, this bill undermines our ability to properly deter aggression. Whatever we think about nuclear weapons, these cuts make them more important to American defense planning, not less, by reducing our options to restore growing imbalances in conventional power.

This is a mistake that I fear will cost the United States in more ways than one. I urge my colleagues to support my amendment, which would restore funding for R&D for intermediate-range conventional missiles and provide the Department with the flexibility it needs to pursue this critical capability.

Madam Chair, I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chair, I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Indiana (Mr. VISCLOSKY) is recognized for 5 minutes.

Mr. VISCLOSKY. Madam Chair, the Russians are cheating on the INF Treaty. That does not mean we should compound the first problem by creating a second problem. Don’t make a bad situation worse.

Our energy and focus should remain on diplomacy and multilateral efforts to bring Russia back into compliance with the INF Treaty.

The INF Treaty, which was signed by President Reagan in 1987, established an agreement between the United States, Russia, and a number of other countries to not field ground-launched cruise and ballistic missiles with ranges between 500 and 5,500 kilometers. This treaty was instrumental in arresting the arms race, defusing tensions, and ultimately, bringing an end to the Cold War.

I find it very concerning that, due to the President’s suspension of compliance in February, the INF Treaty will be officially null and void on August 2. This was all done without exhausting all diplomatic efforts and with limited congressional input.

The conditions established in the treaty are crucial to European security.

If I find disingenuous that the statement of administration policy on this bill implies NATO endorses the U.S. developing an intermediate-range cruise missile capability. The Brussels summit declaration by NATO’s heads of state and government in July 2018 stated that the INF Treaty has been crucial to Euro-Atlantic security and that we remain fully committed to the preservation of this landmark arms control treaty.

The December 2018 statement by the NATO Foreign Ministers reinforced this by stating that the treaty had been crucial in upholding NATO’s security for over 30 years.

The February 2019 statement by the North Atlantic Council continued to call on Russia to return to compliance with the treaty. It did not endorse the development of INF-violating weapons by the U.S. or any other member of the alliance.

NATO’s official position on the treaty remains that NATO’s focus is to preserve the INF treaty.

There is no question Russia has not upheld its promises as a signatory to the treaty. However, I believe the irresponsible actions of the Russian Government do not require the U.S. to jump headlong into a costly and unnecessary arms race that will promote greater instability, which hearkens back to the policies and actions that defined the most perilous phases of the Cold War.

This amendment would negate previous U.S. nonproliferation and arms control efforts. It is neither prudent nor wise.

Madam Chairman, I reserve the balance of my time.

Mr. GALLAGHER. Madam Chair, I want to quickly say that a treaty that no one else is abiding by is merely a suicide pact with ourselves.

Secondly, even if you disagree with my assessment of the INF, this limits our ability to conduct R&D, which isn’t prohibited by the treaty.

Madam Chair, I yield 1 minute to the gentleman from California (Mr. CALVERT).

The Acting CHAIR. The gentleman from Wisconsin (Mr. GALLAGHER) is recognized for 5 minutes.

Mr. GALLAGHER. Madam Chair, I yield 1 minute to the gentleman from California (Mr. CALVERT).

The Acting CHAIR. The gentleman from California (Mr. CALVERT) is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, I will support the gentleman’s amendment.

Mr. GALLAGHER. Madam Chair, I thank the gentleman for his comments, and I thank my colleagues on the other side of the aisle for this spirited debate.

I just would ask that we consider what we want the world to look like in a post-INF environment, because that is where we are headed, and we have multiple options we need to pursue. We are limiting ourselves. We are taking a step backward if we do not approve this amendment.

Madam Chair, I yield back the balance of my time.

Mr. VISCLOSKY. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I believe that it is necessary to maintain a credible and effective nuclear deterrence. I also strongly believe that multilateral diplomatic efforts, including the INF Treaty and other international agreements, that encourage all countries to restrain potentially bad behavior, are key elements of U.S. national security.

Beyond this particular amendment, it is my hope that the administration will reconsider its efforts to unilaterally abrogate from our national responsibility to uphold the INF Treaty, and instead, to work with Congress and our allies abroad to address and rectify long-standing arms control concerns with Russia and other global actors.

I will continue to be a strong advocate for diplomacy and remain a willing and available partner to the administration and our colleagues in regard to this treaty and other important issues.

Madam Chair, I do oppose the gentleman’s amendment, and I yield back the balance of my time.

Mr. CALVERT. Madam Chair, I demand a noes vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 47 OFFERED BY MR. GALLAGHER

The Acting CHAIR. It is now in order to consider amendment No. 47 printed in part A of House Report 116–111.

Mr. GALLAGHER. Madam Chair, the INF Treaty is my privilege to offer my colleague, Ms. CHENEY’s, amendment to restore funding for R&D for intermediate-range conventional missiles and provide the Department with the flexibility it needs to pursue this critical capability.

Ms. CHENEY’s amendment to restore funding for R&D for intermediate-range conventional missiles and provide the Department with the flexibility it needs to pursue this critical capability.

This amendment seeks to address an urgent operational requirement. Russia has a nuclear doctrine known as escalo rate to descalate. This doctrine emphasizes using low-yield nuclear weapons against U.S. and allied forces on the battlefield.
As the logic behind this doctrine goes, destroying large portions of NATO forces with low-yield nuclear weapons would leave allied decision-makers with an unenviable decision between accepting Russian conquest and the collapse of NATO or launching strategic nuclear weapons and ushering in a nuclear holocaust.

In other words, they put the onus of escalation and all of the attendant international opprobrium on us. I do not know about you, but that does not sound like a good choice to me.

The Nuclear Posture Review is actually clear on this subject: "Expanding flexible U.S. nuclear options now, to include low-yield options, is important for the preservation of credible deterrence against regional aggression... will raise the nuclear threshold and help ensure that potential adversaries perceive no possible advantage in limited nuclear escalation, making nuclear weapons employment less likely."

Critics may argue that we have already had low-yield weapons in our arsenal and do not need a submarine-launched variant. They also argue against displacing strategic weapons with low-yield options in limited missile SSBN missile tubes.

But as the Nuclear Posture Review finds, low-yield weapons provide tangible advantages compared to dual-capable aircraft.

I quote again: "A low-yield SLBM warhead and SLCM will not require or rely on host nation support to provide deterrence effect. They will provide additional diversity in platforms, range, and survivability, and a valuable hedge against future nuclear 'break out' scenarios." I just would emphasize, to close, the findings from the Nuclear Posture Review are not partisan. This amendment is actually advancing a bipartisan position.

Former Obama Secretary of Defense Ash Carter has gone on record saying: "My views are reflected in the latest Nuclear Posture Review."

Jim Miller, Under Secretary of Defense for Policy during the Obama administration, has argued that "Secretary of Defense Jim Mattis’ 2018 Nuclear Posture Review offers continuity with past U.S. policy and plans, including those in the 2010 NPR. It deserves broad bipartisan support. Its proposal for a low-yield SLBM weapon and a new low-tipped sea-launched cruise missile is sensible responses to changed security conditions, especially Russia and North Korea."

We have heard time and again from our colleagues to reject this amendment, and I yield back the balance of my time.
amendment to the division C Defense appropriations of H.R. 2740.

I applaud my colleagues for including expanded authorities in the fiscal year 2019 National Defense Authorization Act that would allow the Defense Department’s Space-Available Flights program to benefit veterans with 100 percent service-connected disability.

As you may know, the Space-A program offers free military air travel to eligible participants if there is available space on a flight heading to a destination within the continental United States.

Prior to the fiscal year 2019 NDAA, the Space-A program provided Active Duty, reservists, retirees, and certain family members with this benefit. Space-A is an example of programs operated by the military that can and do work for the American people.

Expanding the benefit to include 100 percent disabled veterans was common sense, and will help those veterans visit their friends and family from the service, and even seek services for medical and mental health treatment with the best possible healthcare providers.

For 100 percent disabled veterans in Delaware, the expansion of Space-A offered an especially convenient travel alternative due to the Dover Air Force Base’s central location within the State.

Many such communities across the country are similarly improved thanks to this program.

While the effort to expand access to this program to some of our Nation’s veterans was well-intentioned, I have heard from some veterans that there may have been an unintended consequence. The new authorities do not allow caregivers or spouses to travel with eligible veterans as part of the program. For many veterans that are rated as 100 percent disabled, the inability to have their caregiver or spouse join them on the flight effectively disqualifies them from utilizing this incredible program.

We must ensure that all eligible veterans have equal and fair access to the benefits they have earned.

President Lincoln made it clear that it is our country’s duty to care and assist those that had borne the battle on behalf of the country, and it is our duty as a country to follow through on that promise.

That is why I request that the Department of Defense provide to Congress an assessment of feasibility or possible issues in expanding eligible participants to include spouses and caregivers when traveling with 100 percent disabled veterans.

Mr. Chair, I urge my colleagues to support my amendment, and I look forward to working with my colleagues on improving this benefit afforded to these veterans.

Mr. VISCONSKEY. Will the gentlewoman yield?

Ms. BLUNT ROCHERSTE. I yield to the gentleman from Indiana.

Mr. VISCONSKEY. Madam Chair, I thank the gentlewoman for yielding.

I commend the gentlewoman for her work with the committee to make all of us aware of the lack of support that our veterans receive when aboard space-available flights. I am happy to report that, because of congressional actions such as hers and her adamant action on this behalf, the Department is updating their air transportation eligibility requirements to extend space-available privileges in no little reason because of the gentlewoman’s actions, and I do support her amendment.

Ms. BLUNT ROCHERSTE. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Delaware (Ms. BLUNT ROCHERSTE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. ROY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Delaware will be postponed.

AMENDMENT NO. 51 OFFERED BY MS. JAYAPAL

The Acting CHAIR. It is now in order to consider amendment No. 51 printed in part A of House Report 116–111.

Ms. JAYAPAL. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division C (before the short title), insert the following:

SEC. 51. None of the funds made available by this Act may be used for continued research on the Long-Range Standoff missile (LRSO).

The Acting CHAIR. Pursuant to House Resolution 436, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Madam Chair, I thank Chairman VISCONSKEY for his leadership on the Defense appropriations bill, as well as Mr. McGovern, our Rules Committee chair, for making this amendment in order.

My amendment deals with one particular piece of the administration’s escalation of our nuclear warfighting capability, and that is the long-range standoff weapon, or LRSO. This new nuclear-armed cruise missile does not add to our country’s already strong strategic deterrent. Instead, it performs a redundant purpose that can already be accomplished with the standoff capability of other weapons systems.

The CBO estimates that, over 10 years, canceling the production of this weapon would save us about $13 billion. That is $13 billion that could go into education or infrastructure or healthcare or housing or even investments in foreign assistance and diplomacy that would actually keep us safer.

I am deeply concerned, Madam Chair, that continuing to pour more and more money into building up our nuclear arsenal puts us down a dangerous course. Just this past weekend, we found ourselves in yet another escalation of tensions with Iran, with the Secretary of State saying that this tension is “considering a full range of options,” including military options in response to the attack on two tankers in the Gulf of Oman. And just last night, President Trump announced that he is sending another 1,000 American troops to the Middle East.

Meanwhile, let me remind my colleagues that this administration has recklessly torn up former President Reagan’s Intermediate-Range Nuclear Forces Treaty with Russia, pulled out of President Obama’s historic nonproliferation accord with Iran, and escalated inflammatory tensions and rhetoric with some of the world’s most powerful nuclear-armed states.

The President’s agenda outlined in his 2018 nuclear posture review would also resurrect former nuclear capabilities that bipartisan administrations have wisely eliminated. According to many expert observers, some of the upgrades made to our nuclear program in the past few years could be interpreted as plans for a “first strike.”

Let me be clear, the Trump administration’s plan to develop the LRSO cruise missile is not only wasteful, but potentially dangerous. It will make our country, in my opinion, less safe. The weapon is expected to be significantly more capable than the cruising system it is replacing. It will be likely harder to detect, have a longer range, fly faster, and be more accurate. The weapon will also be deployed on advancing penetrating bombers, which are less detectable and designed to infiltrate enemy air defenses.

In contrast, the system that the LRSO is replacing is only carried by the B-52, which flies relatively slowly and is easily spotted by radar. As a result, the new cruise missile and bomber could allow attacks on an array of targets without being detected first, and that could lead to a catastrophic miscalculation and, potentially, to accidental nuclear war.

Madam Chair, don’t just take my word for it. Let me tell you that former Secretary of Defense Jim Mattis stated that he is not sold on the LRSO. Why are we appropriating money to something that the former Secretary of Defense for the Republican administration is not sold on?

What I am most concerned about is a Washington Post op-ed in 2015, William Perry, former Secretary of Defense from 1994 to 1997, and Andy Weber, Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense...
Programs from 2009 to 2014, wrote about the LRSO: “Some have argued that a new nuclear-capable air-launched cruise missile is necessary to allow future Presidents the ‘flexibility’ to engage Russia or China in limited nuclear attacks. As Cold War thinking, it is dangerous. Such ‘tactical’ use of nuclear weapons would be a grave mistake.”

Our nuclear weapons arsenal is about deterrence capabilities, not warfighting. It is also about that proponents of the LRSO, including the Defense Department, have said that the missile is needed for capabilities “beyond deterrence.”

The Pentagon argues that the LRSO could be used to respond “proportionately to a limited nuclear attack.” I would argue that this is dangerous Cold War thinking and that there is no such thing as a limited nuclear war.

My amendment is specifically focused on halting development of the LRSO, which wouldn’t be deployed until the early 2030s, but we also have to look at this weapon and the message that it is sending as part of this administration’s escalation of our nuclear posture. This President has joked about his nuclear button being “bigger and more powerful” than Kim Jong-un’s. This is terrifying, unacceptable, and it is our duty to exert congressional oversight on this issue.

By canceling this weapon, we can send a signal that there is no such thing as limited nuclear annihilation, and instead of promoting weapons that enable nuclear warfighting, we can affirm that a nuclear war can never be won.

Madam Chair, I urge my colleagues to support this, and I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, this amendment would prohibit the use of 2020 funds for development of a long-range standoff weapon program.

A long-range standoff missile will be a nuclear-armed air-launched cruise missile that the U.S. Air Force is scheduled to first deploy in the early 2030s.

The LRSO is necessary for maintaining the deterrent capability currently provided by a rapidly aging air-launched cruise missile. According to the Department of Defense, the current air-launched cruise missile is already decades beyond its originally planned service time.

As General John Hayden, Commander of the U.S. Strategic Command, has stated: “The ALCM is encountering sustainability and viability issues from age-related material failures...and diminishing manufacturing sources. Parts and materials designed for a 10-year service life are now 35 years old and are obsolete.”

In addition to severe problems with maintenance and reliability, the ALCM has a significant degraded ability to survive modern air defense systems. We also need the long-range standoff weapon because conventional air-launched cruise missiles are unable to effectively meet the same deterrence requirements.

Madam Chair, sustaining the nuclear standoff capability in the air leg of the U.S. strategic triad strengthens our deterrence. Conventional weapons are not capable of fulfilling the nuclear-armed cruise missile’s contribution to, and role in, an effective deterrence and reassurance of U.S. allies.

Effective deterrence requires that an adversary believes that the United States can and may respond in kind to a nuclear attack.

For these reasons, I urge the defeat of this amendment.

Madam Chair, I yield such time as he may consume to my colleague from Indiana (Mr. VISCUSOY).

Mr. VISCUSOY. Madam Chair, I appreciate the gentleman yielding.

I appreciate the perspective of the gentlewoman as well, and I would point out that, during the day today, I have risen in opposition to two different nuclear policy issues that would increase spending in our military. The point I want to make is that, while I am opposed, however, to the gentlewoman’s amendment, and her bill does take several actions related to the oversight of the administration’s multiple, ongoing nuclear weapon efforts.

First, in the bill, we do reduce the Ground Based Strategic Deterrent program by $108.7 million. The second bill denies $19.6 million requested by the administration to deploy a low-yIELD nuclear warhead on submarine-launched ballistic missiles.

Third, it denies nearly $100 million requested by the administration to develop two new missile systems that would not be compliant with the INF Treaty.

Fourth, it requires the Navy to submit a report on the cost, requirements, and other matters related to a nuclear submarine-launched cruise missile, which is still in the planning stage.

I would emphasize to all of my colleagues on both sides of the aisle, this bill does not take a reflexive or ideological position. This bill is the result of thorough oversight, and the committee has striven for a balanced policy. I simply believe this amendment goes too far, and I am opposed to it.

Mr. CALVERT. Madam Chair, I yield back the balance of my time.

Ms. JAYAPAL. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The question was taken; and the Acting Chair announced that the noes opposed the amendment.

Mr. CALVERT. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Washington will be postponed.
The Acting CHAIR. It is now in order to consider amendment No. 60 printed in part A of House Report 116–111. Mr. CROW. Madam Chair, I have an amendment at the desk. The Acting CHAIR. The Clerk will designate the amendment. The text of the amendment is as follows: Page 248, line 19, after the dollar amount, insert "(reduced by $20,000,000)". Page 248, line 1, after the dollar amount, insert "(increased by $20,000,000)".

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from Colorado (Mr. Crow) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. CROW. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise today to offer an amendment to vastly increase funding for ALS research by $40 million through the Congressionally Directed Medical Research Programs at the Department of Defense. This is to be clear that we need to attack this disease more aggressively. It costs between $1 billion and $2 billion to find a treatment for ALS and can take up to 15 years to bring an effective ALS treatment to market. Furthermore, finding a path to open up a new body of funding for other diseases, like Parkinson’s, Alzheimer’s, multiple sclerosis, and many others.

We owe this to our veterans. We owe this to every member of our community who should not have to face this disease without any hope for a cure.

Madam Chair, I yield back the balance of my time, and I withdraw the amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 61 OFFERED BY MR. COX OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 61 printed in part A of House Report 116–111. Mr. COX of California. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows: Page 223, line 22, after the dollar amount, insert "(reduced by $10,000,000)". Page 248, line 18, after the dollar amount, insert "(increased by $10,000,000)". Page 248, line 1, after the dollar amount, insert "(increased by $10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from California (Mr. Cox) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. COX of California. Madam Chair, I thank the distinguished chairman as well as the distinguished ranking member for the great work with respect to this legislation.

Madam Chair, I rise today in support of my amendment, which makes a modest adjustment to H.R. 2740. My amendment would increase funding for the Department of Defense Health Program by $10 million. This amendment is budget-neutral by reducing the Department of Defense’s, the DOD’s, Department-wide operation maintenance fund by the same amount.

The Defense Health Program oversees all medical and healthcare programs for the DOD, and the modification made by my amendment would ensure the Department has sufficient resources to fund vital medical research concerning traumatic brain injury, PTSD, post-traumatic stress disorder, PSTD, and psychological health. This research would aid servicemembers and civilians alike.

Over the past 10 years, there has been a dramatic increase in the number of servicemembers reported to have PTSD, and we see these increases in both active and nonactive servicemembers.

Since 2001, over 2.7 million service members have served in war zones in...
Iraq and Afghanistan, and of those, 300,000 have been diagnosed with TBI. And the DOD estimates that 22 percent of all combat casualties in Iraq and Afghanistan are brain injuries.

The cost of war not only harms our service members who have experienced PTSD but also the spouses, the parents, the children, and the families, who have hoped and prayed for the safe return of their loved ones. Unfortunately, we have discovered that the battle upon the servicemembers return home with a PTSD, a TBI, or other nonphysical injury.

Furthermore, whether or not PTSD is a greater risk to female veterans than male veterans is still largely unknown, and as women continue to serve in more active roles in the war and are increasingly exposed to combat situations, their likelihood of experiencing a PTSD, naturally, will rise. So more research is better to understand and help veterans and their loved ones to provide the necessary treatment before symptoms of PTSD become chronic.

We must and we must—do more for those who sacrifice their lives for our freedom. We cannot let them fall through the cracks. That is why my amendment is so critical.

With more of our troops returning from deployment over the next several years, we know that the number of PTSD cases in the U.S. is going to increase, but, today, only 40 percent of servicemembers find relief from current treatments.

The Defense Health Programs provide crucial medical research to provide innovative solutions for service members and family members facing PTSD throughout our Nation.

As many may have seen, just on Sunday night, there are a number of innovative solutions, like stellate ganglion block, or SGB, that are currently being investigated and can be considered game changers in PTSD treatment. So, by investing in new groundbreaking therapies, as well as trials, this will bring help to servicemembers who have tried current treatments but have found that nothing works.

Madam Chair, my amendment would further invest resources to help inform health professionals on how to best treat our military personnel.

Furthermore, the need for increased funding for PTSD is not limited to only the military, but our overall communities. PTSD definitions and services have grown in numerous communities and places throughout our Nation where violence is endemic.

This vital research undertaken by the Department of Defense will benefit every family member and those communities being affected today. Madam Chair, I urge my colleagues to support my amendment and its critical funding for medical research concerning TBI, PTSD, psychological health that will help our servicemembers and our Nation as a whole.

Madam Chair, I yield to the gentleman from Indiana (Mr. Visclosky).

Mr. Visclosky. Madam Chair, I appreciate the gentleman in this regard, and I share his concerns. I would simply point out for the Record that, in the committee's markup, we have increased funding for this, before the gentleman's amendment, by 24 percent over last year's level.

Madam Chair, I appreciate the gentleman yielding.

Mr. Cox of California. Madam Chair, I yield back the balance of my time.

The Acting Chair. The question is on the amendment offered by the gentleman from California (Mr. Cox).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. Roy. Madam Chair, I demand a recorded vote.

The Acting Chair. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

Mr. Visclosky. Madam Chair, I move to strike the last word.

The Acting Chair. The gentleman from Indiana is recognized for 5 minutes.

Mr. Visclosky. Madam Chair, I yield to the gentleman from Florida.

Mr. Soto. Madam Chair, I thank the gentleman from Indiana (Mr. Visclosky) for yielding.

Madam Chair, I want to express my gratitude to the committee for the inclusion of report language in the bill noting the importance of obtaining advanced manufacturing, in support of the defense industrial base, from trusted domestic suppliers. Ensuring quick, reliable, and secure access to leading-edge microelectronics is often a challenge. The changing global semiconductor industry and the increasing sophistication of U.S. adversaries require us to update our domestic microelectronics security framework by establishing a comprehensive, public-private partnership-structured microelectronics cybersecurity center.

This center can provide the defense industrial base with access to manufacturing resources to support antitamper devices, hardware security, and other evolving new concept technologies that support trusted and assured manufacturing, combined with advanced system integration and packaging technologies.

The Defense-Wide Manufacturing Science and Technology Program enables the Department of Defense to advance reliable and secure state-of-the-art technologies. The funding increase provided in this legislation, along with the increased funding for advanced manufacturing, will facilitate America's innovative, secure, and domestic foundry operations and greatly contribute to our national defense through the establishment of a microelectronics cybersecurity center structured as a public-private partnership.

The committee recognizes the urgent need to invest in trusted foundries, advanced microelectronics cybersecurity, and manufacturing capabilities that will translate our domestic research into fielded capabilities for the warfighter.

Ms. Soto. Madam Chair, I appreciate the gentleman from Florida for raising this important issue.

I look forward to working with the gentleman as we move forward on this bill.

I yield to the gentleman from South Carolina (Mr. Cunningham).

Mr. Cunningham. Madam Chair, I want to begin by thanking the committee for its work on the annual defense spending bill and for the opportunity to speak on issues that are critically important to my constituents in the Lowcountry.

In 2017, Congress mandated that the military service branches consolidate their medical activities under the Department of Health and Human Services, and a corresponding bill was intended to eliminate redundancy and reduce costs while improving access to care.

Unfortunately, the manner in which the Department is implementing these reforms all but guarantees this will not be the case. In my district in South Carolina, we are, unfortunately, already feeling the effects.

Naval Hospital Beaufort provides quality care to an estimated 35,000 service members, retirees, and military families in South Carolina. Just last month, the Department eliminated the naval hospital's urgent care services.

Given the administration's plan to eliminate another 18,000 medical billets nationwide, I am deeply concerned about the effects that further cuts may have on our military and their families.

I am further troubled by the Department's lack of transparency into how they are making decisions with regard to the closure of medical services. In addition, the Department has yet to complete a detailed analysis of how cuts in medical services may impact surrounding communities, especially in rural areas where alternative treatment options may be limited.

As a result, military families in underserved communities face an uncertain future. In Beaufort County, my constituents already face unreasonable wait times to see their doctors. Given these high concentrations of military families in my district, any reduction in services on Naval Hospital Beaufort is certain to further reduce access to care and degrade unit readiness in the Lowcountry.

I thank the committee for its attention to this issue, and I ask that it continue to work with me to ensure servicemembers, retirees, and their families can continue to have access to the care that they need and deserve.

Mr. Visclosky. Madam Chair, I appreciate the gentleman from South Carolina.

The committee has been following the implication of the Department's medical reform efforts closely and certainly
It has been a great experience. I also thank all the staff for their great work that they have done on both the majority and the minority.

I do want to point out one thing to the chairman. There is going to be a meeting tomorrow at the White House, hopefully without a budget agreement. Hope springs eternal, but, hopefully, we can get a budget agreement with the White House, the House, and the Senate so that we don't have to go into sequestration later this year, which, as the gentleman knows, would be a disaster for the United States military. Let's wish them well as they try to work out an agreement.

Mr. Chair, I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chair, I move that the Committee do now rise.

The Acting CHAIR. The question was taken; and the Act-
ing was ordered.

Mr. ROY. Mr. Chair, I demand a re-
corded vote.

A recorded vote was ordered.

The vote was taken by electronic de-
vice, and there were—ayes 317, noes 88, an-
ded “present” 1, not voting 38, as fol-
lowing:

**AYES—317**

<table>
<thead>
<tr>
<th>Ayes</th>
<th>Noes</th>
<th>Present</th>
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<tr>
<td>317</td>
<td>88</td>
<td>1</td>
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</table>

Mr. Chair, I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I rise as the designee of the ranking member from Texas (Mr. GRANGER), and I move to strike the last word.

The Acting CHAIR. The gentleman from Texas (Ms. GRANGER), and I move the designee of the ranking member to be recognized for 5 minutes.

Mr. Chair, I yield to the gentleman from South Carolina (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chair, I thank the chairman very much for ac-
knowledging this problem. Going for-
ward, I will continue to work with the De-
fense Subcommittee and the Armed Services Committee, as well as the De-
partment, to make sure that military families in the Lowcountry are not left behind as a result of these reforms.

The Acting CHAIR (Mr. HORSFORD). The time of the gentleman from In-
diana has expired.

Mr. VISCLOSKY. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 min-
utes.

Mr. VISCLOSKY. We are moving very close to the conclusion of debate on this portion of H.R. 2740, and my good friend ranking member Mr. CAL-
VERT, and I would not be here without our staff.

They have been exceptional, and I do want to thank them: Ariana Sarar, Jackie Ripke, Jennifer Charrand, Johnnie Kaberle, Kliya Batmanglij, Walter Hearne, Brooke Boyer, David Bortnick, Matt Bower, Bill Addkins, Hayden Milberg, Paul Kilbride, Shan-
non Richter, Sherry Young, Kyle McFarland, and Jamie McCormick.

I also thank Joe DeVoght, Preston Rack, and Rebecca Kelbity, and Chris-
opher Romero, and finally, our two clerks, Becky Leggieri and Leslie Albright.

Again, sincerely, I thank Mr. CAL-
VERT, just a tremendous partner, and all the members of our committee, as well as all the associate staff.

Mr. Chair, I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I rise as the designee of the ranking member from Texas (Ms. GRANGER), and I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 min-
utes.

Mr. CALVERT. Mr. Chair, I thank Mr. VISCLOSKY for the great working relationship we have had going through this legislation in detail. We do this for the men and women who serve the United States military. We want to make sure that they have the best quality of life and, obviously, that we procure the best weapons that are available to make sure that if ever we are in unfortunate circumstances, we do not have a fair fight.
DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

The SPEAKER pro tempore. Pursuant to House Resolution 431 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2740.

The Clerk reads the title of the bill. The Acting CHAIR. The vote was taken by electronic device, and there were—ayes 188, noes 225, not voting 25, as follows:

AYES—188

Baker          Banks          Barrett        Bergman        Bingaman        Bishop (UT)      Blackburn        Bucshon        Burr
Cook           Crawford       Cummings       Cunningham     Cummings (KS)   Davis (CA)      Davis (FL)      DeGette        DelBene        Delgado
Corder          Courtney       Cox (CA)       Craig           Crist           Cruz           Cummings        Cunningham      Conaway        Cornyn
Duffy           Eubanks        Evers          Everman         Fallin          Faulconer       Farenthold      Farrar          Ferran         Fitzgerald
Ford            Foxx (NC)      Ford (MI)      Forbes          Forrest         Fortenberry     Foulkes          Franklin        Freeman        Freudenstein
Frelinghuysen  Freshman       Frelinghuysen  Friedl          Froden          Frost            Fugate          Garamendi       Garay          Garcia (CA)
Gaviria         Geist          Geerlings       Gerecke         Gephardt        Gergle          Garza            Geyskes         Geyskes, T.    Gianforte
Gilmore         Gordon         Gohmert         Goins           Gooch           Goodlatte        Goodwin         Gohmert, J.     Gohmert, W.    Gohmert, W.
Gonzalez-Colon  Gonzalez-Hogan Gonzalez-Reed    Goodlatte        Goodling        Goodwin         Goss             Goering         Goering, J.    Goering, J.
Gosar           Gottlieb       Goudeau         Gough            Gouveia         Goulet          Gowdy           Graham          Graham, J.     Graham, W.
Grewal          Green          Greenberg       Greig           Greenlee        Greene          Greer           Greaves         Greer, S.      Green, S.
Gruenert        Grubb, B.     Grimm           Griffith        Grijalva        Gridley         Greer, H.        Garnett         Garnett, H.    Garth-Teague
Gaskins         Garnett, J.    Galloway        Gary            Gardner         Gaskins, E.     Goins, J.        Goins, L.       Goings         Goolsby
Gallagher       Garvin         Gallivan        Galloway        Gallegos        Gallegos        Gallegos, A.    Gallegos, L.   Gallegos, R.   Gallegos, R.
Galloway        Gallegos, W.   Gallegos, W.    Gallegos, W.    Gaetz           Garvin          Garvin, J.       Garvin, L.    Garvin, L.    Garvin, L.
Mr. HORSFORD changed his vote from “aye” to “no.”
So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:
Mr. NORCROSS. Madam Chair, on June 18, 2019, I was unavoidably detained during the vote on the Lesko Amendment number 78 to H.R. 2740. Had I been present, I would have voted “nay” on rollcall No. 324.

Ms. PRESSLEY. Madam Chair, I arrived from committee late. Had I been present, I would have voted “nay” on rollcall No. 324.

AMENDMENT NO. 79 OFFERED BY MS. JACKSON LEE

The Acting CHAIR (Ms. Underwood). The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.
A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 414, noes 6, not voting 18, as follows:

(Roll No. 325)

AYES—414


NOES—6

Arrington, Joe (AL)        Davis, Beto (TX)  Axne, Michelle (MN)        DeLauro, Rosa (CT)  Delgado, Henry (CA)        Gaetz, Matt (FL)  Delgado, Henry (CA)        Waters (CA)
ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 81 OFFERED BY MR. GOSAR

The Acting CHAIR. The unfurnished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. Gosar) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic de-
ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. There is 1 minute remaining.

Mr. CUMMINGS and Miss GONZÁLEZ-COLON of Puerto Rico changed their vote from ‘aye’ to ‘no.’
So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 42 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 310, noes 109, not voting 19, as follows:

[A full list of votes is presented here, including the names of all representatives who voted 'aye,' 'no,' or 'not voting.' For brevity, only the voting tally is shown.]
Mr. WELCH changed his vote from “aye” to “no.” So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 84 OFFERED BY MS. SPEIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Ms. SPEIER), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—aye 268, noes 152, not voting 18, as follows:

AYES—268

NOES—152

[Vote Count]

[Names of Members]
Butler has been demanded. So the amendment was agreed to.

RECORDED VOTE

Davis, Danny K.
Crow
Crist
Crawford
Craig
Courtney
Costa
Conaway
Comer
Collins (NY)
Cheney
Castor (FL)
Case
Cartwright
Carter (GA)
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ANNOUNCEMENT BY THE ACTING CHAIR (during the vote).

There is 1 minute remaining.

☐ 1946

So the en bloc amendments were agreed to.

The result of the vote was announced as above recorded.

Ms. KAPTUR. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HIGGINS of New York) having assumed the chair, Ms. UNDERWOOD, Acting Chair of the Committee, having had under consideration the bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, had come to no resolution thereon.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

The SPEAKER pro tempore. Pursuant to House Resolution 436 and rule XVIII, the Chair declares the House in consideration of the bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, had come to no resolution thereon.

In the committee of the whole.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, with Ms. UNDERWOOD (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 63, printed in part A of House Report 116–111, offered by the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chair, I yield myself such time as I may consume.

This amendment would reduce appropriations in the Energy and Water Development division by 5 percent. The programs in this division have wide bipartisan support. This includes Federal spending on water infrastructure, basic science research, disaster relief, and flood damage reduction activities, and more.

These critical programs are necessary for the safety and health of our citizens and the continued growth of the economy. However, this legislation's top-line spending is out of sync with the Federal Government's ongoing fiscal predicament.

Congress must balance these initiatives with fiscal realism. Our national debt is over $22 trillion and climbing, and the majority's legislation is only adding to this debt.

Let's work to improve this legislation in a bipartisan, bicameral effort to ensure that we fund the programs that we need today but not have our children pay for them tomorrow.

Madam Chair, I urge support of this amendment and a return to fiscal sanity, and I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Madam Chair, I rise in opposition to this amendment and point out that our country really can't afford non-competitive programs; and responsibly funds a credible and the majority's legislation is only adding to this debt.

Let's work to improve this legislation in a bipartisan, bicameral effort to ensure that we fund the programs that we need today but not have our children pay for them tomorrow.

Madam Chair, I urge support of this amendment and a return to fiscal sanity, and I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Madam Chair, I rise in opposition to this amendment and point out that our country really can't afford non-competitive programs; and responsibly funds a credible and the majority's legislation is only adding to this debt.

Let's work to improve this legislation in a bipartisan, bicameral effort to ensure that we fund the programs that we need today but not have our children pay for them tomorrow.

Madam Chair, I urge support of this amendment and a return to fiscal sanity, and I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Madam Chair, I rise in opposition to this amendment and point out that our country really can't afford non-competitive programs; and responsibly funds a credible and the majority's legislation is only adding to this debt.

Let's work to improve this legislation in a bipartisan, bicameral effort to ensure that we fund the programs that we need today but not have our children pay for them tomorrow.

Madam Chair, I urge support of this amendment and a return to fiscal sanity, and I reserve the balance of my time.
create good jobs, have substantial returns on investment, and position our Nation for future needs.

We must continue investing in these areas to ensure our national security on many levels and to remain the global leader.

Madam Chair, I urge my colleagues to join me in opposing this amendment, and I reserve the balance of my time.

Mr. BURGESS. Madam Chair, it is actually a pretty easy equation. The Federal Government, under the budget caps agreement of 2011, is required to perform under budget caps.

For whatever reason, we have chosen to ignore that difficult fact of life while these appropriations bills were written. Top-line numbers were—well, back in math class in the eighth grade, we used to talk about imaginary numbers and irregular numbers. These numbers are certainly imaginary and irregular because they are not based on reality.

All I am asking for is that we make a good faith effort to save 5 cents out of every dollar that we spend in this appropriation in every bill. I don’t think that is too much to ask. I don’t think any one of us believes that every dollar that is spent by the Federal Government in the agencies is well spent and there are not savings to be had.

That is all this amendment is asking for: a limitation, across-the-board cut, 5 percent. Let’s get it passed. Then let’s get back to the table and decide, really, what the priorities are.

Because, you know what, Madam Chair, at some point, if we proceed down this path, the sequester is going to kick in, and it will not be pretty, and it will not be an easy path at that point. It will actually be dictated to us, not something where we have negotiation room.

Madam Chair, I urge an “aye” vote, and I yield back the balance of my time.

Ms. KAPTUR. Madam Chair, I ask my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BURGESS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 64 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider Amendment No. 64, printed in part A of House Report 116-111.

Mr. BURGESS. Madam Chair, I call up amendment No. 64 to division E of H.R. 2740.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 620, strike lines 1 through 8.

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

Mr. BURGESS. Madam Chair, this amendment would strike section 108 of this bill that prohibits any funding being used forboarder security infrastructure.

Let me say that again because I can’t believe it either.

This would strike section 108 of the bill that prohibits any funding being used for border security infrastructure.

There is a very clear humanitarian and security crisis on our southern border. Customs and Border Protection and Immigration and Customs Enforcement are strained by the enormous number of border crossings each and every day. In the month of May, over 144,000 individuals crossed our border without the benefit of security infrastructure.

But, instead of providing desperately needed aid to take care of these children and families, this bill only includes a provision to prohibit funding to secure our border. It is appalling that we have not considered supplemental funding to deal with this crisis.

As long as the doors remain wide open, irregular migration will continue, and the American taxpayer will have to foot the bill to care for another country’s children.

We can no longer do nothing. I urge support of this amendment to allow security along our southern border, and I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Madam Chair, I rise in strong opposition to the amendment offered by the gentleman from Texas (Mr. BURGESS).

His amendment would strike from the underlying bill a provision in Section 108 that blocks the Trump administration from transferring existing funds from the U.S. Army Corps of Engineers, known as the Corps, for the construction of a wall along our shared border.

I have been a very vocal opponent of this President’s never-ending political stunt to construct a wall along our southern border with Mexico.

Through emergency supplemental bills, Congress provided billions of dollars to help American families rebuild their lives after recent storms and natural disasters, as well as prepare our country for future disasters. This emergency money in the Corps budget is not a slush fund to be raided by the President for his political purposes.

Americans have seen their lives upended, their homes destroyed, and havoc wreaked upon their local economies. Our government should not abandon them in their hour of need.

I support Section 108 of the Energy and Water Appropriations title of this bill that prohibits the President from transferring any funds appropriated in this or earlier bills from being used for the construction of this wall.

I was also pleased to join with the chairs of the Committee on Appropriations, Ms. LOWEY, and the Subcommittee on Energy and Water, Ms. KAPTUR, in
challenging, in a letter, the underlying legal authority for the President to re-allocate existing appropriated funds of the Corps’ Civil Works program for the construction of a physical barrier along the southern border.

Madam Chair, I insert a copy of the letter in the Congressional Record.

DEAR MR. PRESIDENT: You have publicly indicated several times that you may seek to declare a national emergency in order to fund the construction of a physical barrier along the southern border of the United States. Also, a number of news reports suggest you are considering utilizing a previously unused statutory authority to reallocate existing funds of the U.S. Army Corps of Engineers (Corps) for this construction.

We believe that any suggestion that you could use this statutory authority for this purpose is misinformed. Simply put, this authority does not authorize you to reallocate existing Corps funds—including, but not limited to approximately $14 billion in supplemental funds for communities impacted by the 2017 and 2018 hurricanes or other natural disasters—that are just starting to rebuild from the devastation they faced, and for which Congress provided emergency funds to help the lives and livelihoods of our citizens.

Section 923(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2293(a)) states that:

In the event of a declaration of war or a declaration by the President of a national emergency in accordance with the National Emergencies Act (90 Stat. 1255; 50 U.S.C. 1601) that requires or may require use of the Armed Forces, the Secretary, without regard to any other provision of law, may (1) terminate or defer the construction, operation, maintenance, or repair of any Department of the Army civil works project that he deems not essential to the national defense; or (2) apply the resources of the Department of the Army’s civil works program, including funds, personnel, and equipment, to construct or assist in the construction, operation, maintenance, and repair of authorized civil works, military construction, and civil defense projects that are essential to the national defense.

As you know, this authority has never been used by the Corps since its enactment in 1986. Therefore, there is no historical precedent on its use by any Presidential administration. However, we believe that a plain reading of this statutory provision does not provide legal authority to reallocate existing Corps funds of the U.S. Army Corps of Engineers (Corps) for this construction.

In our opinion, there is no legal authority—noting that this authority “would be available only in two limited situations: (1) national emergencies declared by Congress, or (2) in time of national emergency, military in nature, declared by the President in accordance with the National Emergencies Act” (emphasis added).

It is our belief that construction of a physical barrier along the southern border fails to meet either of these limited situations. On the former, there is no active declaration of war related to the border crossing. On the latter, there is no justification that construction of the physical barrier is military in nature again, implies that the situation requires the unique presence or involvement of the Department of Defense in its military (Armed Forces) capacity. While the Corps is a component of the Department of Defense, its civil works mission is focused on water resources development activities and emergency response. It is in that capacity that the Corps provides domestic construction-related assistance through its authorized civil works activities, or through its Support for Other Authorities authority.

Yet, these authorities are solely distinct from the Corps’ role in supporting the combat and installation readiness needs of the Department of Defense because the construction of a physical barrier does not necessitate the actions of the Department of Defense in its military capacity, the use of the Corps for construction of the barrier would not fall within the limited scope of section 923.

Second, section 923 also requires that any project, for which construction, operation, maintenance, and repair work is funded under this authority, be specifically authorized by Congress. Yet, the proposed physical barrier that you are contemplating is not specifically authorized by Congress—not as a civil works project, not as a military construction project, and not as a civil defense project. Therefore, your potential use of this authority for the proposed physical barrier would fail a second test of applicability.

Even if you were to ignore the plain text of section 923, and continue to pursue this authority to reallocate existing funds from the Corps, we would ask you to revisit your decision because it is contrary to the well-known impact of the devastation they faced, and for which Congress provided emergency funds to help communities impacted by recent natural disasters.

Mrs. NAPOLITANO. Madam Chair, the construction of the President’s wall is the wrong way to address our Nation’s immigration challenges. This amendment would allow the President to abandon families in California, Texas, Puerto Rico, Florida, the Midwest, and elsewhere, that were impacted by recent natural disasters, in their hour of need.

I thank Chairwoman KAPTUR for including much-needed funding for this bill for the Army Corps of Engineers to do their job, and for including Section 108 that protects the Army Corps from the political stunts of building a border wall.

Madam Chair. I oppose this amendment.

Ms. KAPTUR. Madam Chair, I reserve the balance of my time.
Mr. BURGESS. Madam Chair, may I ask as to the time remaining on my side.

The Acting CHAIR. The gentleman from Texas has 3 1⁄2 minutes remaining.

Mr. BURGESS. Madam Chair, I yield 2 minutes to the gentleman from Texas (Mr. Roy).

Mr. ROY. Madam Chair, the truth is the President of the United States shouldn’t be forced to have to make the tough decisions of figuring out how to secure the border without support from this institution, but that is precisely what is happening. The President of the United States is having to look at a crisis on our border that our colleagues on the other side of the aisle just simply straight up refuse to acknowledge exists.

When I was down at the border in McAllen in January, I was told of about 200,000 people that would be apprehended; maybe 200,000 that would not be apprehended. And I was told 90 percent of that was going to come through McAllen, as opposed to Brownsville. Why? Because there is fencing in Brownsville.

I would ask my colleagues whether they have ever been to the border. Is it a professional Border Patrol when they are there at 11:00 at night, and they have radios that don’t work; cell signals that don’t work. They can’t see the river because the cane is too thick. They have no roads that are usable that run along the river, so they can move up and down the river to protect our border. They are down there by themselves, and the cartels have operational control of the river.

The Reynoso faction of the Gulf Cartel, they own it. They are making hundreds of millions of dollars moving people through McAllen right now. And right now, little girls are going to be abused on the journey because we bury our border and we bury our sand.

The President is trying to secure the border, and the Democrats, in another cynical attempt to stop security, are putting provisions and poison pills in this legislation to prevent the kind of security that is needed for our border.

I, for the life of me, don’t understand it. I appreciate my colleague from Texas standing up and making this point that we should be preserving the ability of the President to be able to do his job in the absence of a Congress willing to do its job.

Mr. BURGESS. Madam Chair, I reserve the balance of my time.

Ms. KAPTUR. Madam Chairman, pursuant to House Resolution 436, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consists of amendment of amendments Nos. 65, 71, 73, 83, 88, 94, 105, 106, and 108 printed in part B of House Report 116-111, offered by Ms. KAPTUR of Ohio:

AMENDMENT NO. 65 OFFERED BY MS. WASSERMAN SCHULTZ OF FLORIDA

At the end of division E (before the short title), insert the following: SEC. ___ None of the funds made available by this Act may be used to reject any application for a grant available under funds appropriated by this Act because of the use of the term “global warming” or the term “climate change” in the application.

AMENDMENT NO. 106 OFFERED BY MRS. LEE OF NEVADA

Page 635, line 12, after the dollar amount, insert “(increased by $3,000,000)”. Page 637, line 24, after the dollar amount, insert “(reduced by $5,000,000)”. Page 629, line 19, after the dollar amount, insert “(increased by $5,000,000)”. The Acting CHAIR. Pursuant to House Resolution 436, the gentlewoman from Ohio (Ms. KAPTUR) and the gentleman from Idaho (Mr. SIMPSON) each will control 10 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. KAPTUR. Madam Chair, this en bloc includes amendments from Representatives WASSERMAN SCHULTZ, LANGEVIN, GRIJALVA, CASTOR, BERA, BOYLE, OMAR, LEE of Nevada, and GARCÍA of Illinois. This includes a number of ideas that were not included in the original bill, and that we support.

Madam Chair, I yield 1 1⁄2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the chair of the Military Construction, Veterans Affairs, and Related Agencies Subcommittee.

Mr. WASSERMAN SCHULTZ. Madam Chair, I rise to support the en bloc amendment, which includes my amendment to protect Water Conservation Areas in the Everglades from oil well drilling.

It is important to point out that as of last year, the Federal Government and the State of Florida had spent more than $3.7 billion to restore the Florida Everglades, the river grass. I am here to say, by offering this amendment, I urge my colleagues that we not roll back that progress.

My amendment would ensure that avaricious oil companies who care for the resource will not be able to drill for oil in the Everglades.
nothing but profit, cannot turn our famed river of grass into an industrial oil field.

An investment company has applied to drill an oil well just west of the city of Miramar in Broward County, my home county, much of which I represent.

Drilling an oil well in the middle of a Water Conservation Area that is 20,000 acres wide, between two canals, when you have 8 million people who rely, for their drinking water, on the aquifer beneath the Florida Everglades, is the definition of insanity.

My amendment would ensure that the Army Corps of Engineers could not issue this heinous permit when it is applied for.

We have, under the Federal and State Comprehensive Everglades Restoration Plan, water managers who want to connect two conservation areas that are part of southern Florida’s hydrological system. A lawsuit that is pending in Federal court argues that drilling violates the Comprehensive Everglades Restoration Plan, and I agree, and this amendment would ensure that the Army Corps must deny the permit.

Mr. SIMPSON. Madam Chair, I rise in order to support this amendment. I would like to address what the gentlewoman just said in just a minute.

While I may have been able to support some of the amendments that have been considered individually—and I noticed that we listed the Members that have offered amendments they were all Democratic amendments; none of them were Republican amendments—the majority’s decision to package them together like this means I must oppose an en bloc amendment.

I have concerns with multiple pieces of this en bloc amendment, but I would like to focus on two of them: one that was just spoken about by the gentlewoman from Florida.

First, this amendment includes language that would prohibit the Army Corps of Engineers from issuing a section 404 permit for any project in a specific geographical location.

Legislatively deciding individual permit outcomes is something the Energy and Water Subcommittee, under both Republican and Democrat leadership, have previously avoided. That restraint was not because we were never asked to legislate the outcome of a permit. We were asked many, many times.

Rather, it was in recognition that Congress has established a process by which the technical experts within the Federal agencies would evaluate projects to determine whether environmental impacts could be avoided or minimized so that the project could move forward.

Injecting politics into the process by inserting language into an appropriation bill sets the wrong precedent. It suggests that any future permit decision could be decided by the whim of a majority of Congress.

The second issue I would like to discuss is the language prohibiting the Department of Energy from finalizing the rule relating to the efficiency standards of light bulbs.

I know there are some parties who have characterized the proposed rule as a roll back of efficiency standards. What it really does, though, is ensure the Department is following the law.

The previous rule, a rule promulgated at the very last minute of the Obama administration, revised certain definitions contrary to statutory language. That rule was challenged legally, and the settlement acknowledged the mistake.

The current proposed rule reduces the regulatory uncertainty by making clear that several types of light bulbs will continue to be sold. It also shows DOE’s commitment to following the law, a novel concept. We should all support following the laws that Congress passes.

For these reasons, I must oppose this en bloc amendment, and I urge my colleagues to do the same.

Madam Chair, I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I yield 1 minute to the gentleman from Illinois (Mr. Garcia).

Mr. GARCIA of Illinois. Madam Chair, my amendment shifts $5 million in funding for fossil fuel research and development to Energy Efficiency and Renewable Energy Research.

Increasing energy efficiency and the use of renewable energy, like wind and solar, are the most cost-effective ways of reducing greenhouse gas emissions. These funds can also fund research in more fuel-efficient passenger vehicles for transit options.

The Trump administration’s 2020 budget proposed cutting over $2 billion from energy efficiency programs, and authorized an additional $116 million to fund new oil, gas, and coal projects.

As climate change continues to threaten our future economic prosperity and the lives of billions worldwide, we should be focusing our efforts on clean, renewable energy.

Madam Chair, I thank my colleagues on the Rules Committee for making this important amendment in order. I urge all of my colleagues to support my amendment to further promote energy efficiency and renewable energy research and development.

Mr. SIMPSON. Madam Chair, I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I ask my colleagues to join me in support of this amendment, and I yield back the balance of my time.

Mr. SIMPSON. Madam Chair, I yield back the balance of my time.

Mr. GRUJALVA. Madam Chair, tribal energy resources are vast, largely untapped, and critical in our fight to move towards a secure and sustainable energy future. Despite this potential, many tribes lack access to electricity and affordable heating sources.

Our amendment increases the Office of Indian Energy Policy and Programs by $2 million and reduces Fossil Energy Research and Development by $2.4 million. This increase should be allocated specifically for renewable energy.

This amendment ensures that we place a higher priority on energy needs and capabilities of those Indian tribes and communities, by slightly reducing a growing and outdated fossil fuel account.

The funding will provide financial and technical assistance to enable tribes to evaluate and develop their renewable energy resources, thereby reduce their energy costs through efficiency and weatherization.

Funds may be used to offer education and training opportunities designed to foster clean energy technology adoption, promote green jobs and growth, and strengthen overall native communities’ self-determination.

Through these projects, tribes can continue to build the capacity to manage their energy needs. Many tribes’ energy costs are higher than the national average, making installation of renewable energy a permanent improvement in their finances and safety.

Investing in renewable energy technologies provides many benefits for tribes:

It creates economic stability by protecting these communities from fluctuations of conventional energy sources and by providing steady revenue into the future.

It creates employment in manufacturing, operations, and maintenance. Installing wind turbines, solar heaters, and solar panels in the communities provide opportunities for hands-on education and training.

Onsite renewable power can contribute to tribal energy self-sufficiency by providing electricity in rural areas underserved by the existing power grid and save tribes revenues.

Developing local renewable energy resources can improve local air quality and health conditions, as well as improve the communities’ response to climate change impacts and extreme weather disruptions.

This amendment will help Indian Country by moving a small amount of funding away from old energy sources that are leaving us reliant on out-date and harmful energy sources.

Despite the need to transition to a clean energy future, the Fossil Energy Research and Development account has increased $72 million since 2017.

Currently there are 573 recognized tribes, yet the Office Indian Energy is appropriated at only $25 million.

The longer we postpone an orderly transition away from fossil fuels the more vulnerable we become as a society—what better way to move forward than to present our Native nations with the opportunity to be leaders of our energy future.

This amendment will make a difference in the quality of life of American Indians and Alaska Natives by bringing renewable energy and energy efficiency options to their sovereign nations.

I would like to thank the chairman and the committee for their work on this bill. I appreciate the opportunity to speak on this amendment, and I would urge all of my colleagues to support this amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentlewoman from Ohio (Ms. Kaptur).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.
Ms. KAPTUR of Ohio: Ms. KAPTUR. Madam Chair, pursuant to rule XVIII, further proceedings on the amendments en bloc offered by the gentlewoman from Ohio will be postponed. Amendments en bloc. The Acting CHAIR will designate the amendments en bloc. Amendments en bloc No. 4 consisting of amendment Nos. 66, 67, 68, 69, 70, 72, 74, 75, 76, 77, 78, 79, 81, 82, 84, 85, 86, 87, 92, 93, 95, 96, 98, 99, 100, 101, 102, 104, 107, 109, 110, 111, 112, and 113 printed in part A of House Report 116-111, offered by Ms. KAPTUR of Ohio:

AMENDMENT NO. 66 OFFERED BY MR. FLEischMANN OF TENNESSEE Page 639, line 14, after the dollar amount, insert "(increased by $123,000,000) (reduced by $123,000,000)"

AMENDMENT NO. 67 OFFERED BY MS. NORTON OF THE DISTRICT OF COLUMBIA Page 610, line 23, after the first dollar amount, insert "(reduced by $5,000,000) (increased by $5,000,000)"

AMENDMENT NO. 68 OFFERED BY MR. WILSON OF SOUTH CAROLINA Page 661, line 12, after the first dollar amount, insert "(reduced by $6,500,000)"

AMENDMENT NO. 69 OFFERED BY MS. VELAZQUEZ OF NEW YORK Page 611, line 15, after the dollar amount, insert "(reduced by $45,000,000) (increased by $45,000,000)"

AMENDMENT NO. 70 OFFERED BY MR. GRAVES OF MISSOURI Page 610, line 23, after the dollar amount, insert "(increased by $1,000,000)"

AMENDMENT NO. 71 OFFERED BY MR. WALBEGO OF MICHIGAN Page 630, line 7, after the dollar amount, insert "(increased by $3,000,000)"

AMENDMENT NO. 72 OFFERED BY MR. LOEBSACK OF IOWA Page 657, line 24, after the dollar amount, insert "(increased by $1,000,000)"

AMENDMENT NO. 73 OFFERED BY MR. RICHMOND OF LOUISIANA Page 613, line 13, after the dollar amount, insert "(increased by $4,000,000)"

AMENDMENT NO. 74 OFFERED BY MR. RICHMOND OF LOUISIANA Page 615, line 16, after the dollar amount, insert "(increased by $4,000,000)"

AMENDMENT NO. 75 OFFERED BY MR. RICHMOND OF LOUISIANA Page 613, line 13, after the dollar amount, insert "(increased by $75,000,000) (reduced by $75,000,000)"

AMENDMENT NO. 76 OFFERED BY MR. RICHMOND OF LOUISIANA Page 611, line 15, after the dollar amount, insert "(increased by $5,000,000)"

AMENDMENT NO. 77 OFFERED BY MR. LIPINSKI OF ILLINOIS Page 635, line 5, after the dollar amount, insert "(reduced by $15,000,000) (increased by $15,000,000)"

AMENDMENT NO. 78 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA Page 631, line 22, after the dollar amount, insert "(reduced by $3,000,000)"

AMENDMENT NO. 79 OFFERED BY MR. LOEBSACK OF IOWA Page 629, line 19, after the dollar amount, insert "(increased by $5,000,000) (reduced by $5,000,000)"

AMENDMENT NO. 81 OFFERED BY MR. WELCH OF VERMONT Page 611, line 15, after the dollar amount, insert "(increased by $40,000,000) (reduced by $40,000,000)"

AMENDMENT NO. 82 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE Page 637, line 24, after the dollar amount, insert "(reduced by $1)"

AMENDMENT NO. 84 OFFERED BY MR. PERRY OF PENNSYLVANIA Page 629, line 19, after the first dollar amount, insert "(increased by $2,000,000)"

AMENDMENT NO. 85 OFFERED BY MR. POSTER OF ILLINOIS Page 631, line 6, after the dollar amount, insert "(reduced by $1)"

AMENDMENT NO. 86 OFFERED BY MR. HUBSON OF WASHINGTON Page 631, line 6, after the dollar amount, insert "(increased by $1)"

AMENDMENT NO. 87 OFFERED BY MR. BERA OF CALIFORNIA Page 613, line 13, after the dollar amount, insert "(increased by $3,000,000)"

AMENDMENT NO. 88 OFFERED BY MR. RUIZ OF CALIFORNIA Page 621, line 16, after the dollar amount, insert "(reduced by $2,000,000)"

AMENDMENT NO. 89 OFFERED BY MR. ROUZER OF NORTH CAROLINA Page 631, line 16, after the dollar amount, insert "(reduced by $2,000,000)"

AMENDMENT NO. 90 OFFERED BY MS. RICE OF NEW YORK Page 629, line 19, after the dollar amount, insert "(increased by $16,308,000)"

AMENDMENT NO. 91 OFFERED BY MS. FLASKETT OF VIRGIN ISLANDS Page 611, line 15, after the dollar amount, insert "(reduced by $100,000,000) (increased by $100,000,000)"

AMENDMENT NO. 92 OFFERED BY MR. CLOUD OF TEXAS Page 631, line 6, after the dollar amount, insert "(increased by $3,000,000)"

AMENDMENT NO. 93 OFFERED BY MR. ROUDA OF CALIFORNIA Page 657, line 24, after the first dollar amount, insert "(increased by $3,000,000)"

AMENDMENT NO. 94 OFFERED BY MS. BLUNT OF MISSOURI Page 631, line 22, after the dollar amount, insert "(increased by $3,000,000)"

AMENDMENT NO. 95 OFFERED BY MR. LEVIN OF MICHIGAN Page 649, line 9, after the dollar amount, insert "(reduced by $500,000) (increased by $500,000)"

AMENDMENT NO. 96 OFFERED BY MR. MCCARTHY OF NEW YORK Page 610, line 23, after the dollar amount, insert "(increased by $1,000,000)"

AMENDMENT NO. 97 OFFERED BY MR. LEVIN OF NEW YORK Page 613, line 13, after the dollar amount, insert "(increased by $1,000,000)"

AMENDMENT NO. 98 OFFERED BY MR. BURCHENAL OF IOWA Page 621, line 16, after the dollar amount, insert "(reduced by $2,000,000)"

AMENDMENT NO. 99 OFFERED BY MR. LEVIN OF PENNSYLVANIA Page 611, line 15, after the first dollar amount, insert "(reduced by $5,000,000) (increased by $5,000,000)"

AMENDMENT NO. 100 OFFERED BY MR. CLOUD OF TEXAS Page 631, line 22, after the dollar amount, insert "(increased by $3,000,000)"

AMENDMENT NO. 104 OFFERED BY MR. O’HALLERAN OF ARIZONA Page 637, line 24, after the dollar amount, insert "(reduced by $1,000,000)"
Mr. LOEBSACK. Madam Chair, I thank the gentlewoman for yielding. I appreciate that very much.

My amendment will ensure level funding for distributed wind technologies and research within the Department of Energy’s wind energy program.

Distributed wind is the use of typically smaller wind turbines owned primarily by rural and local entities, such as homes, farms, businesses, and public facilities, to offset all or a portion of onsite energy consumption. This type of energy production strengthens American communities by helping them become more energy independent while lowering costs for consumers.

Distributed wind also strengthens domestic manufacturing, as 90 percent of all small wind turbines sold in the U.S. last year were made in America.

The funding provided over the past few fiscal years has helped unleash distributed wind power’s vast potential, but continued investment is needed to support the critical research and development that will reduce costs and maximize the benefits of distributed wind power throughout the United States.

Madam Chair, I encourage my colleagues to support this amendment.

Mr. SIMPSON. Madam Chair, I yield 3 minutes to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Madam Chair, I thank the gentleman for yielding.

Madam Chair, I think Mr. LAMB is going to have a statement here coming up, and I thank Chairman LAMB in advance for his remarks. He has a jam-up amendment.

Nuclear energy has been one of my top priorities during my time on the Science, Space, and Technology Committee. America has a long history of leadership in nuclear science. It is critical that we maintain that leadership, but our existing fleet of reactors is aging. Many of our nuclear plants are nearing the end of their 40-year licenses and must reapply with the NRC to continue operation. While license renewals are important to ensure nuclear safety, the process requires robust analysis, planning, and science- and technology-based solutions to modernize nuclear plants.

Fortunately, the DOE is carrying out this critical R&D through its Light Water Reactor Sustainability Program. This program funds research in materials, modeling, and system analytics to support extending the operating life of the existing fleet. By developing a science-based approach to understanding and predicting the ways materials and nuclear plants behave over time, DOE can help plant operators find ways to safely operate existing systems while mitigating potential damage to reactor components. DOE funds R&D to support plant modernization efforts. This includes developing ways to safely incorporate digital controls into existing plant designs to help improve reactor efficiency, as well as efforts to help existing plants operate with more flexibility.

I believe advanced reactor designs are the future of emissions-free power around our world, but we cannot afford to throw away decades of investment in the safe, reliable, clean power produced by our existing light-water nuclear power plants. Through research to safely extend the life of our existing nuclear fleet, DOE can ensure we maximize this critical asset.

Madam Chair, I thank Chairman LIPINSKI, the indefatigable gentleman on our committee.

Mr. LIPINSKI. Madam Chair, I thank the chair and ranking member for including and supporting my amendment in this bloc, and I thank Mr. FOSTER for his support.

The amendment redirects an additional $15 million to the Leadership Computing Facility at Argonne National Laboratory. This facility will be home to Aurora, the first exascale computer in the U.S., if not the world. We are currently in a race with China to build the first computer that can perform 1 billion billion operations per second. This will enable advanced simulations, such as climate modeling. It will also aid in the discovery of new therapeutic drugs and the development of new materials for solar energy production, batteries, and other advanced technologies.

It is an economic and national security imperative that the U.S. maintains leadership in supercomputing by developing a well-supported exascale computer, and this amendment will help do that.

Madam Chair, I thank the chair and ranking member for their support.

Mr. SIMPSON. Madam Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. FERRY).

Mr. FERRY. Madam Chair, I thank my good friend from Idaho and my good colleagues from the other side of the aisle for allowing this amendment to receive consideration.

Hydropower is one of the Nation’s most affordable renewable electricity resources. With over 100 gigawatts of installed capacity, hydro makes up nearly 7 percent, on average, of all U.S. annual electricity generation. As a matter of fact, hydro is the single largest source of renewable electricity. We cannot afford to miss one-half of all renewable energy generation in 2018.

This is due to the significant advantage hydropower generation, as a base-load source of energy, has over intermittent solar and wind. It provides predictable, continuous generation 24-7-365 without the need to hold backup generation in standby to power the lights when the Sun goes down or the wind stops. Because of this important distinction, additional hydropower generation results in increased generation rather than just capacity.

If we want to be serious about increasing renewable energy, we need to focus on what works best. More can and must be done to significantly expand this vital energy resource. Only 3 percent of the 80,000 dams in the U.S. currently generate electricity, leaving substantial potential for additional generation from unpowered dams. As a matter of fact, in my home State of Pennsylvania, there is an estimated 678 megawatts of untapped hydropower.

The recent trend of closures among baseload power generation facilities threatens our Nation’s ability to meet our energy needs. Unleashing the full potential of hydropower provides a remedy that is proven, reliable, and renewable.

Critical to realizing this potential is DOE’s Water Power Technologies Office. This amendment increases funding for the office by $2 million to continue their important mission.

Madam Chair, I ask the support of my colleagues for this amendment.

Ms. KAPTUR. Madam Chair, I yield 1 minute to the gentleman from Illinois (Mr. FOSTER), probably one of the top scientists who has ever served in this Chamber.

Mr. FOSTER. Madam Chair, first, I am a proud cosponsor of Representative LIPINSKI’s amendment, which would direct an increase of $15 million to Argonne National Laboratory’s Leadership Computing Facility.

The ALCP is a national scientific user facility that provides supercomputing resources and expertise to the scientific and engineering community to accelerate the pace of discovery and innovation in a broad range of disciplines. This money would go to continue their important mission.

A second amendment, offered by myself, instructs the National Academies of Sciences, Engineering, and Medicine to include accelerator-driven systems in its evaluation of future nuclear technology and fuel.

There is a bipartisan and bicameral interest in accelerating investment in advanced nuclear reactors, which are walkaway safe and proliferation-resistant and have the potential to burn or minimize nuclear waste.

One proposed system uses a proton accelerator, a neutron spallation target, and molten salt fuel, but it remains subcritical, thereby greatly reducing the safety and security risks. It can, without redesign, burn spent nuclear fuel, natural uranium, thorium, or surplus weapons material, such as surplus plutonium. It operates with the need for enrichment or reprocessing and may be used to produce the tritium needed to maintain our stockpile.

Mr. FOSTER. Madam Chair, I thank my colleagues for this amendment.

Mr. SIMPSON. Madam Chair, I yield 2 minutes to the gentleman from North Carolina (Mr. ROUZER), my good friend.
Mr. ROUZER. Madam Chair, I appreciate the courtesy of my good friend from Idaho. I certainly appreciate his help and support with this amendment that is included in this package.

Put very plainly, my amendment is designed to get the attention of the Army Corps of Engineers and for a very good reason.

In the Water Infrastructure Improvements for the Nation Act of 2016, language was included requiring the Army Corps of Engineers to work with localities that request a no-wake zone if there is a safety concern caused by speeding boats generating large wakes in stretches of federally maintained waterways adjacent to a marina.

Southport, North Carolina, a beautiful waterfront community, has been waiting nearly 3 years to have a no-wake zone established. That is 3 years of speeding boats creating wakes that have caused fuel spills at Southport Marina and, thankfully, at least so far, only minor injuries to date.

Everyone back home knows this poses a safety concern. We just need for some who work in an agency known as the Army Corps of Engineers to understand it just as well.

Common sense tells us that at some point, there is going to be a major accident. This is a very high traffic area of recreational boats. Doing nothing, as the Corps appears to favor, is not an option.

Madam Chair, I thank my colleagues for their support of this amendment.

Ms. KAPTUR. Madam Chair, I yield 1 minute to the gentleman from California (Mr. RUZ).

Mr. RUZ. Madam Chair, I rise today to express my support for this block of amendments to H.R. 2740.

Included is my amendment to provide $2 million in critical funding for Bureau of Reclamation projects with a public health benefit, such as the Salton Sea in southern California.

The Salton Sea is a danger to Californian residents. Dust from the exposed lake bed contains harmful particulate matter that blows into communities and is inhaled by residents as far away as Los Angeles.

If we do not take decisive action now, the Salton Sea’s decline will accelerate, exacerbating this public health crisis and leading more children and seniors to develop respiratory illnesses like asthma.

After Congress passed this amendment last year, the Bureau devoted $2.5 million to mitigation projects at the Salton Sea. My amendment would continue this essential funding to invest in the health of families who live near the Salton Sea and beyond.

Madam Chair, I urge my colleagues to vote for my amendment to support the protection of children, seniors, and families across southern California, and I thank Chair KAPTUR for her support and interest in helping us with the Salton Sea.

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Mr. SIMPSON. Madam Chair, I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. LAMB), a veteran.

Mr. LAMB. Madam Chair, I also rise to support these en bloc amendments, particularly my amendment to increase the support for research in the Office of Nuclear Energy Light Water Sustainability Program.

In my district in Shippenport, Pennsylvania, we gave birth to the civilian nuclear fleet. Eisenhowe launched that plant in 1958, and many other plants have come up around the Nation providing carbon-free, safe, reliable energy, and many of them have served long past their useful life.

Tens of thousands of American workers keep these plants running today. They keep us safe. We have to protect these plants, protect these jobs, and, most importantly, protect our energy grid. We can do that with better research into how to make these plants run more efficiently, more cheaply, and more competitively.

Mr. SIMPSON. Madam Chair, I yield 1 minute to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Madam Chair, I want to thank the new Chairwoman KAPTUR and Ranking Member SIMPSON, and now I want to say thank you to my colleague, who has got an excellent amendment, and I applaud it very much. I want to say to all of my colleagues that it is a great amendment, and we look forward to passing it.

Ms. KAPTUR. Madam Chair, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN), a hardworking Member from the Wolverine State.

Mr. LEVIN of Michigan. Madam Chair, I am proud to support this bill, and I thank Chairwoman KAPTUR for her leadership.

I am especially pleased to see this bill’s increased investment in the important work of the Army Corps of Engineers to advance key water infrastructure construction priorities.

My amendment prioritizes $30 million of that funding for critically needed projects that improve the quality of freshwater bodies like Lake St. Clair in my district.

To make urgent water quality improvements to Lake St. Clair, to the Great Lakes, and to freshwater bodies across our country, we must prioritize federal funding for improving Macomb County’s Chapaton Retention Basin and other such sewer overflow systems that help us protect the water sources our communities rely on every day.

I would like to point out that I am working on this with the new director of public works in Macomb County, former Member of this body, Candice Miller.

Mr. SIMPSON. Madam Chair, I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I rise to ask for support of this amendment. Thirty-four of our Members, many have come to speak on their particular interest. I have reached agreement on a bipartisan basis. I think that speaks for itself, and I ask the membership to support this amendment en bloc.

Madam Chair, I yield back the balance of my time.

Mr. ESTES of Texas. Madam Chair, I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. WEBER of Texas. Madam Chair, I rise today in support of an amendment to the Energy and Water Development and Related Agencies Appropriations Division that seeks to increase support for water reclamation projects.

Millions of people and businesses throughout our country are able to enjoy a stable water supply thanks to this vital infrastructure.

One example is the Equus Beds Aquifer Recharge, Storage and Recovery project in Wichita, Kansas.

Equus Beds provides the main water supply for nearly 500,000 people in Wichita and the surrounding region.

In addition to servicing citizens, it is also vital for businesses and farms throughout the entire area that includes cities such as Wichita, Halstead, Newton, Hutchinson, McPherson, Valley Center and others.

Equus Beds became a key component of Wichita’s Integrated Local Water Supply Plan in 1993 when it was determined that the city’s water supply would not meet demand by the year 2015.

Thankfully since its implementation, the Equus Beds Aquifer has recharged 2.5 billion gallons of water to continue meeting regional needs.

Clearly, water reclamation projects like Equus Beds are critical to sustaining the economy and quality of life in Wichita and throughout our country.

Today I urge support for amendment No. 95 to H.R. 2740 to increase support in the bill for water reclamation projects like the Equus Beds Aquifer.

I ask my colleagues to approve this amendment en bloc.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentlewoman from Ohio (Ms. KAPTUR).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BOY of Texas. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments en bloc offered by the gentlewoman from Ohio will be postponed at the desk.

The Chair understands that amendment No. 80 will not be offered.

AMENDMENT NO. 89 OFFERED BY MR. MULLIN

The Acting CHAIR. It is now in order to consider amendment No. 89 printed in part A of House Report 116-111.

Mr. MULLIN. Madam Chair, I have an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title), insert the following:

SEC. . None of the funds made available by this Act may be used to prepare, propose,
or promulgate any regulation or guidance that references or relies on the analysis contained in—


The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from Oklahoma (Mr. MULLIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. MULLIN. Madam Chair, my amendment would prohibit funds for implementing the social cost of carbon rule.

Congress and the American people have repeatedly rejected cap-and-trade proposals. The Obama administration continually used social cost of carbon models, which can easily be manipulated in order to attempt to justify new job-killing regulations.

I believe in efficiently using the Nation’s vast energy resources while protecting the air we breathe, the water we drink, and the land we live on.

The House has a clear, strong record of opposition to the social cost of carbon, voting at least 12 times to block, defund, or oppose the proposal. A carbon tax would inevitably be passed along to consumers, undermining the success of the Tax Cuts and Jobs Act we passed last Congress.

Madam Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I rise in strong opposition to this amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Madam Chair, the amendment offered by my colleague from Oklahoma prohibits the use of funds to prepare, to propose, or to promulgate any regulation or guidance that references or relies on analysis of the cost of social carbon.

It is really unfortunate that the Republican majority is at it again. This amendment tells the agencies funded in this bill to ignore the latest climate change science. Astonishingly, the amendment denies that carbon pollution is harmful. Wow.

According to this amendment, there is zero cost of carbon pollution. That is denial at its worst. Ask any power plant operator who is retired who contracted emphysema because of their work on those power plants—and these people exist in our society if they haven’t died already—or heavy truck diesel mechanics who worked on retooling engines when those fumes were in the garages when they gave their lives to the public sector and they now have COPD, pulmonary disease.

This amendment is tantamount to saying that pollution caused climate change, has no cost, and no one will ever get hurt. That is simply not true. Tell the American citizens who lost businesses, homes, and loved ones to hurricanes and other natural disasters, and those who continue to face unrelenting flooding in the Midwest that there are no costs from climate change.

In the latest National Climate Assessment, our Nation’s leading climate scientists reiterated what we have known for years: Climate change is real. It is evidenced by the climate-related indicators we have observed, including longer seasons, extreme drought, flooding, sea level rise, and more violent storms.

This amendment tells agencies funded in this bill to ignore reality and these scientific findings. This is not only irresponsible, but a blatant disregard for the well-being and security of this Nation and our people, whom we are sworn to protect and defend.

The truth is that climate change is having catastrophic social and economic impacts here in the United States and across our globe. These are real. Ask the nearest farmer—and I just have been with them this past week—who can’t plant their fields in the Midwest. And those who are less fortunate face the heaviest impact.

Now is not the time. In fact, that group of citizens who live in the ninth ward in New Orleans below sea level comes to mind. Now is not the time to pretend that extreme weather events, rising seas, and more frequent storms do not have a cost.

Before the Trump administration abandoned common sense, the social cost of carbon was a very conservative calculation. The full costs of a rapidly changing climate are almost certainly significantly higher, but measuring the social cost of carbon is much better way than believing the costs are zero. Unfortunately, that is what this amendment would require the government to assume: zero harm and zero cost from carbon pollution and climate change.

Pretending that climate change doesn’t exist won’t make it go away. I urge my colleagues to reject this amendment.

Madam Chair, I reserve the balance of my time.

Mr. MULLIN. Madam Chair, there is a lot to unpack there, and we can debate that all day, especially when you start throwing the farmers into it, because you are looking at one. I don’t have to be with them because I am one of them, and I am from the Midwest.

But when you start saying that everything is the fault and everything is to blame because of climate change, it has been changing for quite some time, and we could go ahead and talk about that, too. However, I am not going to change her mind, so we are going to agree to disagree.

Ms. KAPTUR. Madam Chair, I yield back the balance of my time.

Mr. MULLIN. Madam Chair, I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. MULLIN).

The question was taken; and the Acting Chair announced that the noes opposed the amendment.

AMENDMENT NO. 90 OFFERED BY MR. HUFFMAN

The Acting CHAIR. It is now in order to consider amendment No. 90 printed in part A of House Report 116–111.

Mr. HUFFMAN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title), insert the following:

SNC. . None of the funds made available by this Act may be used to finalize the environmental impact statement for the proposed Pebble Mine (POA-2017-271).

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from California (Mr. HUFFMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Madam Chair, my amendment would stop the Army Corps of Engineers from moving forward with their flawed environmental impact statement for the proposed Pebble Mine.

Now, the Pebble Mine is a massive project that would be located in the headwaters of the Bristol Bay watershed in southeast Alaska. It threatens the entire Bristol Bay region: its people, its salmon, and its multimillion-dollar economy.
The Bristol Bay watershed supports 25 federally recognized Tribes that depend on salmon for food and their local economy and on a healthy watershed for their clean water. Bristol Bay’s wild salmon have sustained Alaskan communities for thousands of years by providing subsistence food, subsistence-based livelihoods, and the foundation for their culture and community. Salmon are the economic driver in Bristol Bay, and the region supplies half of the world’s sockeye salmon and 83 percent of the country’s salmon overall.

At about this time each year, commercial fishermen go to Bristol Bay to harvest that amazing sockeye salmon run. The commercial harvest results in more than $1 billion in economic impact, $500 million in direct income, and 14,000 jobs.

Bristol Bay is also one of the most sought after sportsmen’s destinations. Hunting and recreational fishing draws visitors from around the world, resulting in over a thousand jobs and nearly $80 million in direct spending.

The EPA has previously said the impacts of mining on fish populations in the region are catastrophic and irreparable. Over 3,500 acres of wetlands and over 80 miles of stream, which are all connected to salmon habitat, would be directly impacted by this mine and its infrastructure.

The proposed project would also generate an average of 6.8 billion gallons per year of wastewater during operations, 11.8 billion gallons during closure, and all of it would require capture and treatment.

This is unprecedented. There is no other U.S. hard rock mining operation that captures and treats such a massive volume of contaminated mine water, which is harmful to fish and to public health.

We all know that mines are not invincible. Things go wrong. And if any of the negative impacts on waterways and ecosystems that have resulted from other mine failures were to happen in Bristol Bay, the way of life for Alaska Tribes, fishermen, businesses, and residents would be devastated.

Bristol Bay already provides enough for a thriving economy and supports a way of life that is sustainable for future generations. The Pebble Mine puts all of that at risk of significant irreversible damage. That is why the majority of Bristol Bay residents and Alaskans oppose the project. It is why 53 other Members of Congress have joined me in telling the Army Corps they should not permit this mine.

The rushed environmental review process would clearly show that it is the wrong mine and the wrong place. The Federal permitting process for the Pebble Mine has been wholly insufficient. Tribal input is not being incorporated, nor are Tribal governments being meaningfully consulted. The Army Corps, itself, acknowledges numerous data gaps, and the review fails to analyze economic feasibility and disaster scenarios or provide comprehensive reclamation and mitigation plans.

The rushed environmental review process has sparked wide-scale opposition from throughout the country. Fishermen, Tribes, sportsmen groups, businesses, conservation organizations, all of them have weighed in in opposition to this shoddy, wrongheaded Corps project.

My amendment would stop the Pebble Mine. It would stop this flawed process. It prohibits funding to complete the process because there are fundamental flaws with the Army Corps’ current analysis.

Bristol Bay is a national treasure. We have to do this right or risk losing an incredible resource. I urge support for my amendment, and I reserve the balance of my time.

Mr. SIMPSON, Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Madam Chair, let me just briefly flesh everything you have heard from the former attorney for the NRDC is just nonsense, and the reason it is nonsense is because he doesn’t know. Nobody knows. That is why we have a review of these procedures. That is why we have NEPA.

That is why the National Environmental Policy Act is in place, which many of my friends across the aisle view as the foundational environmental law. It requires Federal agencies to evaluate the environmental impacts of projects before the project can be approved. The Corps is in the process of doing that.

Now, I don’t know if he is worried that the outcome might not be like he likes, but if everything he said is true, then they certainly won’t permit it.

To be clear, I am not advocating for or against this particular project; I don’t know enough about it. But what I am saying is Congress should stay out of the process of individual reviews.

Setting the precedent of injecting political opinions into the NEPA process simply means that any project in the future will be subject to the whims of the majority party at the time.

Such a scenario should be a concern for Republicans and Democrats alike. Perhaps next time the interest will be in legislatively approving a specific project. This amendment would serve as a precedent.

What I am saying is let the process work. We have put in place the process. So all of the scenarios that he claims are going to be true, we don’t know if that is true or not because nobody knows yet. They are just opinions.

Madam Chair, I reserve the balance of my time.

Mr. HUFFMAN. Madam Chair, what do we know about this process is that the Army Corps, itself, has acknowledged serious data gaps.

What we do know is that Tribal input has not been seriously incorporated into this process, and we know that the National Marine Fishery Services, which is the agency that should be there at the table as a participating agency to protect this fishery, is not participating in this process.

So what this amendment would do is stop this deeply flawed process. If the administration wants to try to start over and get it right, I have just identified some of the ways in which this terribly flawed process could be repaired and they could move forward in the next budget.

But there are too many red flags waving. Bristol Bay. In its salmon and its salmon are too important to the people of that region and to this country.

The Acting CHAIR. The time of the gentleman from California has expired. Mr. SIMPSON. Madam Chair, if those members are going to do it, then I am sure that a court challenge by the NRDC will actually bring those out.

Madam Chair, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG), my friend.

Mr. YOUNG. Madam Chair, I thank the gentleman from Idaho (Mr. SIMPSON), ranking member of the committee, and I was interested in listening to this conversation.

I would really respectfully ask the Member to respect the district which I represent. I am not talking about the mine. I am talking about the process.

This is State land. They gave it to us, the Congress—State land. They put it up for discovery and discovered.

And under the clause of the discovery, you have the right for exploration. Under the right for exploration, you have a right for production, if it is possible to process.

And the chairman, the ranking member put it very clearly: Let’s go through the process. What this gentleman from California is saying: We are going to make a decision what is right here. And the right is to not have a decision. So we don’t know a dam thing about it, nothing, because they are promoting people saying: This shouldn’t be done.

There is no science behind it yet. Science is what they talk about all the time. It is the bedrock. EIS is the bedrock. And yet they are ignoring it, expecting this Congress that doesn’t know squat about the mining in Alaska.

It is our land, not their land. It is not Federal land. It is our land.

I am saying, let the process work. Let the process go through. That is what we are here for. Not for us to make decisions.

The ranking member put it very clearly: What are we going to do next time? They will not be in the majority forever, and we will have some things they do not want, and we will say we are going to do it.

They are ignoring the science, and they are bragging about the science all the time. Let the science prove us right or wrong. That should be their responsibility, not saying they are for or
against a mine and give all these doomsday things there. They may happen. If that happens, it will not happen because it will not issue the permits.

I want everybody to think about this a moment. What is happening here tonight is the interest of the environmental groups—which you used to be head of, by the way—environmental groups to stop a project that is not any of their business until science has not been proven. I am saying let’s look for it. Let’s look for proof. I am saying let’s look for the science. If that happens, then we will do it.

Mr. SIMPSON. Madam Chair, I yield the balance of my time to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Madam Chair, I thank the gentleman from Idaho (Mr. SIMPSON).

Madam Chair, this amendment also makes a mockery of our laws that govern the permitting process for mining operations and is a complete violation of basic fairness.

Specifically, this amendment subverts the Democrats’ supposed flagship environmental regulatory law, NEPA—unbelievable.

Currently, the Army Corps of Engineers is doing exactly what Congress intended it to do under NEPA with regard to the proposed Pebble Mine project. It is analyzing the environmental and socioeconomic consequences of the proposed mine.

A wonderful adage is good process builds good policy, builds good politics. We ought to embrace that. And if we really want to put our nose in other places, maybe what we ought to do, as I challenge my good friend from California, is, instead of focusing on this project, to look at his State in his own district. Maybe he ought to be focusing on the illegal marijuana farms in his district that are using pesticides and polluting our local waters and damaging national forest in our Own state.

This is something that is pertinent to Alaska, to the Member from Alaska. The Tribes have been consulted. It is just that the one Tribe that he is talking about, no process followed. But the people closest to this that are most involved have been for this mine. They want good process, and I oppose the amendment.

Mr. SIMPSON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GOSAR. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Ms. KAPUTR. Madam Chair, as the designee of Chairwoman LOWEY, I move to strike the last word.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Ms. KAPUTR. Madam Chair, I yield 2 minutes to the gentleman from California (Mr. PANETTA), my dear colleague.

Mr. PANETTA. Madam Chair, I thank the gentleman for this opportunity.

I rise today in support of the funding in this appropriations bill for flood and storm damage reduction in economically disadvantaged areas.

Included in this bill, thank goodness, is $15 million for Army Corps of Engineers projects in communities that have previously experienced devastating floods and where the per capita loss is more than half of the State and national averages.

This type of funding, as we can tell, is critical for economically disadvantaged communities across our country to not only recover from, but prevent, destructive and deadly floods.

One of these areas is the Pajaro Valley in my district on the central coast of California, an area where flooding has consistently hit it for the past 25 years and caused millions of dollars of damage to the surrounding agriculture crops. But it has also displaced hundreds and hundreds of residents, many of whom work in those fields.

That is why this bill is very important, because it can provide important funding for projects that protect the people who need it the most, for businesses that need it the most, in my community and in communities all across this country.

Madam Chair, I urge my colleagues to support this funding bill, and I thank Chairwoman KAPUTR for this time.

Ms. KAPUTR. Madam Chair, I yield back the balance of my time.

AMENDMENT NO. 9 OFFERED BY MR. GRAVES OF LOUISIANA.

The Acting CHAIR. It is now in order to consider amendment No. 91 printed in part A of House Report 116–111.

Mr. GRAVES. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In division E, strike section 106.

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from Louisiana (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. GRAVES of Louisiana. Madam Chair, I appreciate the opportunity to bring this to a vote today.

This amendment is pretty simple. In division E, section 106 has a provision that says that no funds in this act or any other act may be used to carry out any activities that would include transferring or effectively modifying the mission of the U.S. Army Corps of Engineers. I understand that it is pretty clear plain language, section 106, division E.

The problem is this: If the performance of the agency were stellar, I would understand that, and perhaps we would try and protect it, but let me throw out a few statistics painting a picture of what it is that we are asking.

The U.S. Army Corps of Engineers, today, has a $100 billion backlog in authorized projects—$100 billion. These projects are projects like sustaining communities, resilience projects, flood protection, ecological restoration, deepening navigation channels.

Let me tell a little about the performance of the U.S. Army Corps of Engineers, Madam Chair.

We can look at ports in other countries. They have been able to facilitate the Post-Panamax, the larger vessels.

In the United States, we are years or decades behind where we should be, putting our ports at a disadvantage, resulting in our consumers paying higher prices for those goods that are being shipped.

In regards to ecological restoration in my home State of Louisiana, we lost 2,000 square miles of our coastal wetlands, had billions of dollars in restoration projects authorized, and none of them are moving forward—not even starting, in most cases.

We have hurricane and flood protection projects. I don’t have to remind anyone here. Hurricanes Irma, Maria, Michael, Florence; North Carolina, South Carolina, Georgia, Florida, Texas, Louisiana, Puerto Rico, the Virgin Islands. These places were pounded.

People died because of the lack of resilience, the lack of these projects being carried out.

Lastly, Madam Chair, my home State of Louisiana, going back to 2005, I heard a little about this agency talking about Hurricane Katrina. What people don’t realize or don’t understand, the project that was designed to stop that flooding, that devastation, the loss of 1,200 to 1,500 of my brothers, sisters, friends, relatives, neighbors, fellow Louisianaans, that project was authorized, dates back to the 1970s, and it wasn’t finished. It wasn’t finished in 2005.

I am not asking to move the cord. I am asking to look at how to improve, how to modify this. Let’s look at a better result to where we are not spending as we have in recent years, $1.7 trillion responding to countless disasters across this country that have cost our Nation over $1 billion a pop.

Madam Chair, I reserve the balance of my time.

Ms. KAPUTR. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Ms. KAPUTR. Madam Chair, I rise in strong opposition to this amendment.
I share the gentleman’s frustration, but I would like to say that I think the answer is that so many projects within the Corps have never had the infrastructure funding that they have needed to move forward, and our bill does provide a leap forward in that direction.

I think it is an understatement to say that the Army Corps today has its hands full, and I don’t think we need to add any confusion by trying to tinker around breaking up agencies and so forth at this moment.

Section 106 of the underlying bill was included in the bill after the administration proposed breaking up the Army Corps and transferring parts of it—arms, legs, heads—to other Federal agencies.

I don’t really think that is in the Nation’s interest. That plan was met with wide bipartisan opposition from both sides of the Capitol. Such a plan would require a plan to authorize that proposal, but of course, the administration never presented Congress with draft legislation.

Nevertheless, the administration doubled down on its shortsighted and misguided plan and was set to begin planning efforts until Congress stepped in last fall. The fiscal year 2019 Energy and Water Development bill authorized by my colleagues from across the aisle, included this same provision which enjoyed bipartisan, bicameral support.

The Corps is responsible for the management of complex, multipurpose projects, some vast, requiring expertise in many areas. Instead of trying to break up and fragment the agency’s responsibilities, I would suggest that the administration focus on how it can make the Corps successful in its current organizational structure, including deferring to the technical judgment of the Corps instead of the constant interference from OMB bureaucrats who have never laid a foundation, nor operated spillways along the Mississippi or the Missouri, and so many other responsibilities that the Corps holds across this country.

The Army Corps literally holds the lives and communities of the American people in its jurisdiction. Let them do their job. And if they are listening, they are cheering around this country.

I strongly oppose this amendment and urge my colleagues to do the same thing.

I yield to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Madam Chair, I thank the gentleman for yielding. And I appreciate my friend from Louisiana’s passion on this issue.

Saying that the Corps has $100 billion backlog, it is not really the Corps’ fault for that. It is our fault in that we haven’t appropriated money. And if you look back with the years, the Bush administration, the Obama administration, and, currently, the Trump administration, always propose a budget that slashes and burns the Corps’ budget. And it is the Energy and Water Development and Related Agencies Subcommittee that won’t let them do that and keeps putting money back into it.

Last year, the Office of Management and Budget issued a plan for reorganization of the Federal agencies that included moving the Civil Works program from the Army Corps of Engineers to multiple other agencies. Yet, the committee decided to defer to Congress. Congress was not consulted, and no statutory changes were enacted. Yet, some in the administration took steps to try to begin implementing the reorganization proposal.

In response, that is why the language was put in last year’s act, and that is why it is in this year’s act. I will tell the gentleman that we have had this discussion many times with General Semonite, and he is a go-get-’em guy. When he is given a mission, he will do whatever it takes to get that mission accomplished. I like what he is doing. I wouldn’t want to go with OMB in saying we are going to reorganize the Corps and not say why they are going to do and have Congress have no input. But I appreciate the passion that the gentleman has for this, and I understand his frustration. And I think that it is better placed on the Transportation Committee in seeing if there are some reorganizations that can be done within the Corps and done legislatively that make sense.

I urge my colleagues to oppose this amendment.

Ms. KAPTUR. Madam Chairwoman, I would like to thank the gentleman for those remarks and to say that I share his deep concern about the way that OMB, in particular, has a tennis match with Congress when it comes to the Army Corps of Engineers.

There is not a more important infrastructure agency at this moment in our country than the Army Corps. The administration was going to move forward with an infrastructure bill. Well, if they can’t do whatever they are calling an infrastructure bill, this is the infrastructure bill for this country at this time.

The needs are enormous. I can’t imagine. We have 8 divisions and 38 districts. I want to thank every single individual out there sworn to protect and defend the American people who work for the Army Corps of Engineers and give their lives to this profession across this country.

General Semonite is a great patriot, and as were his predecessors. It has a long history, and we really need to have more attention devoted to Corps funding. And one of the initiatives that sit over there in the executive branch and underfund these projects around the country is that why Louisiana had so much trouble and that is why other places in the country have so much trouble.

So I do not support the gentleman’s amendment. I urge opposition, and I yield back the balance of my time.
The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT NO. 97 OFFERED BY MR. BANKS

The Acting CHAIR. It is now in order to consider amendment No. 97 printed in part A of House report 116-111.

Mr. BANKS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title), insert the following:

Sec. 1. Each amount made available in division E, except those amounts made available to the Department of Defense, is hereby reduced by 14 percent.

The Acting CHAIR. Pursuant to House Resolution 436, the gentleman from Indiana (Mr. BANKS) and a Member opposed each will control 5 minutes.

Mr. BANKS. I have an amendment at the desk.

The Acting CHAIR. The gentleman from Indiana (Mr. BANKS) and a Member opposed each will control 5 minutes.

Mr. BANKS. Madam Chairwoman, in total, the Energy and Water Development division cost the American taxpayers $33.3 billion for nondefense activities, which is an increase of $1.1 billion above the fiscal year 2019 enacted level.

My amendment would apply a 14 percent reduction across the board to the nondefense activities included in this division. Without it, we are on track toward sequestration, which would have devastating effects on our national security.

This amendment is necessary because we are at a $22 trillion national debt. That is trillion, with a T. Even before my friends across the aisle offered this reckless spending package, the Congressional Budget Office estimated that we were on track to spend $1 trillion on interest payments in 2029. That means one-fifth of the entire budget would go to paying off previous years of irresponsible spending.

Madam Chairwoman, I simply cannot continue down this path. We must balance our books before writing new checks for this fiscal year.

I reserve the balance of my time.

Ms. KAPTUR. Madam Chairwoman, I rise in opposition to this amendment.

The Acting Chair. The gentlewoman from Ohio is recognized for 5 Minutes.

Ms. KAPTUR. Madam Chairwoman, I rise in opposition to this amendment because really, it takes us backwards. The gentleman is from Indiana. I am from Ohio. I think both of us have seen individuals that we represent go off to war. How many wars have we gotten into over the issue of oil and the oil supply of the globe?

The Department of Energy has been inventing the future to a point where now, we are 90 percent self-sufficient inside the boundaries of this country.

This department helps to invent the future and helps America be more secure. Every one of us has some sense of what is happening with cyberattacks in our energy systems.

Over the weekend, a major retailer, Target, for whatever reason, all the cash registers went dead around the country. Was it just a satellite problem? Was it an attack by a foreign aggressor? I simply don’t know. But I know this department isn’t a place where we should be cutting.

Climate change, whether one wishes to admit it or not, is going to require a change in our way of life. This department is essential to help us move in that direction in a very organized manner. Every penny counts and every step we take to help the American people be more secure is needed.

This bill funds critical water resource projects and supports science and energy technology. It helps our businesses be more competitive. It funds a credible nuclear deterrent where we have commitments and also nonproliferation, which is important not just to our country, but to the world.

I think the gentleman’s amendment will actually harm all of these fronts and reduce protections against what the American people are facing from coast to coast right now.

I think that the gentleman’s objectives on balancing the budget are correct, but I don’t think it should be taken out of the hide of these programs. There are other ways to do that—some of the giveaways to the billionnaire class in this country who have had the privilege of living a good life and earning a great deal of money in this country. Everybody has got to pitch in. But I don’t think where we are inventing the future and helping the American people become more secure in our way of life is the place to hack away.

I urge a continued investment in these areas for purposes of our national security and to remain a global leader in energy, water, and science. I urge my colleagues to join me in opposing this amendment.

I reserve the balance of my time.

Mr. BANKS. Madam Chairwoman, I was proud this year to lead the Republican Study Committee’s effort in creating and drafting a fiscal year 2020 budget as part of the Budget and Spending Task Force.

I gathered together with several of my colleagues, coming from different States and different views, and we worked tirelessly for months to produce a budget that would cut wasteful government spending by $12.6 trillion over a 6-year time period.

This is not just the only budget offered in this body that balances. It is the only budget that has been offered at all. The fact that my friends on the other side of the aisle refuse to even offer a budget shows a stunning lack of leadership.

This is my third amendment to cut across the board 14 percent in each of the divisions of these minibuses.

My amendment reflects the values of the BSC budget and is a necessary first step toward eventually achieving a balanced budget.

Madam Chair, I will continue to come back to this floor and offer this amendment time and time again because I refuse to watch my constituents go off to a less prosperous America than the one that every Member of this Chamber has been blessed to know.

Madam Chair, I yield back the balance of my time.

Ms. KAPTUR. Madam Chairwoman, I urge opposition to this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. BANKS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ROY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana will be postponed.

The Chair understands that amendment No. 103 will not be offered.

Ms. KAPTUR. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. DeGette) having assumed the chair, Ms. KAPTUR, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, had come to no resolution thereon.
EMPOWERING BENEFICIARIES, ENHANCING ACCESS, AND STRENGTHENING ACCOUNTABILITY ACT OF 2019

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3253) to provide for certain extensions with respect to the Medicaid program under title XIX of the Social Security Act, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. DINGELL) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 371, nays 46, as follows:

[Roll No. 333]

**YEAS—371**

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**NAYS—46**

| Aderhold       | Gooden     | Meadows      |
| Allen          | Gooden     | Norman       |
| Amash          | Gran(ES)   | Palmer       |
| Babin          | Green (TN) | Ratcliffe     |
| Banks          | Greathman  | Rice (SC)    |
| Biggs          | Harris      | Roby         |
| Brooks (AL)    | Rice (CA)  | Rooney (FL)  |
| Buck           | Jordan      | Rose, John W |
| Burchett       | Kane        | Roser        |
| Byrne          | Lamborn     | Roy          |
| Cloud          | Lenz        | Scéhne        |
| Davidson (OE)  | Leidemilk   | Stebe        |
| Foxx (NC)      | Massie     | Stebe (WI)   |
| Gohmert        | McCal (IN) | Williams      |
| Goeden         | McGillen   | Wright       |
| Gooden         | McGillen   | York          |
| Green (GA)     | McGillen   | York          |
| Grothman       | Harris      | York          |
| Harris         | Harris     | York          |
| Hendrick       | Hendrick   | York          |
| Hendrick       | Hendrick   | York          |
| Hendrick       | Hendrick   | York          |
| Hendrick       | Hendrick   | York          |

NOT VOTING—15

| Abraham       | Gaetz       | LaHood       |
| Arrington      | Gallego    | Meulion      |
| Curtis         | Gallego    | Meulion      |
| DeLauro        | Gaetz       | Meulion      |
| Doggett        | Gaetz       | Meulion      |

House Rules and Manual, the Chair is constrained not to entertain the request unless it has been cleared by the bipartisan floor and committee leadership.

MESSRS. MEADOWS, WILLIAMS, BANKS, and Mrs. ROBY changed their vote from “yea” to “nay.”

SO (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRESSIONAL WOMEN’S SOFTBALL GAME

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute.)

Ms. WASSERMAN SCHULTZ. Madam Speaker, in the beginning of the 116th Congress, we elected more than 80 new Members; and so, in order to welcome you to the 116th Congress, the women of the Congressional Women’s Softball team want to make sure that everyone knows that the game is finally here.

The 11th Annual Congressional Women’s Softball Game is tomorrow night at 7 p.m. It is at Watkins Recreation Center, 420 12th Street, Southeast.

The reason I refer to the 80-plus new Members is that many of you may not know that we were beginning this game 11 years ago, after I made an announcement, a public announcement that I had been through breast cancer at 41 years old. I was diagnosed, at 41 after doing a self-exam in the shower.

One day I was the picture of health; the next day I was a cancer patient. And, subsequently, I found that I was also BRCA2 positive, meaning that I had a genetic mutation that made it infinitely more likely that I would have a recurrence, and that I would very likely get ovarian cancer at some point.

So, after a year, 15 months really, of hell, and seven surgeries, not sharing it until I was all the way through the treatment, I shared my story.

We introduced the EARLY Act, the Education and Awareness Requires Learning Young Act, which has been law since 2010, which is a law that now raises awareness in young women, an education and awareness campaign that has been funded every year with $5 million, to make sure that we can help young women be aware of their breast health.

So many young women work for us on our staffs. We have a team that we play against, the common adversary of all of us, the press corps, the female press corps, and they generally are much younger.

So, Madam Speaker, we raise money for the Young Survival Coalition at this game. It is an organization that helps young women who deal with the challenges that they face when they have breast cancer.
We encourage you all to come out and cheer on Team Congress so we can beat the press and beat cancer.

I am a founding cocaptain of the Congressional Women’s Softball Team. Jo Ann Emerson, our former Republican colleague, was my cocaptain.

Martin Rozy, one of our cocaptains this year and, unfortunately, last year, to my cocaptain, Martin Rozy, I encourage everyone to wear pink, and come out and cheer on Team Congress tomorrow.

Mrs. ROBY. Just very quickly, I just want to say please, please, please come out and support this event. Go Congress. Beat the press. Beat cancer.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES Appropriations Act, 2020

The SPEAKER pro tempore. Pursuant to House Resolution 431 and rule XVIII, the Chair declares the House in the Committee of the Whole of the House of Representatives of the state of the Union for the further consideration of the bill, H.R. 2740. Will the gentleman from Nevada (Mr. HORSFORD) kindly resume the chair.

[255]

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, with Mr. HORSFORD, (Acting Chair) in the chair.

The Chair read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, June 13, 2019, a request for a recorded vote on amendment No. 98 printed in part B of House Report 116–109 offered by the gentleman from Indiana (Mr. BANKS) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 116–109 on which further proceedings were postponed, in the following order:

AMENDMENT NO. 87 OFFERED BY MR. GROTHMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote. The Clerk will redesignate the amendment.

The Chair redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been ordered.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 131, noes 292, not voting 15, as follows:

[Roll No. 334]

AYES—131

Allen
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Amodei
Arrington
Babin
Bacon
Balderson
Banks
Berman
Bilirakis
Bishop (UT)
Boehner
Bucshon
Burgess
Byrne
Carter (GA)
Chabot
Cloud
Collins (GA)
Comer
Conaway
Cook
Crawford
Davidson (OH)
Davis-Jones
Duffy
Duncan
Estes
Ferguson
Fiore
Fulcher
Gianforte
Gibbs
Gohmert
Gooden

NOES—292

Delgado
Demings
DeSaulnier
DeSoto
Diaz-Balart
Dingell
Dreier, Michael F.
Rummer
Reember
Reschenthaler
Rives
Foley
Fitzpatrick
Fleischmann
Floros
Fortenberry
Foster
Gallego
Garamendi
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Garcia (TX)
Golden
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Gonzalez-Mantla
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vote on the amendment offered by the gentleman from North Carolina (Mr. WALKER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE
The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 110, noes 215, not voting 13, as follows:

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The Clerk redesignated the amendment.

AMENDMENT NO. 94 OFFERED BY MR. ARRINGTON

The Clerk redesignated the amendment.

The Clerk redesignated the amendment.

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The Clerk redesignated the amendment.
The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 123, noes 303, not voting 12, as follows:

[Roll No. 358]

...
The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendments.
vote on amendments on block offered by the gentleman from Indiana (Mr. Visclosky) on which further proceedings were postponed and on which the ayes prevailed by voice vote. The Clerk will redesignate the amendments on block. The Clerk redesignated the amendments on bloc.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded. A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote. The vote was taken by electronic device, and there were—ayes 381, noes 46, not voting 11, as follows:

[Roll No. 341]

AYES—381


Not voting—11


Announcement by the Acting Chair

The Acting CHAIR (during the vote). There is one minute remaining.

The result of the vote was announced as above recorded.
The Ayes prevailed by voice vote.

The Acting CHAIR. A recorded vote has been ordered. The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 277, noes 151, not voting 10, as follows:

[Roll No. 343] AYES—277

* * *

The Clerk will redesignate the amendment. The Clerk redesignated the amendment.

The Acting CHAIR. A recorded vote has been ordered. The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—a yes 277, noes 151, not voting 10, as follows:

[Roll No. 343] AYES—277

* * *

The Acting CHAIR. A recorded vote has been ordered. The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—a yes 277, noes 151, not voting 10, as follows:

[Roll No. 343] AYES—277

* * *

The Acting CHAIR. A recorded vote has been ordered. The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—a yes 277, noes 151, not voting 10, as follows:

[Roll No. 343] AYES—277
ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

The Clerk redesignated the amendment. The Acting CHAIR (during the vote).

The amendment is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. Brown) on which further proceedings were postponed and on which the ayes prevailed by voice vote. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR (during the vote). The request of the vote was announced as above recorded.

AMENDMENT NO. 21 OFFERED BY MR. BROWN OF MARYLAND

The amendment is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. Brown) on which further proceedings were postponed and on which the ayes prevailed by voice vote. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR (during the vote). The request of the vote was announced as above recorded.
The result of the vote was, as above recorded.

AMENDMENT NO. 34, AS MODIFIED, OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment, as modified, offered by the gentlwoman from New Hampshire (Ms. Kuster), which further proceedings were postponed and on which the ayes prevailed by voice vote.

ANNOUNCEMENT FROM THE ACTING CHAIR

Mrs. CAROLYN B. MALONEY of New York, Mr. SERRANO, Ms. SANCHEZ, and PLASKETT changed their vote from “no” to “aye.” So the amendment was rejected.
The Acting CHAIR (during the vote). There is 1 minute remaining.

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 40 OFFERED BY MR. VISCLOSKY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. Visclosky) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. A recorded vote on the amendment has been demanded.

The result of the vote was announced as above recorded.

[Vote information]

AYES—389

NOES—39

NOT VOTING—10

Announcement by the Acting Chair

The Acting CHAIR (during the vote). There is 1 minute remaining.

[Revised amendment information]

[Vote information]

AYES—389

NOES—39

NOT VOTING—10

[Announcement on not voting]

Announcement by the Acting Chair

The Acting CHAIR (during the vote). There is 1 minute remaining.

[Revised amendment information]

[Vote information]

AYES—389

NOES—39

NOT VOTING—10

Announcement by the Acting Chair

The Acting CHAIR (during the vote). There is 1 minute remaining.

[Revised amendment information]

[Vote information]

AYES—389

NOES—39

NOT VOTING—10

Announcement by the Acting Chair

The Acting CHAIR (during the vote). There is 1 minute remaining.

[Revised amendment information]

[Vote information]

AYES—389

NOES—39

NOT VOTING—10

Announcement by the Acting Chair

The Acting CHAIR (during the vote). There is 1 minute remaining.

[Revised amendment information]

[Vote information]

AYES—389

NOES—39

NOT VOTING—10

Announcement by the Acting Chair

The Acting CHAIR (during the vote). There is 1 minute remaining.

[Revised amendment information]

[Vote information]

AYES—389

NOES—39

NOT VOTING—10

Announcement by the Acting Chair

The Acting CHAIR (during the vote). There is 1 minute remaining.

[Revised amendment information]

[Vote information]

AYES—389

NOES—39

NOT VOTING—10

Announcement by the Acting Chair

The Acting CHAIR (during the vote). There is 1 minute remaining.

[Revised amendment information]

[Vote information]

AYES—389

NOES—39

NOT VOTING—10

Announcement by the Acting Chair

The Acting CHAIR (during the vote). There is 1 minute remaining.

[Revised amendment information]

[Vote information]
The vote was taken by electronic device, and there were—ayes 254, noes 174, not voting 10, as follows:

(Recorded Vote Ayes—254)

Bourgeois
Hartzler
DeLauro
Gallego
Crist
Cuellar
Clyburn
Clarke (NY)
Clarke (MA)
Chu, Judy
Castor (FL)

...have been demanded.

The Acting CHAIR. The result of the vote was announced as above recorded.

AMENDMENT NO. 40 OFFERED BY MR. TED LIEU OF CALIFORNIA (H4762)

The Clerk will redesignate the amendment. The Clerk redesignated the amendment.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. Ted Lieu) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment. The Clerk redesignated the amendment.
The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered. The Acting CHAIR. This will be a 2-minute vote.

The vote was taken electronically and there were—ayes 203, noes 225, not voting 10, as follows:

[ROLL NO. 356]

FOR THE AYES—203

Aderhold
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Bradley
Brooks (AL)
Buchanan
Buck
Buchon
Budd
Burchett
Burgess
Byrne
Calvert
Carroll
Carter (TX)
Chabot
Cheney
Coke
Collins (GA)
Collins (NY)
Comer
Crawford
Cutts
Dain
Duncan
Emmer
Ezert
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox (NC)
Gadson
Gabbard
Gianforte
Gilbert
Gohmert
Gonzalez-Colón (PR)
Gooden
Gosar

FOR THE NOES—225

Adams
Alfaro
Altmire
Amy
Arrington
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Bradley
Brooks (AL)
Buchanan
Buck
Buchon
Budd
Burchett
Burgess
Byrne
Calvert
Carroll
Carter (TX)
Chabot
Cheney
Coke
Collins (GA)
Collins (NY)
Comer
Crawford
Cutts
Dain
Duncan
Emmer
Ezert
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox (NC)
Gadson
Gabbard
Gianforte
Gilbert
Gohmert
Gonzalez-Colón (PR)
Gooden
Gosar

FOR NOT VOTING—10

Abraham
Amash
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Bradley
Brooks (AL)
Buchanan
Buck
Buchon
Budd
Burchett
Burgess
Byrne
Calvert
Carroll
Carter (TX)
Chabot
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Duncan
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Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox (NC)
Gadson
Gabbard
Gianforte
Gilbert
Gohmert
Gonzalez-Colón (PR)
Gooden
Gosar

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

[225]

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 45 OFFERED BY MR. GALLAGHER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. GALLAGHER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment. The Clerk redesignate the amendment.

LIST OF VOTES "NEOES—225"

Aderhold
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Bradley
Brooks (AL)
Buchanan
Buck
Buchon
Budd
Burchett
Burgess
Byrne
Calvert
Carroll
Carter (TX)
Chabot
Cheney
Coke
Collins (GA)
Collins (NY)
Comer
Crawford
Cutts
Dain
Duncan
Emmer
Ezert
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox (NC)
Gadson
Gabbard
Gianforte
Gilbert
Gohmert
Gonzalez-Colón (PR)
Gooden
Gosar

CONGRESSIONAL RECORD — HOUSE

June 18, 2019

[457]

FOR THE AYES—203

Aderhold
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Bradley
Brooks (AL)
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Emmer
Ezert
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox (NC)
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Gabbard
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Gilbert
Gohmert
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Gosar

FOR THE NOES—225

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Altmire
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Arrington
Armstrong
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Banks
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Ferguson
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Fleischmann
Flores
Fortenberry
Fox (NC)
Gadson
Gabbard
Gianforte
Gilbert
Gohmert
Gonzalez-Colón (PR)
Gooden
Gosar

FOR NOT VOTING—10

Abraham
Amash
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
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Gabbard
Gianforte
Gilbert
Gohmert
Gonzalez-Colón (PR)
Gooden
Gosar

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

[225]

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 47 OFFERED BY MR. GALLAGHER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. GALLAGHER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

LIST OF VOTES "NEOES—225"

Aderhold
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
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Buchon
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Duncan
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Fox (NC)
Gadson
Gabbard
Gianforte
Gilbert
Gohmert
Gonzalez-Colón (PR)
Gooden
Gosar

CONGRESSIONAL RECORD — HOUSE

June 18, 2019

[457]

FOR THE AYES—203

Aderhold
Allen
Amodei
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Bergman
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Bilirakis
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Brooks (AL)
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Buchon
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Burchett
Burgess
Byrne
Calvert
Carroll
Carter (TX)
Chabot
Cheney
Coke
Collins (GA)
Collins (NY)
Comer
Crawford
Cutts
Dain
Duncan
Emmer
Ezert
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox (NC)
Gadson
Gabbard
Gianforte
Gilbert
Gohmert
Gonzalez-Colón (PR)
Gooden
Gosar

FOR THE NOES—225

Adams
Alfaro
Altmire
Amy
Arrington
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Bradley
Brooks (AL)
Buchanan
Buck
Buchon
Budd
Burchett
Burgess
Byrne
Calvert
Carroll
Carter (TX)
Chabot
Cheney
Coke
Collins (GA)
Collins (NY)
Comer
Crawford
Cutts
Dain
Duncan
Emmer
Ezert
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox (NC)
Gadson
Gabbard
Gianforte
Gilbert
Gohmert
Gonzalez-Colón (PR)
Gooden
Gosar

FOR NOT VOTING—10

Abraham
Amash
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Bradley
Brooks (AL)
Buchanan
Buck
Buchon
Budd
Burchett
Burgess
Byrne
Calvert
Carroll
Carter (TX)
Chabot
Cheney
Coke
Collins (GA)
Collins (NY)
Comer
Crawford
Cutts
Dain
Duncan
Emmer
Ezert
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox (NC)
Gadson
Gabbard
Gianforte
Gilbert
Gohmert
Gonzalez-Colón (PR)
Gooden
Gosar

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

[225]
A recorded vote was ordered. The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 236, not voting 10, as follows:

[Roll No. 351]

AYES—192

Aderholt
Allen
Amodei
Armstrong
Arrington
Balderson
Baldwin
Bank
Barr
Bergman
Biggs
Bilirakis
Bishop (GA)
Beyer
Amash
Aguilar
Adams
Gianforte
Ferguson
Duffy
Davis, Rodney
Davids, Susan
Cole
Carter (TX)
Carter (GA)
Buck
Buescher
Budd
Burchett
Burgees
Byrne
Calvert (GA)
Carter (TX)
Chabot
Cheney
Cline
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Crawford
Crenshaw
Cunningham
Davis, Rodney
DesJarlais
Diaz-Balart
Duffy
Duplessis
Emanuel
Eskridge
Espy
Ferguson
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fleischmann
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez
Gonzalez-Colon
Gooden
Olsen

NOTES—236

Adams
Aumar
Alford
Armstrong
Arrington
Babb
Bacon
Baird
Balderson
Baldwin
Bank
Barr
Bergman
Biggs
Bilirakis
Bishop (GA)
Beyer
Amash
Aguilar
Adams
Gianforte
Ferguson
Duffy
Davis, Rodney
Davids, Susan
Cole
Carter (TX)
Carter (GA)
Buck
Buescher
Budd
Burchett
Burgees
Byrne
Calvert (GA)
Carter (TX)
Chabot
Cheney
Cline
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Crawford
Crenshaw
Cunningham
Davis, Rodney
DesJarlais
Diaz-Balart
Duffy
Duplessis
Emanuel
Eskridge
Espy
Ferguson
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fleischmann
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez
Gonzalez-Colon
Gooden
Olsen

The vote was taken by electronic device, and there were—ayes 424, noes 33, not voting 11, as follows:

[Roll No. 352]

AYES—424

Adams
Aderholt
Agular
Alford
Armstrong
Arrington
Balderson
Baldwin
Bank
Barr
Bergman
Biggs
Bilirakis
Bishop (GA)
Beyer
Amash
Aguilar
Adams
Gianforte
Ferguson
Duffy
Davis, Rodney

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Delaware (Ms. BLUNT ROCHESTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded. A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.
ANNOUNCEMENT BY THE ACTING CHAIR

The Acting Chair (Mr. Carte). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. CROW). So the amendment was rejected.

The Acting Chair (Mr. Carte). The Clerk will redesignate the amendment number.

The Clerk redesignated the amendment number.

RECORDED VOTE

The Acting Chair. A recorded vote has been ordered.

The Acting Chair (Mr. Carte). The result of the vote was announced as above recorded.

AMENDMENT NO. 51 OFFERED BY MS. JAYAPAL

The Clerk redesignated the amendment number.

The Acting Chair (Mr. Carte). The result of the vote was announced as above recorded.

ANNOUNCEMENT OF THE ACTING CHAIR

The Acting Chair (Mr. Carte). The Clerk will redesignate the amendment number.

The Clerk redesignated the amendment number.

RECORDED VOTE

The Acting Chair. A recorded vote has been ordered.

The Acting Chair (Mr. Carte). The result of the vote was announced as above recorded.
ANNOUNCEMENT BY THE ACTING CHAIR

The Acting Chair (Mr. Cox) called the attention of the House to the votes of the tardy record. The Acting Chair (Mr. Cox) declared the rules prima facie observed.

ADJOURNMENT

The Speaker pro tempore declared the House adjourned.

The House adjourned at 10:09 p.m. to meet tomorrow at 10 a.m., pursuant to the adjournment of the House of Representatives on June 13, 2019.
dress the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize National Pollinators Week.

It is a time when we encourage protection of pollinator species—such as honeybees, native bees, birds, bats, and butterflies—as essential partners of farmers and ranchers in producing food.

These pollinators are vital to keeping items like fruits, nuts, and vegetables in our diet, and healthy pollinator populations are crucial to the continued economic well-being of rural America and the U.S. economy.

Worldwide, approximately 1,000 plants grown for food, beverage, fiber, spices, and medicines need to be pollinated by animals to produce the goods we depend upon.

The number of honeybee hives has declined from 6 million in the 1940s to about 2.5 million today, and we need to increase these habitats.

American farmers have no better friend than the honeybee, and more than one-third of the U.S. crops require pollination, including blueberries, chocolate, coffee, melons, peaches, pumpkins, vanilla, and almonds.

Mr. Speaker, as one who has had a beehive in my backyard, I fully support efforts to raise awareness and keep our pollinators buzzing for generations to come.

RECOGNIZING VETERANS TRAVIS COYLE AND MARK LAMBERT

(Mr. CLINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLINE. Mr. Speaker, America would not be the greatest Nation in the world today without the valiant effort of our military personnel.

The reason we are the greatest country in the world is because we have the strongest, most dedicated men and women on the frontlines defending our freedoms.

Unfortunately, many soldiers come home with scars: some visible, some not.

Today, I want to take the opportunity to recognize two veterans from Virginia’s Sixth District who started an organization called the Living Waters Farm Initiative.

Travis Coyle and Mark Lambert returned home from the war in Afghanistan and began experiencing symptoms of posttraumatic stress disorder.

After receiving help through the Department of Veterans Affairs, equine therapy, their faith, and realizing that they could help other veterans, they decided they would like to provide similar support to other service members.

The Living Waters Farm Initiative was started to provide those living with PTSD a supportive community that can stand together and learn from others with firsthand experience.

They already have horses and goats at Living Waters Farm and hope to add a garden soon.

As PTSD Awareness Month begins, I want to thank Mr. Coyle and Mr. Lambert for their service and dedication to other veterans.

MODERNIZE THE TRUCK FLEET WEEK

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise today to highlight this week as the first-ever Modernize the Truck Fleet Week.

Currently, the average age of heavy-duty trucks on the road is nearly 10 years old. That is a decade’s worth of technology and improvements that have effectively been sidelined.

One big reason for this is the 12 percent Federal excise tax, known as the FET, on the sale of most heavy-duty new trucks.

This tax was implemented over 100 years ago as a means of paying for World War I and is now the highest percentage tax Congress imposes on any product.

It can tack on an additional $20,000 to the price of a new truck, which most truck owners simply cannot afford.

This severely outdated tax discourages the purchase of newer, safer, more fuel-efficient, environmentally friendly trucks.

It is time to get rid of this tax. That is why I have introduced H.R. 2381, the Modern, Clean, and Safe Trucks Act, which repeals the FET.

The FET maybe made sense when it was implemented 100 years ago, but, just like the trucks that were designed in 1917, it is no longer viable in the modern world.

Mr. Speaker, I urge my colleagues to support this bipartisan bill.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly, (at 11 o’clock and 24 minutes p.m.), the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DESAULNIER) at 1 o’clock and 9 minutes a.m.
H4768

CONGRESSIONAL RECORD — HOUSE
June 18, 2019

REPORT ON RESOLUTION PROVING FOR CONSIDERATION OF H.R. 3055, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020; RELATING TO CONSIDERATION OF H.R. 2740, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JUNE 28, 2019 THROUGH JULY 8, 2019

Mr. McGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 116–119) on the resolution (H. Res. 445) providing for the consideration of the bill (H.R. 3055) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; relating to consideration of the bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes; and providing for proceedings during the period from June 28, 2019, through July 8, 2019, which was referred to the House Calendar and ordered to be printed.

HOUR OF MEETING ON TODAY

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. today for morning-hour debate and noon for legislative business.

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first quarter of 2019, pursuant to Public Law 95–384, are as follows:

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Per diem 2</td>
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<td>U.S. dollar equivalent of U.S. currency²</td>
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<td>or U.S. equivalent currency²</td>
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<tr>
<td>Hon. Robert Menendez</td>
<td>2/16</td>
<td>2/17</td>
<td>Germany</td>
<td>523.64</td>
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<td>523.64</td>
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<td></td>
<td>2/17</td>
<td>2/18</td>
<td>France</td>
<td>548.89</td>
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<td>548.89</td>
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<td>2/18</td>
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<td>Cyprus</td>
<td>1,684.21</td>
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<td>1,684.21</td>
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<td></td>
<td>2/20</td>
<td>2/21</td>
<td>Austria</td>
<td>523.64</td>
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<td>523.64</td>
</tr>
<tr>
<td>Hon. Sheila Jackson Lee</td>
<td>2/17</td>
<td>2/18</td>
<td>Germany</td>
<td>523.64</td>
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<td>523.64</td>
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<td></td>
<td>2/18</td>
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<td>France</td>
<td>792.00</td>
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<td>2/19</td>
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<td>Austria</td>
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<td>Hon. Gwen Moore</td>
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<td>Austria</td>
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<td>Hon. Steve Cohen</td>
<td>2/16</td>
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<td>Germany</td>
<td>523.64</td>
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<td>Austria</td>
<td>1,684.21</td>
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<td>1,684.21</td>
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<tr>
<td>Hon. Richard Hudson</td>
<td>2/19</td>
<td>2/20</td>
<td>Austria</td>
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<tr>
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<td>Austria</td>
<td>13,115.63</td>
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<tr>
<td>Mincha Thompson</td>
<td>3/18</td>
<td>3/19</td>
<td>Belgium</td>
<td>2,169.00</td>
<td></td>
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<td></td>
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<td></td>
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<td>13,996.93</td>
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<tr>
<td>Elka Schlager</td>
<td>3/18</td>
<td>3/19</td>
<td>Belgium</td>
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<td>3/19</td>
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<td>Belgium</td>
<td>13,996.93</td>
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<td>13,996.93</td>
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<tr>
<td>Paul Massaro</td>
<td>3/16</td>
<td>3/17</td>
<td>France</td>
<td>2,926.00</td>
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<tr>
<td></td>
<td>3/18</td>
<td>3/19</td>
<td>France</td>
<td>11,773.43</td>
<td></td>
<td></td>
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<tr>
<td>Committee total</td>
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<td>67,597.68</td>
<td></td>
<td>90,618.22</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 3253, Empowering Beneficiaries, Ensuring Access, and Strengthening Accountability Act of 2019, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 3253

<table>
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</tr>
</thead>
<tbody>
<tr>
<td>NET INCREASE OR DECREASE (1) — IN THE DEFICIT</td>
<td>202</td>
<td>23</td>
<td>37</td>
<td>278</td>
<td>398</td>
<td>145</td>
<td>16</td>
<td>215</td>
<td>348</td>
<td>410</td>
<td>792</td>
<td>0</td>
</tr>
</tbody>
</table>

Components may not sum to totals because of rounding.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

1325. A letter from the Director, Issuances Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department’s final rule — Eligibility of Honduras To Export Poultry Products to the United States (Docket No.: FSIS-2017-0026) (RIN: 0583-AD58) received June 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

1326. A letter from the Deputy Secretary, National Institute of Food and Agriculture,
By Mr. DANNY K. DAVIS of Illinois:
H.R. 3296. A bill to increase entitlement funding for child care; to the Committee on Ways and Means.

By Ms. JUDY CHU of California (for herself and Mr. LEVIN of Michigan):
H.R. 3299. A bill to permit legally married same-sex couples to amend their status for income tax purposes; to the Committee on Ways and Means.

By Mr. MENG of Texas (for himself, Miss GONZALEZ-COLON of Puerto Rico, Mr. BEYER, Ms. DÍAZ-BALART, Mrs. WATERSON COLEMAN, Mr. SOTO, Ms. LEE of California, Mr. HIGGINS of New York, Mr. SABLAN, Mr. SAN NICOLAS, and Mr. DANNY K. DAVIS of Illinois):
H.R. 3307. A bill to amend the Internal Revenue Code of 1986 to provide for payments to possessons of the United States related to the application of the earned income tax credit in such possessions; to the Committee on Ways and Means.

By Ms. BONAMICI (for herself, Mr. ANDREWS, and Ms. STEFANIK):
H.R. 3308. A bill to amend the American Innovation and Competitiveness Act and the National Science Foundation Act of 2002 to incorporate art and design into certain STEM education programs; to the Committee on Science, Space, and Technology, and in addition to the Committee on Education and the Workforce; to the Committee on Armed Services.

By Mr. BROWN of Maryland:
H.R. 3309. A bill to direct the Secretary of Defense to report on vulnerabilities from sea level rise to certain military installations located outside the continental United States; to the Committee on Armed Services.

By Ms. JACKSON LEE:
H.R. 3310. A bill to direct the Secretary of Homeland Security to conduct a study on how to improve training and support for emergency response in areas with high concentrations of covered chemical facilities in how to respond to a terrorist attack on a chemical facility; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DEGETTE (for herself, Mrs. BROOKS of Indiana, Mr. MCADAMS, and Mr. LAMBORN):
H.R. 3311. A bill to establish the Commission on the State of U.S. Olympics and Paralympics; to the Committee on Judiciary.

By Mr. COHEN (for himself, Mr. CLINE, Mr. BURCHETT, and Ms. DRANE):
H.R. 3304. A bill to exempt for an additional 4-year period, from the application of the provisions of subchapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days; to the Committee on the Judiciary.

By Mrs. LURIA (for herself, Mr. SCOTT of Virginia, Mr. MCEACHIN, Ms. SPANBERGER, Ms. WIXTON, Mr. RIGOLEMAN, Mr. GRIFFITH, Mr. CONNOLLY, Mr. BEYER, Mr. WITTMAN, and Mr. CLINE):
H.R. 3305. A bill to designate the facility of the United States Postal Service located at 2509 George Mason Drive in Virginia Beach, Virginia, as the “Ryan Keith Cox Post Office Building”; to the Committee on Oversight and Reform.

By Mrs. LURIA (for herself, Mr. RIGOLEMAN, Mr. LAMBI, and Mr. WITTMAN):
H.R. 3306. A bill to direct the Secretary of Energy to establish advanced nuclear goals, provide for a versatile, reactor-based fast reactor concept, and for other purposes; to the Committee on Energy and Commerce, Oversight and Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOsar (for himself, Mr. BELL, Mr. KELMER, Mr. CORRIGAN, Mr. GELIALVA, Mr. BROSS, Mr. SCHWEIKERT, Mr. GALLEGO, Mrs. LEESO, and Mr. STANTON):
H.R. 3312. A bill to amend the facility of the United States Postal Service located at 1750 McCulloch Boulevard North in Lake Havasu City, Arizona, as the “Lake Havasu City Post Office and Meacham Building”; to the Committee on Oversight and Reform.

By Ms. HAALAND (for herself, Mr. LEW of California, Ms. NOR顿, Mr. RASKIN, Mr. POCAH, Mr. LARSON of Connecticut, Mr. HORSFORD, and Ms. BROWN of Washington):
H.R. 3315. A bill to establish universal child care and early learning programs; to the Committee on Education and Labor.

By Mr. HIGGINS of New York (for himself and Mr. KELLY of Pennsylvania):
H.R. 3316. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for neighborhood revitalization, and for other purposes; to the Committee on Ways and Means.

By Mr. HILL of Arkansas:
H.R. 3317. A bill to permit the Scipio A. Jones Post Office in Little Rock, Arkansas, to accept and display a portrait of Scipio A. Jones, and for other purposes; to the Committee on Oversight and Reform.

By Mr. JOYCE of Pennsylvania (for himself and Mr. ROGERS of Alabama):
H.R. 3318. A bill to require the Transportation Security Administration to establish a task force to conduct an analysis of emerging and potential future threats to transportation security, and for other purposes; to the Committee on Homeland Security.

By Mr. KELLY of Mississippi:
H.R. 3319. A bill to streamline the application process for H-2A employers, and for other purposes; to the Committee on the Judiciary.

By Mr. KING of New York (for himself, Mr. THOMPSON of Mississippi, Miss RICE of New York, Mr. CORREA, Mr. ROGERS of Alabama, Mr. ROSE of New York, and Mr. PAYNE):
H.R. 3320. A bill to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to implement certain requirements (pertaining to supply chain risk, and for other purposes; to the Committee on Homeland Security.

By Mr. LANGEVIN (for himself, Ms. BONAMICI, and Ms. STEFANIK):
H.R. 3321. A bill to amend the STEM Education Act of 2015 to require the National Science Foundation to promote the integration of art and design in STEM education, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. LOBESKI:
H.R. 3322. A bill to provide for grants for energy efficiency improvements and renewable energy improvements at public school buildings; to the Committee on Education and Labor.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. CLYburn):
H.R. 3323. A bill to amend the Internal Revenue Code of 1986 to repeal certain rules related to the determination of unrelated business taxable income, reimbursement for costs of using passenger automobiles for charitable organizations are excluded from gross income, to make the employer credit for paid family and medical leave available to tax-exempt eligible employers, for other purposes; to the Committee on Ways and Means.

By Mr. MAST (for himself and Mr. POSEY):
H.R. 3324. A bill to modify the project for Central and Southern Platte to include public health considerations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCEACHIN (for himself, Mr. OLSON, Mr. KIM, Mrs. BROOKS of Indiana, Mr. BRINDSEI, and Mr. KUSTOFF of Tennessee):
H.R. 3325. A bill to require the Federal Communications Commission to provide evidence of certain robo-call violations to the
H.R. 3327. A bill to amend title XI of the Social Security Act to require that direct-to-consumer television advertisements for prescription drugs and biological products include the list price of such drugs and products, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROONEY of Florida:

H.R. 3328. A bill to limit the fees charged and collected from applicants for naturalization, and for other purposes; to the Committee on Naturalization, and for other purposes; to the Committee on Oversight and Reform.

By Mrs. TORRES of California (for herself, Mr. ESPAILLAT, Ms. O’MARA of California, Mr. CARBAJAL, and Mr. CA´ RDENAS):

H.R. 3331. A bill to restrict security assistance to Lebanon, and for other purposes; to the Committee on Foreign Affairs.

By Ms. PELOSI:

H. Res. 446. A resolution reaffirming German-American friendship and cooperation under the Wunderbar Together-Germany and American friendship and cooperation Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. KEATING (for himself and Mr. CARBAJAL):

H.R. 3329. A bill to limit the fees charged and collected from applicants for naturalization, and for other purposes; to the Committee on Immigration, and to provide for the rule submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3330. Congress has the power to enact this legislation pursuant to the following:

H.R. 3300. Congress has the power to enact this legislation pursuant to the following:

By Ms. JUDY CHU of California:

H.R. 3332. Congress has the power to enact this legislation pursuant to the following:

By Mr. THOMPSON of California:

H.R. 3301. Congress has the power to enact this legislation pursuant to the following:

By Ms. PINKENAUER:

H.R. 3309. Congress has the power to enact this legislation pursuant to the following:

By Ms. DeGETTE:

H.R. 3304. Congress has the power to enact this legislation pursuant to the following:

By Mr. COHEN:

H.R. 3305. Congress has the power to enact this legislation pursuant to the following:

By Ms. LURIA:

H.R. 3306. Congress has the power to enact this legislation pursuant to the following:

By Mr. LURIA:

H.R. 3302. Congress has the power to enact this legislation pursuant to the following:

By Mr. SPACER:

H.R. 3303. Congress has the power to enact this legislation pursuant to the following:

By Ms. BONAMICI:

H.R. 3308. Congress has the power to enact this legislation pursuant to the following:

By Mr. BROWN of Maryland:

H.R. 3309. Congress has the power to enact this legislation pursuant to the following:

By Mr. JACKSON LEE:

H.R. 3310. Congress has the power to enact this legislation pursuant to the following:

By Mr. CLINE:

H.R. 3311. Congress has the power to enact this legislation pursuant to the following:

By Ms. FOXX of North Carolina:

H.R. 3313. Congress has the power to enact this legislation pursuant to the following:

By Mr. ESPAILLAT:

H.R. 3312. Congress has the power to enact this legislation pursuant to the following:

By Mr. PASCRELL:

H.R. 3314. Congress has the power to enact this legislation pursuant to the following:

By Mr. GOSAR:

H.R. 3318. Congress has the power to enact this legislation pursuant to the following:

By Mr. BROWN of Maryland:

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By Mr. GOSAR:

H.R. 3318. Congress has the power to enact this legislation pursuant to the following:

By Mr. BROWN of Maryland:
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H.R. 647: Mr. O’HALLORAN, Mr. JOHNSON of Georgia, Ms. FRANKEL, Mr. BOST, Ms. FINKENAUER, Ms. ADAMS, Mr. HURD of Texas, and Mr. MALINOWSKI.

H.R. 648: Mr. PHILLIPS, Mr. CORREA, and Ms. HILL of California.

H.R. 655: Ms. NORTON.

H.R. 663: Mrs. TRAHAAN.

H.R. 683: Mr. GARPTZ.

H.R. 720: Mr. RUPPERSBERGER.

H.R. 724: Mr. TAKANO.

H.R. 726: Ms. FINKENAUER and Mr. CLEAVES.

H.R. 728: Ms. DiGETTE and Ms. DAVIDS of Kansas.

H.R. 737: Mr. LEVIN of Michigan, Ms. UNDERWOOD, and Mr. SIMPSON.

H.R. 748: Mr. ROUZER.

H.R. 749: Mr. JOYCE of Pennsylvania.

H.R. 751: Mr. RIGOLEMAN.

H.R. 763: Mr. NUKEU and Mr. DANNY K.

DAVIS of Illinois.

H.R. 770: Mr. CASTEN of Illinois.

H.R. 776: Mr. RUPPERSBERGER and Mrs. AXNE.

H.R. 808: Mr. MALINOWSKI.

H.R. 865: Ms. LURIA.

H.R. 889: Mr. SCHNEIDER.

H.R. 913: Mr. GONZALEZ of Texas.

H.R. 945: Mr. ROUDA, Mrs. BRATTY, and Mr. HARDER of California.

H.R. 946: Mr. DIAN.

H.R. 948: Mr. MEADOWS.

H.R. 955: Mr. PAPPAS.

H.R. 1001: Mr. DOGGETT.

H.R. 1005: Ms. SCHAKOWSKY.

H.R. 1005: Mr. DOGGETT.

H.R. 1011: Mr. AGUILAR.

H.R. 1018: Mrs. CAROLYN B. MALONEY of New York.

H.R. 1042: Mr. ROUDA and Mr. RASKIN.

H.R. 1043: Mr. LANGVIN, Mr. ARMSTRONG, and Mr. MAST.

H.R. 1044: Mr. FLORES.

H.R. 1049: Mr. MORELLE.

H.R. 1058: Mr. GHEEN of Texas and Mr. COLLINS of New York.

H.R. 1073: Mr. KENNEDY.

H.R. 1083: Ms. TLAIB and Mr. LAWSON of Florida.

H.R. 1109: Ms. SCANLON, Mr. ROUDA, and Mr. FITZPATRICK.

H.R. 1133: Ms. TLAIB, Mr. SUOZZI, and Mr. QUGLEY.

H.R. 1135: Mrs. DINGELL.

H.R. 1140: Mr. BROWN of Maryland, Mr. RASKIN, and Mr. WELCH.

H.R. 1146: Miss RICE of New York.

H.R. 1154: Mr. PAYNE and Ms. SHERRILL.

H.R. 1171: Mr. HOLLINGSWORTH.

H.R. 1174: Ms. WEXTON.

H.R. 1175: Mr. GAETZ and Mr. PALLONE.

H.R. 1230: Ms. SOTO.

H.R. 1225: Mr. JEFFRIES, Ms. FINKENAUER, Mr. COLLINS of Georgia, Mr. GOSAR, Mr. CASTRO of Texas, Mr. SOTO, Mr. HUNTER, Mr. WEBER of Texas, Mr. BRADY, Mr. COURTNEY, and Mr. BUCHANAN.

H.R. 1255: Mr. TORRES SMALL of New Mexico.

H.R. 1256: Ms. TORRES SMALL of New Mexico and Ms. WEXTON.

H.R. 1266: Mr. CARE.

H.R. 1294: Mr. THOMPSON of Mississippi.

H.R. 1309: Mr. KILMER and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1326: Ms. LOPHREN.

H.R. 1327: Mr. VOSICKY and Mr. WALKER.

H.R. 1364: Mr. LOWENTHAL, Mr. YARMUTH, and Mr. CLAY.

H.R. 1373: Mr. TED LIEU of California and Mr. CRESNOS.

H.R. 1377: Ms. FRANKEL and Ms. ESCOBAR.

H.R. 1379: Mr. PALAZZO, Mr. SHAN PATRICK MALONEY of New York, Ms. FUDGE, and Mr. CONWORTH of Indiana.

H.R. 1380: Mr. ROUDA.

H.R. 1395: Ms. WILD.
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H. R. 3137: Mr. Van Drew, Mr. Thompson of California, Mr. Himes, Mr. Noguez, and Mr. Serrano.
H. R. 3149: Mr. Green of Tennessee.
H. R. 3153: Mr. Cartwright, Mr. McGovern, Mr. Weber of Texas, Mr. Rouda, Ms. Stevens, Mr. Gonzalez of Ohio, and Miss Gonzalez-Colón of Puerto Rico.
H. R. 3183: Mr. Fortenberry, Mr. Stauber, Mr. Abraham, Mr. Kind, Mr. Pocan, Mr. Long, Mr. Smith of Nebraska, and Ms. Underwood.
H. R. 3190: Ms. Omar, Mr. Fitzpatrick, Mr. Wilson of South Carolina, Mr. McGovern, Mr. Raskin, and Ms. Pingree.
H. R. 3192: Mrs. Napolitano, Mr. Cohen, Mr. Cardenas, Mr. Rouda, and Mr. Ryan.
H. R. 3193: Mr. Horsford, Mrs. Dingell, Mr. Cunningham, Ms. Kuster of New Hampshire, Mr. Cohen, Ms. Shalala, Mr. Garamendi, Mr. Espaillat, Mr. Kilmer, Mr. McGovern, Ms. Garibay, Ms. Velázquez, Mr. Welch, Mr. O'Halleran, Mrs. Kirkpatrick, Ms. Schakowsky, Mr. Khanna, Mr. Tonko, Mr. Levin of California, Mr. Takano, Mr. Brown of Maryland, Ms. Jayapal, Ms. Barragan, Mrs. Carol B. Maloney of New York, Ms. Napolitano, Mr. Thompson of Mississippi, Mr. Aguilar, Ms. Norton, Mr. Clay, Mr. Suozzi, Mr. Panetta, Mr. Soto, Mr. Rouda, Mr. Krishnamoorthi, Mr. McEachin, Ms. Bonamici, Mr. Pappas, Ms. Eshoo, Mr. Langevin, Mr. Merk, Mr. Castor of Florida, Ms. DeGette, Mr. Rush, Mr. Rose of New York, Ms. Escobar, Mr. Levin of Michigan, Mr. Foster, Mr. Morelle, Mr. Courtney, and Mr. Blumenauer.
H. R. 3234: Mr. Raskin and Mr. McGovern.
H. R. 3237: Ms. Cheney.
H. R. 3248: Mr. Lipinski.
H. R. 3252: Mr. Fitzpatrick, Ms. Houlahan, Mr. Sires, and Mr. Espaillat.
H. R. 3254: Mr. Hastings.
H. R. 3256: Mr. Johnson of Georgia.
H. R. 3273: Mr. Rouzer of Alabama.
H. R. 3274: Mr. Kelly of Mississippi.
H. R. 3280: Mr. McGovern.
H. R. 3284: Mr. Schiff.
H. R. 3294: Mr. McGovern and Mr. O'Halleran.
H. R. 3298: Mr. Bacon.
H. R. 3297: Mr. Lawson of Florida.
H. J. Res. 2: Mr. Larson of Connecticut.
H. J. Res. 28: Mr. Brooks of Alabama and Mr. Fulcher.
H. J. Res. 32: Mrs. Rodgers of Washington.
H. J. Res. 48: Mr. Cicilline.
H. J. Res. 59: Mr. Posey, Ms. Jackson Lee, and Mr. Tonko.
H. J. Res. 62: Mr. McGovern.
H. Con. Res. 20: Mr. Bucshon and Mr. Johnson of South Dakota.
H. Con. Res. 48: Ms. Adams, Ms. Fudge, Ms. Johnson of Texas, Ms. Kelly of Illinois, Ms. Rush, Mr. Clay, Mrs. Hayes, Mr. Butterfield, Ms. Plaskett, Mr. Richmond, Mr. Thompson of Mississippi, Mr. Clyburn, Mr. Scott of Virginia, Ms. Jackson Lee, Mr. Johnson of Georgia, Mrs. Beatty, and Ms. Wilson of Florida.
H. Res. 33: Ms. Sherrill.
H. Res. 49: Mr. Cisneros.
H. Res. 60: Ms. Castor of Florida.
H. Res. 189: Mr. Cooper and Mr. Raskin.
H. Res. 230: Mr. Riggleman.
H. Res. 265: Mr. Waltz.
H. Res. 255: Mr. Waltz.
H. Res. 33: Ms. Sherrill.
H. Res. 371: Mr. McEachin.
H. Res. 374: Mr. Gianforte, Mr. Tipton, Mr. Espaillat, Mr. Loudermilk, Mr. música, Mr. Johnson of Georgia, Ms. Kaptur, Ms. Lee of California, Ms. McCollum, Mr. McGovern, Mr. McNerney, Ms. Norton, Mr. Fallone, Mr. Phillips, Mr. Pocan, Ms. Pressley, Mr. Raskin, Ms. Schakowsky, Mr. Sherman, Mr. Sherrill, Mr. Smith of Washington, Mr. Stivers, Mr. Cohen, and Mr. Rush.

PETITIONS, ETC.
Under clause 3 of rule XII.
31. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to enact legislation that would prohibit any employer — including the Federal government, a State government, or a local unit of government — from inquiring about previous salaries from prior employers, or about present salary from a present employer, paid to someone who is currently applying for employment elsewhere; which was referred to the Committee on Education and Labor.
The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:
Let us pray.

Eternal God, our help in ages past and hope for years to come, we honor Your Name. Bless our lawmakers with Your peace, freeing them from anxieties and fears as You give them wisdom to be strong and courageous. As they trust in the unfolding of Your powerful providence, direct their steps.

Lord, fill their darkness with light, their sorrow with joy, their mistakes with forgiveness, and their doubts with certainty. Hasten the day when justice will roll down like waters and right-eousness like a mighty stream.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Under the previous order, the leadership time is reserved.

The PRESIDING OFFICER. The Senator from Iowa.

PROTECTING OLDER WORKERS AGAINST DISCRIMINATION ACT

Mr. GRASSLEY. Madam President, today is the 10th anniversary of the Supreme Court decision in Gross v. FBL Financial Services.

The Court ruled that employees who face age discrimination have to meet a higher standard of proof than workers who face discrimination based on any other factor. This case involving Iowan Jack Gross affected employment discrimination litigation across the entire country, and sent the message to employers that age discrimination is OK.

I hope the Senate acts on the Protecting Older Workers Against Discrimination Act to correct this injustice and restore fairness to our Nation's senior workforce. I happen to be the sponsor of that legislation.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

IRAN

Mr. McCONNELL, Madam President, for years American administrations of both parties have properly labeled Iran as the world’s most active state sponsor of terrorism. This assessment is based on the cold hard facts of Tehran’s behavior.

Iran’s support for terrorism knows few bounds, sectarian or geographic. Iran has provided support to Sunni, Shia, and secular terrorists. It has conducted or sponsored attacks around the world, including a plot right here in Washington, during the Obama administration, to blow up a local restaurant and kill the Saudi Ambassador to the United States.

We know that Tehran is responsible for the deaths of hundreds of American servicemembers in Iraq and Afghanistan—Americans murdered by Iran’s proxies. So while it should be shocking that Iran is now conducting more attacks against civilian shipping vessels in international waters, unfortunately, it really isn’t all that shocking. This is the kind of behavior we have witnessed over the years.

Until recently, the United States spent years failing to hold Iran sufficiently accountable for its terrorism, proxies, and “gray zone” tactics. Tehran was emboldened to tread all over international law.

Now things are different, and Iran’s corrupt, moribund economy is feeling the pressure of U.S. sanctions. So it is not surprising that the mullahs now resort to their favorite tool—violence.

The President has said he does not seek conflict with Iran, and neither does the Senate. Nevertheless, the risks of a conflict are real. But make no mistake. They are being driven by Tehran’s decision to resort to violence, and that includes what the Secretary of State has described as a “blatant assault” on international shipping, threatening the freedom of navigation in international waters.

Tehran must not be rewarded for terror and intimidation. The United States and our partners need to stand firm and apply concerted, coordinated diplomatic and economic pressure until Tehran changes its behavior.

Acting Secretary Shanahan, at the request of his military commanders, has ordered additional forces to the Middle East for purposes of defense and deterrence. As he made clear when announcing this deployment, the United States does not seek conflict with Iran.

I support these prudent efforts to respond to Iranian intimidation. Defensive military deployments will help us to protect American interests in the region and deter Iranian aggression. I encourage the administration to continue working closely with our partners across the globe to encourage Iran’s leaders to cease their aggression.

I hope Iran’s leaders will listen to the demands of their people, who continue to protest against the stifling authoritarianism of the Islamic Republic for a better, more prosperous, more peaceful life.

I also appreciate the administration’s efforts to keep Congress apprised of the latest intelligence, deployments, and

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*This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.*
diplomatic efforts. I understand committee staff received a classified briefing just yesterday. I look forward to hearing from the State Department’s top career diplomat at the Republican lunch today. I hope my colleagues across the aisle rethink their decision to turn their back on briefing them. I understand the administration will be sending up interagency teams this week to brief the oversight committees in a classified setting, as well.

For our part, the Senate will consider several measures in the coming days that will directly impact our presence and influence in this troubled region, including arms sales to key regional partners, as well as the NDAA. I urge every one of my colleagues to keep these deadly serious developments at the top of our minds as we attend to our business in the days ahead.

HONG KONG

Mr. MCCONNELL. Madam President, last week I spoke about the people’s uprising in Hong Kong. Over the past several days, millions of residents have taken to the streets to defend their autonomy and the rule of law from continued encroachment of the communist government of mainland China.

After days of tension, this past weekend brought some good news. In a sign that the people’s demonstrations had sent a clear message, Hong Kong officials now said that the government will suspend consideration of the proposed “extradition” bill indefinitely.

The fate of Hong Kong and its special status is a subject I have watched carefully for decades. Early on in my Senate tenure, I introduced the legislation that still governs our relationship with Hong Kong, the U.S.-Hong Kong Policy Act of 1992, which President Bush Jr. signed into law the day I introduced that legislation. I said it was heartening to see that “democracy is finally gaining a tenuous foot hold in Hong Kong.”

Well, the nearly 30 years since then have shown us all just what the people of Hong Kong can do when the terms of their social and freedom are respected. We have seen Hong Kong thrive, in large measure due to the political and economic freedoms and stable rule of law that Hong Kong’s special status has enabled, but we have also seen clearly in recent days that freedom’s foothold in the shadow of mainland China is not a given. It remains tenuous even now.

I wanted to again express my admiration for the people of Hong Kong and their strong but peaceful response to this proposed encroachment. I am glad to see their leaders respect their will, increase to stand their ground, and I hope the city’s authorities will continue to respect the clear will of the people on these issues moving forward.

JOHN S. MCCAIN NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. Madam President, on a related subject, all of these events I have discussed, from Iran’s misbehavior to China’s aggressiveness, underscore one thing very clearly: The United States needs America remain engaged, prepared, and powerful.

We need to leave zero doubt among our friends and allies, our most violent foes, and everybody in between that while the United States does not seek conflict, we are prepared to decisively defeat our adversaries if conflict is forced upon us. That is called deterrence.

The growing global unrest should be a lesson to us as the Senate gets ready to turn to the National Defense Authorization Act later this week. I know my colleagues on both sides share my hope that this year’s NDAA can build on the successes of the last 2 years.

Our first obligation to the American people is to ensure for their defense. It is essential that we continue rebuilding our military by authorizing sufficient support to modernize and sustain the advantages that America’s all-voluntary Armed Forces have over our adversaries.

Working with the Trump administration in recent years, we have been able to end a chapter of harmful spending cuts that left military leaders less able to address emerging challenges. As a result, last year’s legislation—named for our dear colleague, the late John McCain—authorized the largest year-on-year increase in defense spending in 15 years.

The bill introduced last week is a step further toward implementing our important new national defense strategy, toward renewing the readiness and lethality of our forces, and toward making sure that we never ask brave American men and women to step into harm’s way without all possible tools and training to help them succeed. This crucial legislation has a chance to be a significant success story of this Congress. It is already off to an encouraging start, having been voted out of the Armed Services Committee by an overwhelming bipartisan margin.

And it is easy to see why. As great-power competitors like Russia and China continue to challenge U.S. interests, this NDAA will help to maintain and expand our alliances and partnerships, along with our ability to stand firm.

The bill puts readiness front and center. In recent decades, our most formidable competitors have taken every opportunity to deploy new technological threats. Keeping American and allied servicemembers out of harm’s way means keeping up with these developments and outpacing them.

The bill takes steps to expand oversight and increase efficiency at the Pentagon. It honors the tremendous sacrifices made by servicemembers and their families by securing the largest pay raise in a decade, along with several other important reforms.

TAXPAYER FIRST ACT

Mr. MCCONNELL. Madam President, on one final matter, I want to celebrate another legislative accomplishment the Senate notched last week.

On Thursday, the Senate passed the Taxpayer First Act and sent it to President Trump’s desk to become law. This legislation is the most thorough package of reforms to the Internal Revenue Service in 20 years.

Let me say that again. The Senate just passed the most significant reforms to the IRS in two decades. It will create a new, independent process for appeals to ensure taxpayers receive fair treatment. During dispute resolutions, taxpayers will now get access to the same information the IRS has.

There will be more accountability within the IRS when it comes to cyber security, careful management of technology, and overall efficiency. There will be a new streamlined system for addressing identity theft. There will be better procedures for advance notification in the event of an audit or an assessment, and there will be new steps to make it easier to file your taxes and supporting documents online.

So this is a significant accomplishment. These reforms will make one of the least appealing annual tasks for hard-working Americans a little bit less painful.

A year and a half ago, the Republican Members of this body joined with House Republicans and President Trump to deliver historic tax cuts and tax reform to the American people. Middle-class families, parents, small business owners, farmers, and job creators across the Nation are keeping more of what they earn and sending less to the IRS.

Now, thanks to this latest achievement, the IRS will be just a little bit easier to deal with as well.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE, Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURE

Mr. THUNE. Madam President, our economy is thriving. Republican economic policies, particularly the historic tax reform legislation that we passed, have helped to produce economic growth, higher wages, and better opportunities for workers.

Unfortunately, our Nation’s agriculture economy is trailing behind the economy as a whole. A combination of natural disasters, low commodity prices, and protracted trade disputes have left farmers and ranchers and rural businesses struggling. Although
2019 crop prices have improved, millions of acres of cropland will go unplanted and leave many farmers with no crops to market this year. Farmers and ranchers have a tough job. Feeding our Nation and the world is tough, backbreaking work. Farmers and ranchers put their livelihood on the line every day.

It is also too late to maximize the use of cover crops for pasture since the ground can freeze before cover crops are fully grazed. Due to last year’s severe and lengthy winter, feed supplies have disappeared and have left no reserves. Corn stalks, which are a source of grazing and bedding, will be in short supply this year, which will result in severe feed shortages and a need for additional feed. I have been pressing the Department of Agriculture to move this date up for farmers in the Northern States. Cover crops are a win-win situation and can reduce feed shortages for many livestock producers. The crop insurance and payment by preventing soil erosion, which can pollute streams and rivers and worsen flooding, and they benefit farmers by improving soil health, which improves future crop yields.

I recently requested a meeting with the Department of Agriculture to discuss cover crop harvest flexibility on prevent plant acres, Market Facilitation Program, and Conservation Reserve Program signups. Last Thursday, the Deputy Agriculture Secretary—the second highest ranking official at the Department of Agriculture—and the USDA Under Secretary for Farm Production and Conservation came to my office to meet with me on these issues.

One important topic of discussion was of moving up the November 1 date for haying or grazing cover crops planted on prevented plant acres. South Dakota’s farmers and ranchers are currently facing the fallout from severe winter storms, heavy rainfall, bomb cyclones, and spring flooding. Planting is behind schedule, and some farmers’ fields are so flooded that they won’t be able to plant at all this year. The situation is similar throughout the entire Midwest. As a result, many farmers are thinking about planting quick-growing cover crops on their prevent plant acres for feed and grazing. Once their fields finally dry out, in order to protect the soil from erosion.

Yet there is a problem. Right now, the Department of Agriculture doesn’t allow farmers to harvest or graze cover crops on prevent plant acres or to use them for pasture until November 1. Farmers who hay or graze before this date face a reduction in their prevent plant payments, which is crop insurance to help them cover their income losses when fields can’t be planted due to flooding or other issues. November 1 is generally a pretty reasonable date for farmers in Southern States, but in Northern States like South Dakota, November 1 is too late for harvesting thanks to the risk of snow and other late fall or winter storms.

It is too late to maximize the use of cover crops for pasture since the ground can freeze before cover crops
Arabia, the United Kingdom of Great Britain, and Northern Ireland, the Kingdom of Spain, and the Italian Republic of certain defense articles and services.

The PRESIDING OFFICER. The motion is pending and debatable for up to 1 hour.

Mr. MENENDEZ. Madam President, I have just asked for the discharge of would disapprove the administration's sale of precision-guided munitions to Saudi Arabia—weapons they have used in the killing of an untold number of innocent civilians in their ongoing campaign in Yemen.

This resolution is 1 of 22 that I have filed with a bipartisan group of Senators in response to the administration's flagrant disregard for congressional oversight over arms sales.

On May 24, the Secretary of State attempted to bypass this body in order to push through 22 separate arms sales to Saudi Arabia and the United Arab Emirates, claiming an ill-defined emergency regarding Iran.

Now, while Iran is a threat to the interests of the United States and the Middle East, I think no one in this body can continue to acquiesce to our colleagues in Congress in undermining our sanctions efforts and in other legislation that I have been the architect of in sanctioning Iran. The question before us is whether these arms sales are specifically meant to be a response to that.

These arms sales are a critical national security tool in terms of reviewing and approving them as a core function of the Senate Foreign Relations Committee. We are responsible for considering how each proposed sale fits into the broader foreign policy goals and our national security interests, including the capacity and interoperability of our partners.

The congressional review of arms sales is mandated for a reason: so the Secretary of State explicitly cannot do what he tried to do last month with the Assistant Secretary of State, Clarke Cooper, admitted as much in a hearing before the House last week.

Lastly, as a major point, which I will expound upon, this particular transfer is a transfer not only of sensitive technology but of American jobs to the Saudis. This export license will allow Saudi workers to manufacture part of the electronic guidance system for these precision-guided munitions—work that has been done and should continue to be done by American workers in the United States. I don’t think the transfer of sensitive technologies and the creation of its components is something that is in the national interest, both economically or in terms of our security.

Lastly, this is about this institution standing up for its congressional prerogatives to ensure that regardless of who the President is in the White House, arms sales are subject to review of the Congress. The day we give that up is the day we go down a dangerous path.

This is the beginning of a process. I want to say that I appreciate the willingness and efforts of my cosponsor, Senator GAMMILL, and of the majority leader, as well as their staffs, to chart an acceptable path forward on these resolutions and on the Saudi sanctions bill in the SAFE Act, which we also seek to have an opportunity on. I will have a lot more to say about these arms sales to begin this process. I wanted to outline why we find ourselves here today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I want to talk about good news for two of our major cities in Missouri. I will start with the sporting news, which would be the July 12 victory of the St. Louis Blues, when they earned their Smythe Award as the postseason MVP.

Jordan Binnington, whom I mentioned earlier, is a young, dynamic goalie who had an incredible season. He helped the Blues win the Central Division, especially in that last game. His goalie performance in the second round to defeat the Dallas Stars in a really dramatic double overtime victory in game seven. They continued their historic run, defeating the San Jose Sharks in round three, and then the Blues made it all the way to the Stanley Cup final and ended the season with a decisive 4-to-1 victory in game seven and at Boston.

I think, if you look back at the record on this, the Blues had clearly learned to win away from home, and that proved true in the Stanley Cup.

They played as one team, they played as one unit, but they had lots of people helping. Ryan O’Reilly set a franchise record with 23 points in the playoffs. He ultimately went on to win the Conn Smythe Award as the postseason MVP. Jordan Binnington, whom I mentioned before, became the first and only rookie goalie to win 16 games in the Stanley Cup playoffs. Patrick Maroon, a Missouri native, scored a heroic goal in the double overtime of game seven against the Dallas Stars.

There was another individual who was reflective of just lots of the fans whom the Blues had with them. This superfan, Laila Anderson, 11 years old, didn’t let her battle with a rare, life-threatening disease prevent her from cheering on the team she loved.

At the beginning of game three in the Stanley finals, she took to the ice before the puck dropped and fired up the team and the nearly 20,000 fans who filled the Enterprise Center.

Laila became such an important factor to the Blues’ victories that they flew this 11-year-old to Boston to make
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sure their No. 1 fan would be there to cheer them on in game seven.

Shortly after the Blues were presented with the Stanley Cup, she celebrated with the players on the ice as they passed around that iconic trophy. Her inspirational story is just another example of why this was a season right out of the storybooks. The city of St. Louis and our State will never forget the Blues’ incredible achievement this year.

I would like to congratulate Tom Stillman, the general manager; Doug Armstrong, the head coach; Craig Berube; and all the coaches, the players, the fans, and the staff who brought this incredible victory home to St. Louis.

I look forward to hearing our fans sing “Gloria” many more times next year when the team defends its title as Stanley Cup champions.

Mr. BLUMENTHAL. Madam President, as the St. Louisans were celebrating the Stanley Cup, people on the other side of our State in Kansas City received some great news—this time great news from the Federal Government, when the U.S. Secretary of Agriculture, Sonny Perdue, announced on Thursday that two Federal ag research agencies would be moving their headquarters to the Kansas City region from Washington, DC.

The Economic Research Service and the National Institute of Food and Agriculture together will bring more than 500 jobs to the Kansas City area. It is fantastic news for our State, for our region, I think also for the workers at those two agencies and their families.

The point of the move is to get these important government offices closer to the customers they serve and to save the taxpayers money. Kansas City will be a great place to do both of those things.

Missouri is already home to more than 5,000 U.S. Department of Agriculture employees and contractors working for a dozen different Department offices in the Department of Agriculture, but bringing these two agancy headquarters to the State will put them right in the middle of some of the most exciting and cutting-edge innovation happening in the ag industry.

Talk about being closer to your customers, the farmers of America, and closer to where the decisions are made. I think this move and Secretary Perdue’s decision is clearly going to show that is the case.

Kansas City is close to at least a dozen land-grant universities in our State. Two of those would be the University of Missouri in Columbia and Lincoln University in Jefferson City. These institutions, along with the other land-grant institutions in the region, are preparing for the next generation of ag leaders to meet maybe the greatest challenge of all time as world food demand moves toward doubling between now and 2050 and world food need doubles between now and 2060. A lot more food is going to have to be grown on the same land with fewer inputs, to meet our environmental concerns, our climate concerns, our other concerns, but still feed the world in a way that we are uniquely positioned to be a lead partner in that partnership of feeding the world.

The move the USDA has made will give them the opportunity to strengthen partnerships they already have and have even greater impact as they work to improve crop yields and develop risk management strategies.

Our State is also a big part of the Kansas City Animal Health Corridor, which extends from Manhattan, KS, to Columbia, MO. That corridor is home to more than 300 animal health companies. It is the largest concentration in the world of that business and includes five of the world’s largest animal health companies.

Relocating these agencies will save taxpayers a lot of money. Secretary Perdue said almost $30 million will be saved over the next 15 years and all the moving costs will be earned back within 12 months of the move. It is hard to imagine an investment you make where you have 100 percent payback in the first year, but that is going to happen with this one.

That frees up more resources to go toward grants and research instead of being paid to the Department’s landlords.

(Mr. SCOTT of Florida assumed the Chair.)

I think it will also be a huge upgrade for the lives of people who will be Federal employees living outside of Washington and in the middle of the country. Last month, the average house in Washington cost more than $600,000. In Kansas City, the average price was about a quarter of that. Now, you can find the $600,000 house in Kansas City, but it is not the average house being sold like it is in our State. Banks and mortgage companies are standing ready to help those Federal families as they move to Kansas City.

Also—now that we have gone from Madam President to Mr. President, as the Senator from Florida has taken the seat and is in charge of the Senate here for a while—you are making that decision with the current employees in mind, but I think you are also making that decision, more importantly, with future employees. Where will be the best place to recruit? Where will be the best place to encourage people to do graduate work and other things that allow them to do their jobs better? I think there were other choices, but I certainly think the choice of Kansas City was a good one.

There is a thriving economy right now, with lots of job opportunities. Like the rest of the country, there are more jobs available than people looking for work. Missouri added 8,200 jobs last year, and we continue to see that growth.

Our new neighbors will also find that Kansas City is home to limitless cultural, educational, and recreational opportunities—very appropriate to mention with my native Missouri and now the Senator from Florida here in the Chair. We have major league sports teams, like the Royals, the Chiefs, and Sporting Kansas City. We have a thriving performing and cultural community, at the Nelson-Atkins Museum of Art, the Negro Leagues Baseball Museum, Science City at Union Station, and that names just a few.

The motto of USDA is “Do Right and Feed Everyone.” By the way, we were doing research at the Federal level before there was a USDA. In the 1860s, ag research was going on right here in Washington sponsored by the Federal Government. In 1862, when the USDA was formed, one of the principle reasons was research. These two facilities will be an important part of that. When the people at ERS and NIFA join the many USDA colleagues they already have in our State, we think they will find their mission easier and more rewarding than ever.

It is a great time to look forward toward the future of agriculture. Certainly Missouri and Kansas City and that entire corridor that runs around Kansas City, MO, are excited to be a bigger part of that. Congratulations to those employees, and congratulations to the decision Secretary Perdue has made to relocate those two Washington-based organizations to a place where they are going to be closer to the work they do.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. BLACKBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BLACKBURN. I ask that I be permitted to speak for up to 7 minutes and 30 seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT

Mrs. BLACKBURN. Mr. President, as we move toward debate over the National Defense Authorization Act for Fiscal Year 2020, I wanted to remind my colleagues that while we stand prepared to negotiate its various provisions, our military men and women stand at the ready every single day. It is a 24/7 business for them for a much more serious task, and that is the defense of this great Nation.

As we consider this year’s NDAA, we must keep in mind the understanding that our Nation is faced with new, sophisticated threats to our way of life and to the world order.

Two emerging warfighting domains—cyber and space—capturing much of the attention of this body and our allies and, I will also add, capturing the attention of our enemies, of those who do not wish us well.
It is these two domains—cyber and space—that pose increased threats to our national infrastructure and our way of engaging with both those allies and our adversaries. Debating defense spending means thinking beyond helicopters and submarines or equipment and devoting this authorization in the larger context of multi and unseen domain warfare. That is why my colleagues and I on the Senate Armed Services Committee have come to the table with a bill that shores up funding to ensure we are devoting new funding to address these emerging threats.

First and foremost, this bill authorizes a 3.1-percent pay increase for the Members of our Armed Forces. That is so vitally important for the men and women who serve at Fort Campbell, which is located right there on the Tennessee and Kentucky border. That is a post where I have spent much of my legislative career involved with those men and women who are the backbone of our command team.

This is a justified and well-earned raise that recognizes their commitment to defending against unfamiliar threats that rise above and beyond the everyday servicemember’s scope of duty.

We have found ourselves once more in the midst of great power competition. America will always have rivals on the world stage. Over the past decade, we have seen countries like China and Russia pursuing increasingly sophisticated and lethal weapon systems.

We have no choice but to recognize this emerging reality and give our military men and women the tools they need to combat developing threats and preserve U.S. preeminence across all warfare domains.

With this funding, we will prioritize more sophisticated cyber security and space-based strategies, artificial intelligence, and emerging technologies. We will take steps to protect the integrity of our supply chain so we can be confident the microelectronics we depend on have not been corrupted by foreign spylware.

A good defense is only as strong as its weakest link, and this bill will allow us to shore up our relationship with the defense industrial base and ensure that contractors are not under the undue influence of foreign actors. This is all in addition to readiness projects.

Our mark includes full funding for the National Nuclear Security Administration, which is critical to our nuclear modernization program.

I think it is worth noting that our friends in the House cut over $70 million from infrastructure and facility operations, which goes toward rebuilding crumbling buildings at the NNSA plants and labs. That is funding that should be restored. Modern and responsive infrastructure is an essential part of credible deterrence, which is a critical concern in great power competition. Funding for these projects must not end up as a casualty of budget negotiations.

Now, it is true that this is a massive authorization and that much of the funding we authorize will not manifest itself in visible hardware, but I encourage every Member of this body, do not let this deter you from seeing the big picture. National defense is no longer limited to the tools and infrastructure we can see. It includes an enormous covering that is needed by our Nation and our allies in this virtual space.

We must focus our defense budget on future threats, not those of the past, in order to not repeat the mistakes of the past. I believe that this year’s NDAA accomplishes just that.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

NOMINATION OF MATTHEW J. KACSMARYK

Mr. DURBIN. Mr. President, if you study the recent course of American history, you can note there has been a domino effect on policy debates and debates on freedom many times during the last 50 years.

I think back to my time, my early years of education in high school and college, when America was in the midst of the Black and African American civil rights revolution. Americans—the civil rights movements in the 1960s. We have also had debates as well on the question of liberty and freedom—freedom from discrimination for people who are disabled. It really is the hallmark of this democracy that we continue to expand opportunity and continue to question our own beliefs when it comes to the freedom which each of us cherishes.

We are now in the midst of an interesting transformation in this country on the issue of rights of people with different sexual orientation. We have seen some dramatic changes in just the last few years as we find more and more people speaking out against discrimination against those of a different sexual orientation, and, of course, the landmark decision in Obergefell, where the U.S. Supreme Court recognized the right for same-sex marriage. This is not without controversy and not without dissenters, but the mainstream of America, the vast majority of Americans believe we are moving along the same path we did when we talked about the rights of those who are minorities, the disabled, when we said people should be free of discrimination because of their own sexual orientation.

That is why it strikes me as unusual, more than coincidental, that in June of the LGBTQ Pride Month—our Republican colleagues decided to bring to the floor the nomination of Texas district court nominee Matthew Kacsmaryk, who has repeatedly written in his personal capacity about his opposition to LGBTQ rights and the Obergefell decision.

Mr. Kacsmaryk’s nomination was reported out of the Senate Judiciary Committee on a party-line vote in February, but for some reason, the Republican leadership decided to wait and force a vote on the floor of the Senate during Pride Month. Now they are calling for a vote this week.

I must not be shy about his hostility to marriage equality in transgender Americans. On June 24, 2015, he wrote an article in which he noted that the Supreme Court would decide the Obergefell case in the next few weeks and speculated whether five Justices would, in his words, “invent a constitutional right to same-sex marriage.”

After the decision, Mr. Kacsmaryk wrote a disparaging summary—which I will not quote into the Record—but it certainly shows his opposition to the fundamental premise behind that decision. He was quoted in the Liberty Institute blog of October 16, 2014 saying “the pro-marriage movement must prepare for the long war.”

Mr. President, with a letter in 2016 relating to transgender Americans, calling them “a delusion.” Last December, the parents of 300 transgender children—including 39 from my State of Illinois—wrote the Senate in opposition to Mr. Kacsmaryk’s nomination. They said: “Our children are not a delusion, and neither is our love and support for them.”

Even though Mr. Kacsmaryk has expressed strident personal views opposing LGBTQ rights, and even though he has litigated frequently in cases involving these matters, he would not commit to recuse himself from cases involving this issue if he were to be confirmed by the Senate.

I oppose the Kacsmaryk nomination. This is yet another extreme nominee outside the mainstream of American thinking who does not deserve to be rubberstamped for a lifetime appointment by the U.S. Senate.

THE KOWLER CENTER, CHICAGO.

Mr. President, just 2 weeks ago, I had a meeting in Chicago with my colleague Congresswoman Jan Schakowsky. We were at Heartland Alliance’s Marjorie Kovler Center. What happens at this center is truly remarkable and a reflection of America’s long history of welcoming those who are fleeing political violence.

The Kovler Center is home to one of our Nation’s oldest and most respected facilities, helping those recovering from complex consequences of politically sanctioned torture. This is its 32nd year in operation. More than 3,000 torture survivors from 80 different countries have received assistance and counsel at the Kovler Center in Chicago.

The problem of torture among refugees is significant.

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. DURBIN. The problem of torture among refugees is significant, with an estimated 44 percent of refugees in the United States having been victims of such horrors. Those from Bosnia, Cambodia, and many other places all receive treatment at the Kovler Center to recover from their trauma.

During my visit I had the privilege of meeting refugees who had fled the mounting violence in Cameroon. Cameroon is a West African nation that is dealing with a complicated colonial legacy. Following World War I, the League of Nations appointed France and Great Britain as joint trustees to what was previously a German colony. Not surprisingly, the two colonial powers imposed their own cultures on the new Cameroon.

Tragically, following the country’s independence in the 1960s, Cameroonian strongman President Paul Biya, one of the world’s longest serving leaders—now almost 40 years in office—further favored the French-speaking population over its Anglophone regions.

The results were not surprising. The mounting resentment and calls for greater autonomy within the Anglophone population caused ensuing violent suppression from the Biya regime. The refugees I met with told harrowing stories of this crackdown and violence.

I was pleased to join Senator Van Hollen last year in a letter urging Secretary Pompeo to focus attention on the unrest in Cameroon, and I was equally pleased when the administration scaled back U.S. military assistance to Cameroon due to this government’s violent repression. As a Member of the Appropriations Committee, I will be watching carefully the level of violence in Cameroon and, when the day comes, when we consider any force to Cameroon due to this government, I will consider what steps might be appropriate.

The work of the Kovler Center is a reminder that if we are going to stand up for refugees, we must be willing to be vigilant at all times, even for small countries as far away as Cameroon.

I yield the floor.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Sean Cairncross, of Minnesota, to be Chief Executive Officer, Millennium Challenge Corporation.

The PRESIDING OFFICER. The Senate from Minnesota.

Ms. SMITH. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ALANA PETERSEN

Ms. SMITH. Mr. President, I rise today to pay tribute and express my gratitude to Alana Petersen, my deputy chief of staff and long time staff leader for the Minnesota congressional delegation. Alana is retiring from her official role after serving the Minnesota delegation since 1993.

When I joined the delegation in 1995, Alana worked for Congressman Dave Minge, from Minnesota’s First Congressional District; Congressman John Oberstar, from Minnesota’s Eighth Congressional District; Senator Al Franken; and now for me. In all of those roles, she has always exhibited the Minnesota first spirit and especially those who most needed an ally and a voice in the halls of power here in Washington: farmers and rural families, new immigrants, Minnesota’s Tribal communities, and Minnesota’s diverse communities of color.

For those of you who don’t know Alana, let me tell you a little bit about her. Alana was born in Minnesota and, like me, spent part of her childhood in New Mexico. In fact, she and I went to the same school, although Alana is younger than me and had the benefit of a new building.

Alana headed Al Franken’s Minnesota Senate office beginning when he was sworn in 2009. Before joining Franken’s office in the office of Congressman Jim Oberstar for 5 years as deputy district director, and she worked for Congressman Dave Minge for 6 years in several capacities.

Alana also served as executive director of Target Market, a statewide non-profit organization that promoted an anti-tobacco message to teens, and she a held a position at Grassroots Solutions, a political consulting firm where she worked with national labor unions, congressional candidates, and pro-choice organizations.

As if her official work weren’t enough, Alana has long been a go-to volunteer for her community, where she has served as chair of the East Central Planning Council and board chair for Women Winning, a bipartisan group dedicated to electing more women to public office.

Alana is married to Thom Petersen, who is the Minnesota commissioner of agriculture for Governor Tim Walz, and she is mom to Waylon and Dylan. Alana and her family live on a working farm in Pine County, MN, an hour north of the Twin Cities. The Petersens raise and show miniature horses at county fairs all across Minnesota and at the Minnesota State Fair. They won early blue ribbons, not only because of the amazing minis but also thanks to the amazing costumes sewn by Alana.

To Thom, Waylon, and Dylan, thank you for sharing your mom and wife with us and with Minnesota all of these years.

So I can’t tell you when I first met Alana, but we have been good friends and allies for decades. As in all great friendships, bonds from working together are connected by a sense of shared purpose, a sense of humor, and a complete trust that, when in doubt, we can call the other one. Each of us, in turn, has been a shoulder to lean on, a strategic adviser, a gut check, and a great excuse for a good laugh when either of us needs it.

This has been true for both of us for years, but never more so than in this last term when I was a Senator and called on my old friend to jump in one more time to help me become a Senator and win a Senate seat, all in 10 months. Alana helped me to see that I could do this job and also be a good person. It is no exaggeration to say that I couldn’t have done any of this without her.

Alana has the heart of an organizer. In fact, she tells the story that she first canvassed her neighborhood as a fifth-grader, knocking on doors for the father of a friend of hers who was running for office. She has been organizing and engaging people in the democratic process ever since.

As an organizer Alana knows that the best ideas come from the ground up, not the top down. She understands that the best work happens when you build relationships with people at the grassroots. She has trained and taught generations of campaign and congressional office staff that team work based on mutual respect, high expectations, and clear goals makes progress for people possible, and that it can be joyful work.

For years Alana has been the go-to person for young candidates just starting out—and a lot of us seasoned politicians too. The political offices, campaigns, and nonprofits of Minnesota are powered by the people Alana has taught and mentored.

As an organizer, she is rooted in the value that Paul Wellstone best expressed when he said that politics shouldn’t be about money and power; it should be about improving people’s lives.

Last year, on October 25, Alana and her family lost their daughter Alana, who is one of those elite leaders and especially those who most needed an ally and a voice in the halls of power here in Washington: farmers and rural families, new immigrants, Minnesota’s Tribal communities, and Minnesota’s diverse communities of color.

This has been true for both of us for 25, 2009, 7 years after we lost Paul. Wellstone.

On October 25, 2002, we lost Paul in a terrible plane crash, along with Paul’s wife Sheila, his daughter Marsha, and staffs Will, Tom, and Mary Mac, Alana’s mentor. In the fall of 2002, Alana had quit her regular job in Duluth to join the campaign for Paul’s re-election because she knew she wanted to contribute to the grassroots movement that was building. The plane crash and the loss of our friends was a great excuse for a good laugh when either of us needs it.

I yield the floor.

CONGRESSIONAL RECORD — SENATE
Alana, you are indeed one of those elite few. Thank you for your service to Minnesota, and thank you for what you will continue to do for many years ahead to move forward the hard but precious work of improving people’s lives.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I ask unanimous consent that I speak in leader time.

The PRESIDING OFFICER. Without objection, it is so ordered.

TROOP DEPLOYMENT

Mr. SCHUMER. Mr. President, last night, the Defense Department announced that 1,000 additional troops would be deployed to the Middle East. This is the second deployment of 1,000 or more troops in the past 30 days, ostensibly to deal with Iran’s increased activity in the region.

Despite these two announcements, the President has yet to address the Nation about these developments. The President has yet to articulate a strategy about American involvement in the region. He has yet to send a single military commander to testify before the Armed Services Committee. And he has yet to explain what his policy of “maximum pressure” on Iran is supposed to achieve. All we have heard is the Secretary of State, our chief diplomat, rattling the sabers of war.

As U.S. troops again prepare to deploy to the Middle East, this administration has an obligation to explain to the American people exactly what is happening and why. If they have a case, they must make it public. Americans are rightly skeptical and tired of endless wars in the Middle East—a reticence on the Republican side doesn’t seem to share. Americans know that smaller actions have a tendency to escalate into larger actions even when there is no congressional authority and no check.

The administration has offered to send various officials to give classified briefings, but, frankly, that is not nearly good enough. We have learned a hard truth from our experience in Iraq—that the drums of war start beating behind closed doors. The President must make his pitch to the Nation instead of another closed-door meeting with Senators. As the Commander in Chief, he owes that to every American and to every American service-member, and their families, whom he is sending into the Middle East.

BORDER SECURITY

Mr. President, Leader McCONNELL has indicated he plans to have the Senate consider legislation next week on the administration’s request for supplemental appropriations to handle migration at our southern border. As I have said before, Democrats want to provide the necessary resources to secure our borders and ensure that everyone who arrives there is treated humanely; however, the sheer chaos of this administration’s policy, the sheer mismanagement, the erratic nature when the President says one thing one day and another the next, mean that we must be precise and careful about how we proceed.

The fact is very simple: President Trump’s immigration policies are inhumane, erratic, fleeting, and impossible to carry out at the same time.

Right now, on the Homestead Air Force Base in Florida, the Trump Administration has authorized a for-profit company to build a temporary shelter for migrants that is little better than an internment camp. We have heard routinely about the separation of children from parents, about the horrible conditions at the DHS facilities, about children—children—in cages. That is as un-American as anything.

This past week, I read in the New York Times the story of a 4-month-old boy. It wrenched my heart. He was separated from his parents by ICE. He is now more than a year and a half old. He is back in his home country of Romania with his parents. He still can’t walk on his own. He still can’t talk. He is unable to go outside.

What are we doing to these innocent children? What are we doing? Stories like these are heart-wrenching; the policies that create them, unconscionable; and so often, the policies are announced according to the President’s whim. Every day, the President seems to have a different crazy idea, often contradicting his previous thought—a national emergency declaration to build a wall, tariffs for Mexico, shutting down the border entirely.

Last night, the President tweeted that ICE was planning mass immigration arrests and removal. The President seems to just invent a new policy in the morning by tweet with the sole purpose of raging with his base.

Ideas like deporting millions of immigrants inside our border have been dismissed by government officials in charge of immigration as unrealistic. The very people the President puts in charge say this policy can’t happen. It doesn’t bother him. Maybe he was doing this to talk about it at his rally tonight, his election rally in Florida. But I will tell you something. He tried this before the 2018 election—big crisis at the border. It didn’t seem to work. It was the opposite. The rather narrow base of the President’s supporters does not appeal to the American people when it comes to being erratic, inhumane, harsh, and ineffective on immigration.

Members of both parties should be weary—weary—about giving the administration additional funding if it is not going to be used to secure our border or provide better conditions for migrants and asylum seekers, especially children.

Again, just remember what the President has called for in the last few months, none of which have happened and none of which have curbed the flow at the border—so many different things, none of which make sense. Remember the national emergency declaration to build a wall. Remember the tariffs with Mexico. Remember the how we shut down the border entirely.

And now mass immigration arrests and removal. It is a policy that is erratic, unsuccessful, ineffective, and maybe worst of all, inhumane—even taking a 4-month-old from his parents and leaving that child with a trauma probably for the rest of his life.

We Democrats have a proposal that is common sense, that would actually do things. At one point, the President seemed to support it, but that was fleeting like every one of his other proposals on immigration. Here is what we propose, I hope the President is listening, and I hope, at least, our Republican colleagues are listening, because we can actually get something done.

We propose to provide more immigration judges at the border to reduce the backlog in cases.

We provide for the allowance of asylum seekers to apply for asylum within their home countries. Why are these people fleeing? The President would have Americans believe they are all drug dealers and MS-13 members. There are a few of those, and they shouldn’t be let in, and they shouldn’t be given any mercy. Yet the vast majority of these people—you have seen the pictures—is made up of parents and children. Sometimes their daughters have been threatened with rape by gangs or their sons have been murdered or they are going to burn down their houses or burn down their businesses if they don’t go along with the gangs. Who wouldn’t flee? Who wouldn’t?

So let them apply for asylum and not have to pay the coyotes and not have them make this dangerous trek of 1,000 miles from their own countries. It is a good proposal. At one point, the President entertained it. Let’s entertain it.

Finally, we provide security assistance to Central American countries in order to crack down on the drug cartels, the violent gangs, the corruption, and the lawlessness. These are the things we should be doing—having more immigration judges to reduce the backlog; allowing for asylum seekers to apply for asylum in their home countries; and providing security assistance to crack down on the drug cartels, violent gangs, and the coyotes.

Yesterday, unfortunately, the State Department did the opposite. It announced it would cut off all further security assistance, including over $600 million of already obligated assistance to Guatemala, Honduras, and El Salvador, until the countries reduce the number of migrants coming to the United States. Talk about cutting off your nose to spite your face.

We propose an immigration policy that improves America’s image abroad and allows us to actually get something done.
The yeas and nays are mandatory under the rule. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from Hawaii (Ms. HIRONO), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 59, nays 37, as follows: [Rollcall Vote No. 166 Ex.]

YEAS—59

Alexander
Barrasso
Blackburn
Blumenthal
Booker
Brown
Cantwell
Carr
Cassettes
Capito
Carper
Cassidy
Collins
Coons
Cornyn
Cotton
Cramer
Crapo
Daines
Emmett
Ernst
Hassan
Hirono
Hutto
Johnson
Kaine
Kennedy
Klobuchar
Krug
Leahy
Lee
Lankford
Lindsey
Lankford
McSally
McConnell
Manchin
Meng
Merkley
Murray
Nunes
Ossoff
Paul
Perdue
Portman
Risch
Roberts
Romney
Rubio
Sasse
Scott (FL)
Sasse
Schumer
Smith
Snowe
Sullivan
Thune
Tillis
Toomey
Warner
Wicker
Young

NAYS—37

Baldwin
Bennet
Blumenthal
Booker
Brown
Cantwell
Carson
Cassidy
Coons
Crapo
Crapo
Cruz
Daines
Emmett
Ernst
Hassan
Harriss
Hilton
Johnson
Jones
Klobuchar
Leahy
Lee
Lankford
Lindsey
Lankford
McSally
McConnell
Manchin
Meng
Merkley
Murray
Nunes
Paul
Perdue
Portman
Risch
Roberts
Romney
Rubio
Sasse
Scott (DC)
Sasse
Schumer
Smith
Snowe
Sullivan
Thune
Tillis
Toomey
Warner
Wicker
Young

NOT VOTING—4

Gillibrand
Hirono
Hutto
Ossoff

The PRESIDING OFFICER. On this vote, the yeas are 59, the nays are 37.

The motion is agreed to.

The PRESIDING OFFICER. The majority leader?

Mr. MCCONNELL. I ask unanimous consent the Senate stand in recess following the remarks of myself, Senator COLLINS, and Senator KING.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR COLLINS' 7,000TH VOTE

Mr. MCCONNELL. Mr. President, I want to take a moment to recognize a remarkable event that this institution was fortunate enough to witness just a few minutes ago. During the vote we just conducted, an distinguished colleague, the senior Senator from Maine, cast her 7,000th rollcall vote. It is a great milestone for Senator Collins which bears witness to her dedication to this work and most especially to the people of Maine. It is actually even more interesting than that. This wasn't just Senator Collins' 7,000th vote; it was her 7,000th consecutive vote. From the moment she was sworn in, she has not missed a single vote. Difficulties with travel or bad weather? She plans around them. Personal challenges? She adapts and overcomes. Other priorities, like political events or speaking engagements? All that takes a back seat to her day job. No sick days. No getting caught in meetings. No losing track of time in committee. No excuses. Just days and months and years of peerless preparation and remarkable dedication to her Senate duties and to the Members she is so proud to represent. Senator Collins learned from her parents, Donald and Patricia, who each had a turn as mayor of Caribou, ME, among other achievements.

We know our friend Senator Collins deeply admires her predecessor, Senator Margaret Chase Smith—another legendary Maine Republican. Among her achievements, she stood boldly against McCarthyism and insisted on independent thought and fair treatment. But as remarkable as Senator Smith, Senator Collins has surpassed her distinguished predecessor in at least one way: Senator Smith's own impressive string of consecutive votes ended just shy of 3,000; Senator Collins has 7,000 and counting.

She is always prepared, always thoroughly well informed, and always present. That is what today's milestone tells us, and that is exactly who Senator Collins is every single day. She is a valued colleague. She is a friend. And frankly, she is an inspiration. Thank goodness she isn't stopping any time soon.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I just wanted to thank the majority leader for his very generous comments, as well as acknowledge the good wishes and congratulations from so many of my colleagues, including my colleague from Maine, Senator King.

This is a momentous occasion for me, a real milestone. I am proud of the fact that I have never missed a rollcall vote during the time I have been privileged to represent the great State of Maine in the Senate. There have been some close calls over the years, but fortunately I have been able to be present for each one. I realize that I have been blessed with good health and that when I had broken ankles, including one that required surgery, it fortunately happened over the Christmas break, so once again I was able to come back and not miss a vote.

But it is the embodiment of how seriously I take the responsibilities with which I have been entrusted by the people of Maine. Voting is a Senator's most solemn responsibility, and I feel strongly about making sure that my vote is represented on each and every rollcall vote we take in this Chamber. It hasn't always been easy, but it is something I have learned to represent the people of the great State of Maine.

I thank the majority leader, Senator McConnell, for acknowledging this

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from Hawaii (Ms. HIRONO), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 59, nays 37, as follows: [Rollcall Vote No. 166 Ex.]

YEAS—59

Alexander
Barrasso
Blackburn
Blumenthal
Booker
Brown
Cantwell
Carson
Cassidy
Collins
Coons
Cornyn
Cotton
Cramer
Crapo
Crump
Daines
Emmett
Ernst
Hassan
Hirono
Hutto
Johnson
Jones
Klobuchar
Leahy
Lee
Lankford
Lindsey
Lankford
McSally
McConnell
Manchin
Meng
Merkley
Murray
Nunes
Paul
Perdue
Portman
Risch
Roberts
Romney
Rubio
Sasse
Scott (DC)
Sasse
Schumer
Smith
Snowe
Sullivan
Thune
Tillis
Toomey
Warner
Wicker
Young

NAYS—37

Baldwin
Bennet
Blumenthal
Booker
Brown
Cantwell
Carson
Cassidy
Coons
Crapo
Crump
Daines
Emmett
Ernst
Hassan
Harriss
Hilton
Johnson
Jones
Klobuchar
Leahy
Lee
Lankford
Lindsey
Lankford
McSally
McConnell
Manchin
Meng
Merkley
Murray
Nunes
Paul
Perdue
Portman
Risch
Roberts
Romney
Rubio
Sasse
Scott (FL)
Sasse
Schumer
Smith
Snowe
Sullivan
Thune
Tillis
Toomey
Warner
Wicker
Young

NOT VOTING—4

Gillibrand
Hirono
Hutto
Ossoff

The PRESIDING OFFICER. On this vote, the yeas are 59, the nays are 37.

The motion is agreed to.

The PRESIDING OFFICER. The majority leader?

Mr. MCCONNELL. I ask unanimous consent the Senate stand in recess following the remarks of myself, Senator COLLINS, and Senator KING.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR COLLINS' 7,000TH VOTE

Mr. MCCONNELL. Mr. President, I want to take a moment to recognize a remarkable event that this institution was fortunate enough to witness just a few minutes ago. During the vote we just conducted, an distinguished colleague, the senior Senator from Maine, cast her 7,000th rollcall vote. It is a great milestone for Senator Collins which bears witness to her dedication to this work and most especially to the people of Maine. It is actually even more interesting than that. This wasn't just Senator Collins' 7,000th vote; it was her 7,000th consecutive vote. From the moment she was sworn in, she has not missed a single vote. Difficulties with travel or bad weather? She plans around them. Personal challenges? She adapts and overcomes. Other priorities, like political events or speaking engagements? All that takes a back seat to her day job. No sick days. No getting caught in meetings. No losing track of time in committee. No excuses. Just days and months and years of peerless preparation and remarkable dedication to her Senate duties and to the Members she is so proud to represent. Senator Collins learned from her parents, Donald and Patricia, who each had a turn as mayor of Caribou, ME, among other achievements.

We know our friend Senator Collins deeply admires her predecessor, Senator Margaret Chase Smith—another legendary Maine Republican. Among her achievements, she stood boldly against McCarthyism and insisted on independent thought and fair treatment. But as remarkable as Senator Smith, Senator Collins has surpassed her distinguished predecessor in at least one way: Senator Smith's own impressive string of consecutive votes ended just shy of 3,000; Senator Collins has 7,000 and counting.

She is always prepared, always thoroughly well informed, and always present. That is what today's milestone tells us, and that is exactly who Senator Collins is every single day. She is a valued colleague. She is a friend. And frankly, she is an inspiration. Thank goodness she isn't stopping any time soon.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I just wanted to thank the majority leader for his very generous comments, as well as acknowledge the good wishes and congratulations from so many of my colleagues, including my colleague from Maine, Senator King.

This is a momentous occasion for me, a real milestone. I am proud of the fact that I have never missed a rollcall vote during the time I have been privileged to represent the great State of Maine in the Senate. There have been some close calls over the years, but fortunately I have been able to be present for each one. I realize that I have been blessed with good health and that when I had broken ankles, including one that required surgery, it fortunately happened over the Christmas break, so once again I was able to come back and not miss a vote.

But it is the embodiment of how seriously I take the responsibilities with which I have been entrusted by the people of Maine. Voting is a Senator's most solemn responsibility, and I feel strongly about making sure that my vote is represented on each and every rollcall vote we take in this Chamber. It hasn't always been easy, but it is something I have learned to represent the people of the great State of Maine.

I thank the majority leader, Senator McConnell, for acknowledging this.
milestone in my tenure in the Senate and in my service to the people of Maine and this Nation.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Maine.

Mr. PORTMAN. Madam President, I ask unanimous consent that the votes following in the footsteps of her illustrious predecessor.

Thank you, Mr. President. I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:54 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. Capito).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Ohio.

ORDER OF BUSINESS

Mr. PORTMAN. Madam President, I ask unanimous consent that the votes following in the footsteps of her illustrious predecessor.

Thank you, Mr. President. I yield the floor.

The clerk will call the roll.

The senior assistant legislative called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. Gillibrand), the Senator from California (Ms. Harris), the Senator from Hawaii (Ms. Hirono), and the Senator from Oregon (Mr. Wyden) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 37, as follows:

Alexander
Barraco
Blackburn
Blunt
Boozman
Burr
Capito
Carper
Cassidy
Collins
Coons
Cornyn
Cotton
Cramer
Crappo
Cruz
Daines
Emhoff
Ernst
NAYS—37
Baldwin
Benet
Blumenthal
Buck
Brown
Cantwell
Cardin
Casey
Cortez Masto
Duckworth
Durbin
Feinstein
Hassan
Hasson
NOT VOTING—4
Gillibrand
Hirono
Harris
Harrington
Hyde-Smith
I yield the floor.

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President shall be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the nomination of Matthew J. Kacsmaryk, of Texas, to be United States District Judge for the Northern District of Texas.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, is it the sense of the Senate that debate on the nomination of Matthew J. Kacsmaryk, of Texas, to be United States District Judge for the Northern District of Texas, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. Gillibrand), the Senator from California (Ms. Harris), the Senator from Hawaii (Ms. Hirono), and the Senator from Oregon (Mr. Wyden) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 44, as follows:

Alexander
Barraco
Benet
Blumenthal
Boozman
Brown
Crappo
Cruz
Daines
Emhoff
Ernst
NAYS—44
Baldwin
Benet
Blumenthal
Buck
Brown
Cantwell
Cardin
Casey
Cortez Masto
Duckworth
Durbin
Feinstein
Hassan
Harrington
Hyde-Smith
I yield the floor.

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President shall be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the nomination of Allen Cohl Winsor of Florida, to be United States District Judge for the Northern District of Florida.
CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of James David Cain, Jr., of Louisiana, to be United States District Judge for the Western District of Louisiana.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of James David Cain, Jr., of Louisiana, to be U.S. District Judge for the Western District of Louisiana shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILL-BRAND), the Senator from California (Ms. HARRIS), the Senator from Hawaii (Ms. HIRONO) and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

The PRESIDING OFFICER (Mrs. BLACKBURN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 20, as follows:

[Rollcall Vote No. 169 Ex.]

YEAS—54

Alexander  Fischer  Paul
Barasso  Gardner  Perdue
Blackburn  Graham  Portman
Blunt  Grassley  Risch
Boozman  Hawley  Roberts
Braun  Hoeven  Romney
Burr  Hyde-Smith  Rounds
Capito  Inhofe  Rubio
Casidy  Isakson  Saage
Collins  Johnson  Scott (FL)
Cornyn  Kennedy  Scott (SC)
Cotton  Lankford  Shelby
Crapo  Lee  Sullivan
Cruz  McConnell  Tillis
Daines  McSally  Toomey
Emmi  Moran  Wicker
Ernest  Markowski  Young

NAYS—42

Baldwin  Hassan  Rosen
Benett  Heinrich  Sanders
Blumenthal  Jones  Schwartz
Booker  Kaine  Schumer
Brown  King  Shaheen
Cassidy  Klobuchar  Sinema
Cardin  Leahy  Smith
Carper  Markay  Stabenow
Casey  Menendez  Tester
Coons  Merkley  Udall
Cortez Masto  Murphy  Van Hollen
Duckworth  Murray  Warner
Durbin  Peters  Warren
Feinstein  Reed  Whitehouse

NOT VOTING—4

Gilibrand  Hirono  Wyden
Harris  Rosen  Young

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 42. The motion is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Greg Gerard Guidry, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Greg Gerard Guidry, of Louisiana, to be United States District Judge for the Eastern District of Louisiana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILL-BRAND), the Senator from California (Ms. HARRIS), the Senator from Hawaii (Ms. HIRONO) and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

The question is, Is it the sense of the Senate that debate on the nomination of Greg Gerard Guidry, of Louisiana, to be United States District Judge for the Eastern District of Louisiana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Greg Gerard Guidry, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Greg Gerard Guidry, of Louisiana, to be United States District Judge for the Eastern District of Louisiana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Greg Gerard Guidry, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.
The PRESIDING OFFICER. The Senator from Texas.

BORDER SECURITY

Mr. CORNYN. Mr. President, it doesn’t matter whether you are watching FOX News or reading the editorial page of the New York Times, the media—indeed the Nation—is in broad agreement that there is a crisis on our southern border, and the responsibility lies squarely with Congress to fix it.

Month after month, the number of people crossing our border has ticked up and up and up, and the only people who seem unfazed by these mind-boggling numbers—144,000 last month alone—are House Democrats.

Despite continued pleading from officials at the Department of Homeland Security, the Department of Health and Human Services, and some of our Democratic friends in the House, the leadership of the House of Representatives is still trying to absolve themselves of any responsibility to act. Well, it is getting harder and harder for them to ignore this crisis that continues to get worse on our border. The record-breaking number of migrants who cross our border make a difficult and dangerous journey to get here. They travel in the company of human smugglers, appropriately known by most as coyotes. These criminal entrepreneurs do not view the migrants in their custody as human beings. They view them as cargo. It is really their meal ticket.

Coyotes get their customers to the United States, but a safe journey is not part of the deal. Migrants, especially children, often arrive at our border in poor health, suffering from dehydration, exposure, any one of a number of infectious diseases, and, unfortunately, sadly, many are left for dead by their smugglers.

Last week, Border Patrol found a young girl believed to be about 7 years old from India, dead and alone along the United States—Mexico border in Texas. She was found is a rugged desert, and stories like this are heartbreaking and more common than many want to believe. Those who survive the torturous journey from Central America up through Mexico and into the United States often arrive in critical health. The national Border Patrol Council vice president, Jon Anfinsen, has been an agent for 12 years and is based in Del Rio, TX. He said the number of people in custody and the high rate of illnesses is “unprecedented.”

He has treated dozens of scabies, chickenpox, mumps, measles, flu, body lice, and countless common colds. Overcrowded facilities make these illnesses spread like wildfire, and even the Border Patrol agents and people offering assistance to these migrants are getting sick too. That is because Congress has not appropriated the money for the facilities, funding, and for the personnel to record-breaking numbers. They are obviously in dire need of our assistance.

Last month, the administration requested $4.5 billion for the Department of Homeland Security, Health and Human Services, the Department of Defense, and the Department of Justice to address this growing crisis.

Two weeks after this request, the situation has grown so much worse than expected that the Secretary of Health and Human Services notified Congress that the Department would soon be running out of funding and that another $1.4 billion could be needed for humanitarian assistance alone. That disproportionate total would be to the tune of $6 billion.

Since the funding request was submitted, more than 144,000 individuals have illegally crossed our border, adding to the growing weight these folks are feeling.

Without providing the necessary funding, we are sending these dedicated law enforcement officials out on a losing mission. We are asking them to carry the weight of hundreds of thousands of migrants without giving them the tools they need to do so.

Enough is enough. It is high time Congress steps up and come to an agreement to get much needed and long overdue funding to the men and women out on the ground doing rough and dangerous this humanitarian crisis not of their making. This critical funding is needed along the entire southern border but particularly in the Rio Grande Valley and El Paso sectors, which have been disproportionately affected by the dramatic increase in crossings.

For months, communities in Texas have requested help in feeding, transporting, and sheltering these migrants. They have gone above and beyond the call of duty: millions of dollars in local taxpayer funds that are traditionally intended for things like clean water and power for their own residents.

Today I am sending a letter to the Appropriations Committee and asking them to include assistance to these communities. The Appropriations Committee is holding a markup tomorrow, and I hope they can come to an agreement with their counterparts in the House. Agencies, and local communities in Texas struggling to manage this crisis with the resources they need to be successful. To borrow a saying from Border Patrol Chief Carla Provost, the current situation is akin to holding a bucket under a faucet. It doesn’t matter how many buckets you have if you can’t turn the water off. The emergency funding is a bucket, and hopefully it will be a sufficient bucket, but we still have to get to the source of the problem.

Last week, Acting Secretary of Homeland Security Kevin McAleenan testified before the Judiciary Committee and said: “I want to make clear that this crisis is unlike anything we’ve ever seen at our border and it, in large part, is due to the gaps in our immigration laws that are driving it, causing a dramatic demographic shift in our country.”

The more than 144,000 people who illegally crossed the border in May, 69 percent of whom were unaccompanied children or families. The number of unaccompanied children apprehended last month is larger than any monthly total from the surge in 2014, back when President Obama called it “a humanitarian and security crisis.” It is an understatement to say we lack the resources to properly care for these children.

In addition to providing more resources and better care, we need to get to the “why” of these rising numbers. The no doubt this human tragedy being driven by the pull factors in the immigration system, most notably the Flores settlement agreement. By “pull factors,” I mean the thing that attracts the migrants to attempt to make this dangerous journey from their homes into the United States.

The Flores settlement agreement is one of them. In the beginning, the Flores settlement agreement provided additional standards for care for children, including a limit on the number of days they could remain in DHS custody, but a subsequent, flawed court ruling expanded this agreement, in effect applying it to families as well. That essentially turned children into a “get out of jail free” card for migrants, something which is now openly advertised by the coyotes in Central America.

In other words, the coyotes—the smugglers who earn money off of each person they bring into the United States—are letting these people know that if you just come as a child or if you come as a family, you are going to be able to make it successfully into the United States, and it is a money-making proposition, obviously, for them.

A recent Washington Post article quoted a man as saying the following:

That is the thing that everyone knows now. If you go, you need to bring a child.

This has gotten so bad that Acting Secretary McAleenan said the Border Patrol is now running a “false advertising” campaign, by deliberately turning children into a “get out of jail free” card: Bring a child—anybody’s child.

This loophole has turned into a major pull factor, and single adults are using it to their advantage. Rather than arriving at the border alone, they are bringing kids with them so they can pose as a family unit and be reclassified in 20 days. These aren’t all legitimate families, as I said. It is no exaggeration to say that children are literally being kidnapped to serve as a
free ticket into the United States. That is a sad truth.

If we want to stop this abuse of our system and of these children and bring down the skyrocketing numbers that are flooding across our border, we have to fix this expansion of the Flores agreement when it comes to family units.

Last month, Congressman Henry Cuellar of Laredo, TX, a Democrat, and I introduced a bill called the HUMANE Act, which, among other things, would close this dangerous loophole—something Congress never enacted and never intended and which is being exploited by the coyotes.

Our bill would clarify that the Flores agreement only applies to children, not to families, and would remove that pull factor and prevent single adults from exploiting them in order to gain entry into the United States. The HUMANE Act would make additional, targeted reforms to make our immigration system more fair and efficient and provide better protection for the children who are brought here.

Perhaps the most important thing to note is that this bill already has bipartisan support—something that is tough to find these days. As our friend the majority leader said on the floor last week, "The crisis at the border hasn’t gone anywhere and neither has our resolve to address it."

I appreciate my friend and colleague Congressman Henry Cuellar for working with me on this bill. I hope the border communities in Texas and along the entire U.S.-Mexico border will call and write or go see their Congressman and say: Get on board with Congressman Cuellar in the House of Representatives.

Let’s vote on the HUMANE Act so the Senate can pass it and send it to President Trump for signature. I can’t imagine how people can be at peace with their own conscience knowing what is happening right now and simply sitting on their hands and doing nothing to address this humanitarian and security crisis. We owe it to the dedicated law men and women who work to manage this crisis along the border who now are being overwhelmed by this influx of humanity. Our resolve to help them remains as strong as ever. Now what we need is a strong bipartisan vote to get it done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Cassidy). Without objection, it is so ordered.

NOMINATION OF MATTHEW J. KACSMARYK

Mrs. MURRAY. Mr. President, I come to the floor today to oppose Matthew Kacsmaryk’s nomination to the U.S. District Court for the Northern District of Texas. Mr. Kacsmaryk is another example of an extreme choice by President Trump to jam courts with individuals who have put their political views above the law and use their positions of power to chip away at people’s rights not only to their health but also Mr. Kacsmaryk’s views hateful and out of the mainstream, but his history of attacking vulnerable communities shows me he will not be a fair and impartial judge.

He has fought tooth and nail against every policy that affects individuals and has devoted his career to stripping this community of these fundamental rights.

Mr. Kacsmaryk does not believe title XII of the Civil Rights Act includes sexual orientation and gender identity. He opposed the Supreme Court’s ruling in Obergefell, which affirmed that same-sex couples have the right to marry under our Constitution, and he opposes the Equality Act. He believes that women in the home are some how better than women in the workforce.

The Equality Act builds on existing civil rights laws to expand anti-discrimination protections, to ensure members of the LGBTQQ community cannot be fired or evicted from their homes or denied the same protections afforded to those who are discriminated against based on their race, religion, age, disability, and more.

He believes healthcare providers should be able to discriminate—against patients based on gender identity or sex stereotyping, and he even supports discrimination against our children. Mr. Kacsmaryk not only opposes protections for transgender students, he has even argued that being transgender is “delusional.” He has questioned whether States can ban conversion therapy practices, which are dangerous. They are discredited by the medical community, and they have led to depression and suicidal behavior in young people subjected to these practices.

Mr. Kacsmaryk claims that his hateful views have to do with religious liberty, but his own words show his true colors. When Republicans and Democrats in Utah agreed on employment and housing nondiscrimination protections based on gender identity and sexual orientation, Mr. Kacsmaryk opposed them, even as countless religious organizations supported that bill.

Was religious liberty his main point of opposition? No. Instead, he argued that every woman has the ability to determine in the name of religious liberty, how many kids she can have, or when she will be able to access healthcare, or how much she can save up at her pharmacy, all because someone else thinks that their beliefs matter more than a woman’s own personal decisions about her own healthcare.

Mr. Kacsmaryk’s extreme hostility to women’s reproductive rights is also on display in his own writings outside of the court. He wrote that the court cases affirming those rights—the historic rulings that have defended women’s access to birth control and their right to safe, legal abortion—were responsible for removing a “pillar of marriage law.”

Under any other administration, this truly disturbing ideological track record would be alarming. Unfortunately for President Trump and Vice President PENCE, it appears to be a prerequisite. The Trump-Pence administration has taken every opportunity to undermine women’s health and reproductive rights. And we have seen far-right Republicans across the country joining them, from State legislators working to pass extreme, harmful abortion restrictions to Republicans here in DC working to jam through extreme, harmful judicial nominees, like Mr. Kacsmaryk, who they hope will uphold blatantly unconstitutional restrictions on women’s rights to safe, legal abortion and ultimately take away that right by overturning Roe v. Wade.

I have also been inspired by the people around the country who are speaking up and taking a stand against those extreme views. If we keep making our voices heard against this nominee and Republican efforts to undermine women’s reproductive rights more broadly, we can stop these attacks and ensure that every woman has the ability to make her own decisions about her body. I am here today to urge my colleagues to join us in rejecting this nominee.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise this afternoon to urge my colleagues to oppose the confirmation of Matthew Kacsmaryk to be U.S. District Judge for the Northern District of Texas.

I believe that every individual we consider for a lifetime appointment to serve on the Federal bench should have the demonstrated legal acumen and experience but also a commitment to ensuring fair treatment for anyone who might come before them. With a troubling record of professional work and personal statements attacking lesbian, gay, bisexual, and transgender people, Mr. Kacsmaryk falls this test,
and the Senate must reject his nomination.

Mr. Kacsmaryk currently serves as deputy general counsel of First Liberty Institute, and in that role he has challenged the constitutionality of the Affordable Care Act’s nondiscrimination protections, argued against marriage equality, supported schools in barring transgender students from using restrooms consistent with their gender identities, and opposed a State law requiring that pharmacies stock emergency contraception.

My colleagues may recall another nominee associated with this organization, Jeff Mateer, who was First Liberty’s general counsel until 2016 and was nominated by President Trump for a judgeship in the Eastern District of Texas. Mateer’s nomination was ultimately withdrawn in light of his public statements hostile to LGBTQ people, including that same-sex marriage is “disgusting” and transgender children are a part of “Satan’s plan.”

Mr. Kacsmaryk’s statement and writings evince a similar hostility to LGBTQ people and to equality. He has repeatedly made claims that dismiss the reality of LGBTQ people’s lives and experiences. For example, he wrote in 2015 that the Affordable Care Act’s nondiscrimination protections for LGBTQ and reproductive equality are a “bad idea . . . primarily for the problem of the protected class. Once a protected class is defined to be equivalent to race, it takes on a much heavier atomic weight.”

These are not words and actions of an individual whom we can trust to serve as a neutral arbiter who will recognize the humanity and dignity of everyone who comes before him. We have heard of the extreme and inappropriate organizations and statements that oppose his confirmation to a lifetime appointment to the Federal bench, but perhaps most importantly we have heard from dozens of parents of transgender children from all over the country. They write:

Hundreds of thousands of children and adolescents throughout this country are transgender, like our kids. So are well over a million adults. They deserve to be treated with respect and dignity—and to trust that when they walk into a courtroom they will be treated fairly. Confirming [Mr. Kacsmaryk] as a federal judge would send a damaging and dangerous message that the dignity of children like ours does not count in the courts, or in the U.S. Senate.

I note that this is June. This is the month when we celebrate LGBTQ pride, celebrating the contributions of LGBTQ people and recognizing the work that remains to be done to ensure full and equal treatment for all people. This Pride Month, I urge my colleagues to send a message to these children, their parents, the broader LGBTQ community, and the country that they do count—that they count, they matter, and we hear their voices. And please reject this nominee.

Thank you.

I yield back.

The PRESIDING OFFICER. The Senator from Pennsylvania.

MR. CASEY. Mr. President, I would ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I rise today to discuss one of the judicial nominations we are considering. We are on the floor this afternoon to discuss the nomination of Matthew J. Kacsmaryk to be a U.S. district judge for the Northern District of Texas.

We know that under the Senate rules we are now operating under, judicial nominees are receiving just 2 hours of what is called postcoitum consideration, and for that time on the floor, if these nominees are not unanimous, a subsequent appointment to be on the Federal district court bench or to be a judge on one of the circuit courts. These are lifetime appointments, and to have just 2 hours on any nomination I don’t think is enough time for a lot of Americans to consider with—whether or not having a nominee whose views are, to be understated for a moment, troubling, views about judicial philosophy or a judicial philosophy that tend to fall in a place, in terms of legal philosophy, that a lot of Americans would find very concerning—even at a time when we have considered a lot of nominees I would consider outside the mainstream. Mr. Kacsmaryk’s nomination is particularly troubling. I will use just two examples, briefly.

The first example is his hostility to women’s access to safe, affordable, and FDA-approved contraception. So many Americans—I think long before the Affordable Care Act but certainly in light of the Affordable Care Act—consider access to contraception that is safe, affordable, and FDA-approved—well, I think most Americans would consider and should consider that part of a basic human right, and something that we tend to fall in a place, in terms of legal philosophy, that a lot of Americans would find very concerning—even at a time when we have considered a lot of nominees I would consider outside the mainstream. Mr. Kacsmaryk’s nomination is particularly troubling. I will use just two examples, briefly.

The second example—and these are only brief overviews in the interest of time—is Mr. Kacsmaryk has repeatedly disparaged and attacked the LGBTQ community. In a public comment in 2016 while he was the Center for Medicaid Services, which is part of the Department of Health and Human Services and is known as CMS, Mr. Kacsmaryk argued that transgender individuals suffer from a “psychological condition in need of care” and suggested that being transgender was a “delusion.” I have to ask—a delusion? Where does he come up with that? I don’t know where one comes up with that kind of analysis. It doesn’t make sense to most Americans.

Prior to that, Mr. Kacsmaryk wrote an article about the Equality Act, which is bipartisan legislation that is before the Senate. The Equality Act would have the effect of—these are my words; this is not a full description of it—have the effect of catching up, in terms of the legal protections provided to Americans who happen to be gay or lesbian, bisexual, transgender—have the protections afforded to them catch up with those provided Americans. We finally made progress. More than 50 years ago now, we had the Civil Rights Act and other legislation over time that provided more and more protection over time to more Americans. Unfortunately, we don’t have a similar measure of protections for Americans who happen to be LGBTQ.

It is literally the case today that in some States, if you are gay or lesbian, you could be married in one hour of the day or on one day and the next day or the next hour be fired, and that would be permissible under law. So there are protections for employment and for access to education and housing—the full
measure of American life. The Equality Act would ensure those protections. That is not law yet, and that is why we have to pass it by way of Federal law.

With that background, I want to go back to what I previously stated. Mr. Kacsmaryk wrote an article that suggested that the Equality Act, which I described, would “weaponize” the Obergefell decision. That was the landmark decision that allowed same-sex couples to marry. He said the Equality Act would “weaponize” that decision, while in this particular writing making reference to a “long war ahead” when discussing LGBTQ rights in a post–Obergefell America. So in America after the Obergefell decision, which allowed marriage equality and which made that part of our Federal law, thank goodness, after a long time—he believed that the Equality Act would be part of a “long war ahead,” when discussing that future in America. That doesn’t make sense to me. I don’t think it makes sense to a lot of Americans. I think most Americans believe that decision for marriage equality was an advancement where the circle of protection is growing, as it ought to.

For too long, that circle was very small. Sometimes it broke through the last 50 years. Fortunately, marriage equality—the right to marry, the right to spend the rest of your life with someone you love of the same sex—was finally enshrined into law by a Supreme Court decision. But this isn’t justed to believe that the Equality Act would “weaponize.” I don’t know where you come up with words like that—“weaponize,” “war.” It just doesn’t seem to fit in the America I think most people believe in.

As this is playing out, it just so happens—and this is offensive. I hope it wasn’t intentional. I don’t have any reason to believe it was intentional. But just so happens that the majority party has this particular nomination on the table. We are discussing that, but the discrimination continues. In fact, it is protected in some ways by the laws of some States, where you can fire someone simply because they are gay and do that with impunity.

The discrimination continues by way of hateful acts that people undertake, but also the discrimination continues by way of law. We should have judges in every district court, in every circuit court, in every court in the country—no matter what level of judicial office we are talking about—who will respect and protect everyone’s equality.

In this case, I think you have a nominee who is not just outside of the mainstream but way outside of the mainstream, and I think that is why—so far, at least—I have raised the subject of bipartisan opposition, and that is pretty rare around here, as many know. He is too extreme for this appointment. I would hope that my colleagues would vote against him. I know we had one vote already.

I say all this as someone who has worked for a long time in a very bipartisan, collaborative way to appoint district court judges in Pennsylvania over and over. Those judges have had the support of Senator TOOMEY, as well as Democratic judges in the Third district court judges in Pennsylvania, as well. A Democratic Senator and a Republican Senator have worked together on a number of appointments. We are getting close to 20 now. I think, since we have served together since 2011. I think we are at 19, if I haven’t lost count. That means that we both have worked together to review, to scrutinize, and to decide whether to support a judge who might come from a Democratic nomination and might be supported by me and by my colleague Senator TOOMEY. Over time, that means that Democratic judges, or someone nominated by a Democratic Senator and a Democratic White House a couple of years ago, and Republican nominees, nominated by a Republican Senator and a Republican White House, have been given consideration, review, and then confirmation.

I am someone who takes his responsibility seriously. I have a long and distinguished record of working in this process—and that is why I have raised the subject of bipartisan opposition and the fact that the discrimination continues. It is our job to ensure that our judges will respect and protect everyone’s equality.

I suggest the absence of a quorum. The PRESIDING OFFICER (Ms. MCALSY). The clerk will call the roll. The Ayes have it, so ordered.

Mrs. FISCHER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BORDER SECURITY

Mrs. FISCHER. Madam President, I rise today to discuss what is happening at our southern border, and I call upon my colleagues in Congress to act quickly to address this humanitarian crisis.

Last month, terrifying reports surfaced of an illegal immigrant from Guatemala who traveled with an 8-year-old boy across the United States-Mexico international border with as he was told that it was easier to get into the United States with a child. The illegal immigrant allegedly paid the boy about $130 to “rent the child” and an additional $130 for a fake birth certificate.

Tragically, this is a story we are hearing more and more about as the border crisis rages on. Homeland Security investigators are working to understand the extent of troubling cases on our border, where adults are using children who have no family relation in order for them to become eligible for release after they are apprehended. The practice has been occurring frequently enough that the Department of Homeland Security now refers to it as “child recycling rings.”

Smugglers and cartels are well aware of the legal loopholes that incentivize these criminals to manipulate vulnerable populations. Our current legal framework makes it easier to turn a profit by smuggling individuals with young children.

DHS has recorded nearly 4,800 migrants in 2019 who have falsely identified themselves as family units.

Recently, we received the welcome news that the Trump administration reached a deal with Mexico to ensure better immigration enforcement at the border. This agreement was an important step in the right direction at a time when our Nation needs it most.

Both countries have declared a shared
goal of upholding the rule of law on both sides of the border. I am grateful for the President's hard work to secure our border, to keep this country safe, and to continue our trade with a key partner.

The deal is a critical step forward, and it is taking place not a moment too soon. Illegal border crossings at the southern border have reached staggering rates this past spring. Last March alone, there were more than 165,000 apprehensions, and in April there were over 100,000. In May, apprehensions at points of entry reached over 144,000. That is a 32-percent increase over the month of April. We have had over 100,000 apprehensions on the border each month for 3 months in a row. Sustained numbers like these haven't been witnessed in over 12 years.

The question remains: What concrete steps are we taking as a nation to stop this?

Our Border Patrol agents, who are working as hard as they possibly can, cannot keep up with the record surge of people coming into our country without authorization. Our ability to provide the care and attention for detained individuals is at a breaking point.

As we know, this includes tens of thousands of innocent children. Acting Secretary McAllen recently testified at a Senate Judicary Committee where he noted that in the last 40 days alone, DHS has taken into custody 60,000 children. He also testified last month that border officials saw a record day of over 5,800 border crossings in a single 24-hour period. This comes in addition to the largest single apprehensions at points of entry reached over 144,000. That is a 32-percent increase over the month of April. We have had over 100,000 apprehensions on the border each month for 3 months in a row. Sustained numbers like these haven't been witnessed in over 12 years.

Facilities along the border haven't just reached full capacity. They are overflowing. On June 10, the Department of Homeland Security reported that they had fewer than 700 beds available to place 1,900 unaccompanied children who had already been processed by Customs and Border Protection. This is forcing HHS to place children with sponsors at higher rates than the program has experienced in its history. It also increases pressure to find space for the influx of children within CBP facilities, which were not built for this purpose in any way.

HHS also requested additional funding to expand its bed capacity so that they can keep pace with the increasing numbers of unaccompanied children. At this rate, HHS may not have the necessary funding to continue their care programs beyond the month of June.

The situation is clear. Congress needs to act, and we need to act right now. Chairman SHELBY recently announced that the Senate Appropriations Committee will hold a Markup on a $2.5 billion package. Over $3 billion would be directed to help resolve the humanitarian crisis by increasing the care for unaccompanied children and expanding those shelter facilities. The remaining $1 billion would fortify our security missions.

To the ears of the American people, this may sound like an overdue, commonsense relief effort, and that is because our Democratic friends have prioritized their starring role in the political theater over our country's emergency at the southern border.

Over 6 weeks ago, the administration sent an urgent plea to Congress asking for more funds to secure our border and improve the conditions for tens of thousands of children. It is unacceptable that Democrats in the House and right here in the Senate are playing politics at a time when our Nation needs stability.

In the coming weeks, Senate Republicans will be waiting at the table to work toward bipartisan solutions to address the crisis at the border and provide the funding that is desperately needed. Mr. Kacsmaryk and his Democratic colleagues will meet us there.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. BLUMENTHAL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MATTHEW J. KACSMARYK

Mr. BLUMENTHAL. Madam President, sometime tomorrow, this body will consider a number of nominations for final confirmation, among them the nomination of Matthew Kacsmaryk to the U.S. District Court for the Northern District of Texas.

A Federal district judge serves a particular area of the country, but in fact, the whole country has a stake in this nominee because a judge helps to define and refine and apply the law of the United States, setting precedent that applies to the entire country. It isn't just the Northern District of Texas that has a stake in this nomination; it is the entire country. So this alarming and appalling nomination should be of particular interest to my colleagues.

It is the result of a process that, very unfortunately, has been demeaned and degraded. It is a shadow of what it once was. In the scrutiny that is given and the time that is devoted, this process is failing to assure the independence of the judiciary. Now is the time when that independence must be assured because, from this time forward, these judges will be lifetime appointees and will have no accountability to this body or to any other elected official.

In previous years, under other Republican administrations, there was an adequate time for debate. There were full hearings and nominees answered questions about their views on issues that were relevant to their service. That process has been severely undercut—indeed, decimated now. What we have before us, again and again and again, are nominees who fail to meet the basic test of intellect and integrity and responsibility.

I look at all of the records of nominees and try to determine what their basic values are—whether they think particular Supreme Court precedents were correctly decided, like Brown v. Board of Education and Roe v. Wade—because it is a view into their basic commitments to the Constitution and to the law. It is a view into whether they are deeply and ideally settled. Matthew Kacsmaryk fails that test.

If there is a principle enshrined in our Constitution that matters more than any other, it is the idea that everyone is equal before the law. No one is less entitled to rights than anyone else. Everyone is equal regardless of race, gender, ethnicity and regardless of who you are, how much you own, or where you were born. Mr. Kacsmaryk can respect for this basic principle. In fact, his career is defined by active opposition to the treatment of minority groups.

In 2016, he submitted an amicus brief that supported a Virginia school board's policy that a student must use the restroom that corresponds to the student's biological gender.

Also, in 2016, he sent a letter to the Centers for Medicare and Medicaid Services and argued that the Department of Health and Human Services should not require hospitals to conduct sex reassignment surgeries for transgender individuals. He wrote in that letter that transgender people suffer from a "psychological condition, in need of care" and are "not in a category of person in need of special legal protection." He went so far as to say the experiences of transgender people are "irrational" and "delusional." In support of these and other statements, I have received numerous letters from the parents of transgender people. They have written in fear and alarm that someone with such offensive, extreme, medically inaccurate views could be promoted to a lifetime position within the Federal judiciary—a position that will give him power over the lives of exactly these individuals who seek equality under the law.

Seventeen of our House colleagues—some of them parents and grandparents of transgender people—have written to us and expressed their concern that someone with such hostile views toward LGBTQ Americans could possibly be confirmed as a judge.

Our colleagues in the House are concerning the opinions we are making here because they respect these individuals.

Kacsmaryk has also repeatedly made public his opposition to marriage equality and the equal treatment of same-sex couples.

He submitted an amicus brief in Obergefell v. Hodges, urging the Supreme Court to not extend the right of
marriage to same-sex couples. He, thankfully, did not prevail in that view because the Court upheld the rights of same-sex couples to be married, and he continued his opposition to marriage equality by representing the owners of an Oregon bakery who refused to bake a cake for a same-sex couple.

He testified in favor of legislation the Texas Observer described as a “license to discriminate” adoption bill that would permit adoption agencies to refuse to place children with same-sex couples.

Many in Congress, including myself, worked to pass the Equality Act, which would reflect the core of the Supreme Court’s ruling by adding sexual orientation and gender identity to the Federal code’s list of protected classes.

He has referred to this effort as a weaponization of Obergefell that seeks the public affirmation of the “erotic desires of liberated adults.”

Even as I recite these quotes, I can hardly believe that at this moment in our history, at this time of awareness among informed and tolerant people who believe in inclusiveness and equal justice under the law, that someone nominated to this position of paramount responsibility would have these views and articulate them in this way.

If the Equality Act were to become law, would face a challenge in Judge Kacsmaryk’s court, could litigants feel comfortable or confident that they would receive a fair hearing? Is there any gay, lesbian, transgender, or non-binary person who would feel their case would receive a nonbiased treatment in his court?

I have such deep doubts, as should my colleagues, that I cannot vote for him. I will oppose his nomination, and I hope my colleagues will join me in voting no on Matthew Kacsmaryk.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEEDURE

Mr. MCCONNELL. For the information of all Senators, at 3:30 p.m. on Wednesday, June 19, the Senate will vote on confirmation of the following nominations in the order listed, and if confirmed, the motions to reconsider shall be considered made and laid upon the table and the President be immediately notified of the Senate’s action: Executive Calendar Nos. 22, 29, 50, and 118. Under this precedent, the cloture motion on the motion to proceed to S. 1790 will ripen following disposition of Executive Calendar No. 118.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to legislative business in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO PASTOR DAVE STONE

Mr. MCCONNELL. Madam President, all of God’s children are blessed with certain gifts, and we are each called to put them to work to glorify Him. Today, it is my sincere privilege to pay tribute to my friend who has answered this call and used his considerable gifts with compassion and grace. At the end of May, I had the pleasure of welcoming Dave to the senior pastor of Southeast Christian Church in Louisville, KY. I would like to take a moment to honor his years of pastoral leadership and to sincerely thank him for his care and dedication to our family.

Elaine and I have been attending Southeast for nearly two decades, drawn by the moving preaching and the warm community. Dave has been an integral part of that spiritual life for 30 years, and there are so many of us in Louisville who have been made better by his friendship and leadership. Throughout his 13 years as senior pastor, Dave was our shepherd and used his many talents to point tens of thousands to the Lord.

When Dave first joined Southeast, his devotion to Christ and His church instantly became clear. Dave came not only with an inspirational vision, but with a deep sense of humility. To anyone who walked into this church, he made a point to welcome them like a lifelong friend. In both the easy and the difficult times, Dave shared his sense of joy and everything he held for the church. His warmth and humor made a positive and tangible impact on me and many other members.

Dave assumed the responsibility of senior pastor after the retirement of Bob Russell, who had served the church community in leadership roles for 40 years. The next year, Southeast announced the establishment of a second location, a remarkable sign of growth in our community. Dave continued adding more campuses to the church, and now it reaches believers on TV, on the radio, and at seven locations. Through this development, Southeast has become the largest church in Kentucky and the seventh largest in the entire country.

Southeast’s impressive growth also brought more responsibilities for Dave, his team, and his family. Whatever challenge presented itself over the years, Dave’s skilled ministry helped him and his family rise to meet them. Colleagues of all ages and generations have watched Dave preach, relied on his mentorship, and enjoyed his friendship.

Dave admitted that he hates the word “retirement,” but he also knew it was time to pass the baton. When he announced his departure, Dave expressed his deep gratitude to the church leadership, staff, and all the faithful. He once again showed himself the inspiring pastor who fulfilled his mission from God.

Now that he has officially stepped down as Southeast’s senior pastor, Dave is looking for his next calling. I am confident he will continue using his many talents to draw the faithful to the Lord. He will also get to spend more time with his wife Beth, his children, and his grandchildren. Although Elaine and I will certainly miss his Christian spirit and good humor, we wish Dave and his family all the best on their next adventure.

NOMINATION OF MATTHEW J. KACSMARYK

Mrs. FEINSTEIN. Madam President, I rise today in opposition to the nomination of Matthew Kacsmaryk to the United States District Court for the Northern District of Texas.

June is the month that we recognize as Pride Month to celebrate the lesbian and gay community and to acknowledge that individuals should not be discriminated against on the basis of their sexual orientation; yet, today we are voting on a nominee, Mr. Kacsmaryk, who has clearly demonstrated opposition to the rights of LGBT Americans. He has argued against marriage equality and defended a company that refused to provide service to a same-sex couple, simply based on their sexual orientation.

It is disappointing that the Senate is moving forward on his nomination, and more disappointing that the majority has scheduled this vote during Pride Month.

Mr. Kacsmaryk’s long record of opposing civil rights protections for LGBT Americans should disqualify him from service on the bench. They demonstrate that he puts his personal opinion above Supreme Court precedent.

Specifically, I want to highlight some key positions in his record.

In 2015, Mr. Kashmir made comments deeply critical of United States v. Windsor, the case that struck down the Defense of Marriage Act, or DOMA. Mr. Kacsmaryk claimed that the Obama administration, which refused to defend DOMA, had “effectively collaborated with the adversary.” Mr. Kacsmaryk’s comments make clear that he believes those fighting for the right of LGBT American, including the right to marry, are adversaries. Someone making a statement like this should quite simply not be a Federal judge.

He likewise claimed in a radio interview that efforts to achieve marriage equality were marked by “lawlessness,” adding that the Justice Department’s refusal to defend DOMA was an “abuse of rule of law principles.”
Also in 2015, Mr. Kacsmaryk submitted a brief in Obergefell v. Hodges, the landmark Supreme Court case that guaranteed marriage equality.

Mr. Kacsmaryk urged the Court to deny that the 14th Amendment extended to the right of same-sex couples to marry by arguing that finding a nationwide right to marriage equality would violate the free speech rights of those who oppose same-sex marriage on religious grounds, and he claimed that allowing gay couples to marry would “silence” the voices of dissenters who continue to hold to their “millennia-old definition of marriage.” The Supreme Court disagreed.

In 2016, Mr. Kacsmaryk continued his efforts opposing the civil rights of LGBT individuals by defending a company that refused to sell a wedding cake to a same-sex couple, simply because they were gay.

Mr. Kacsmaryk denied that the business had refused to sell the cake because of the customers’ sexual orientation. Instead, he claimed that the law prohibiting discrimination against LGBT individuals “forced” business owners to publicly facilitate ceremonies, rituals, and other expressive events with which they have fundamental disagreements.

Businesses should not be permitted to discriminate against customers because of their sexual orientation, but in Matthew Kacsmaryk’s opinion, it is acceptable to do just that.

Throughout his career, Mr. Kacsmaryk has taken particularly offensive positions on the rights of transgender Americans, including transgender youth. He has argued that being transgender is a “delusion.”

He also signed onto a letter claiming that transgender people are suffering from a “psychological condition in need of care,” and are “not a category of people in need of special legal protection.”

Taken together, these positions show that Mr. Kacsmaryk has strong personal beliefs and is opposed to defending civil rights of gay and lesbian individuals.

Further, when asked during his hearing whether he would recuse himself from cases involving LGBT individuals, Mr. Kacsmaryk refused. When asked in written questions how his record did not demonstrate an appearance of impropriety when it comes to deciding cases on gay rights, Mr. Kacsmaryk simply cited the Federal recusal statute, refusing to answer the question directly.

In addition, Mr. Kacsmaryk has also worked to undermine women’s access to reproductive healthcare.

For example, he argued that the Affordable Care Act’s contraceptive coverage requirement was unconstitutional, and then later claimed that the Obama administration’s religious accommodations to that requirement was likewise unconstitutional.

Without any evidence, Mr. Kacsmaryk accused the Obama administration of treating religious protections “as a secondary consideration.” With respect to the accommodation, which required nonprofit organizations to submit a one-page form to their insurer noting their objections, Mr. Kacsmaryk claimed the government could require the “healthcare providers” to provide material aid to those who would commit the ultimately wrongful act of providing contraceptives.

He also argued that a Washington State statute requiring all pharmacies to stock emergency contraceptives violated the rights of religious pharmacists. The statute permitted individual pharmacists to decline to fill prescriptions that ran contrary to their religious beliefs.

But this was not enough for Mr. Kacsmaryk, who argued that the pharmacies themselves should be exempt from the statute. He also claimed that in seeking to provide contraception to women, Washington had “radically departed from the commonalities of conscience rights” for health care professionals.

The Supreme Court declined to hear the case.

Given the positions he has taken in litigation and the inflammatory comments he has made in his personal capacity, I am concerned Mr. Kacsmaryk will not bring the temperament needed to demonstrate respect for all litigants that we expect from all Federal judges.

I am voting against Mr. Kacsmaryk because I believe his record shows he is far outside the legal mainstream, and I urge my colleagues to do the same.

Ms. HIRONO. Madam President, this month, many of us are celebrating Pride Month and reaffirming the rights and freedoms of the LGBTQ community. We also celebrated the fight for equal rights for women with the 100th anniversary of the passage and ratification of the 19th Amendment, which gave women the right to vote.

But instead of celebrating these rights and freedoms, here is what Senate Republicans have in store for us. This week, they will confirm a Federal judge to a lifetime appointment who has devoted his career to advocating for health care professionals.

Through his actions as a lawyer and private citizen, Matthew Kacsmaryk, the Republican candidate for the 19th District of Texas, has made his hostility towards LGBTQ individuals, marriage equality, and reproductive rights clear. As deputy general counsel for the First Liberty Institute, Kacsmaryk urged the Supreme Court in Obergefell v. Hodges to rule that there is no nationwide right to same-sex marriage. After the Supreme Court disagreed with him, Kacsmaryk wrote an article criticizing not only Obergefell, but also the Court’s decision in Roe v. Wade. He complained about “the popular judgment on an essentially sacred question” of reproductive rights.

As a lawyer, Kacsmaryk advocated for employers who objected to providing contraceptive coverage as part of the healthcare required under the Affordable Care Act for religious reasons.

Outside of the courtroom, he continued his advocacy against reproductive rights. In a 2016 interview, he complained about “imposition of a secular judgment on an essentially sacred question” in the contraceptive mandate.

As deputy general counsel for the First Liberty Institute, Kacsmaryk urged the Supreme Court in Obergefell v. Hodges to rule that there is no nationwide right to same-sex marriage. After the Supreme Court disagreed with him, Kacsmaryk wrote an article criticizing not only Obergefell, but also the Court’s decision in Roe v. Wade. He complained about “the popular judgment on an essentially sacred question” of reproductive rights.

As a lawyer, Kacsmaryk advocated for employers who objected to providing contraceptive coverage as part of the healthcare required under the Affordable Care Act for religious reasons.

Outside of the courtroom, he continued his advocacy against reproductive rights. In a 2016 interview, he complained about “imposition of a secular judgment on an essentially sacred question” in the contraceptive mandate.

Kacsmaryk also urged the Supreme Court to allow a Virginia school board to require students to use the restroom corresponding to their “biological gender” and a State labor and industry board in Oregon to let a bakery refuse to make same-sex wedding cakes. It is court to consider that more than 200 groups oppose his nomination, including Lambda Legal and 74 other LGBT and allied groups, the National Women’s Law Center, and AFL–CIO.

Earlier this year, I entered a letter into the record from about 300 parents of transgender children who opposed Kacsmaryk’s nomination “because of his demeaning attacks on transgender children and adults.” In their letter, these parents pointed to Mr. Kacsmaryk’s efforts to “repeatedly promote[] fringe, junk science about transgender people, claiming that gender identity doesn’t exist and that being transgender is a ‘delusion.’”

They explain why his actions are so concerning and why his nomination makes them fear for their children.

They wrote: “Kacsmaryk’s words are deeply offensive and harmful . . . Our children are not a delusion, and neither is our love and support for them. We believe our children are miracles, like every child.”

Despite Kacsmaryk’s offensive statements and extensive record against the LGBT community, he is being rushed to confirmation during Pride Month by Majority Leader McConnell and Donald Trump are intent on packing the courts with deeply partisan judges with extreme ideological agendas.

While our friends in the House have been busy passing bills after bill to protect women from violence, reduce senseless gun violence, and ensure that all Americans have access to affordable healthcare, Senate Republicans have ignored these bipartisan bills and maintained their single-minded focus on Supreme Court judges. That is because Senate Republicans are trying to accomplish extreme, conservative outcomes through the courts that they
be unable to achieve through legislation. As Majority Leader McConnell previously explained, legislation can be repealed, but “[w]hat can’t be undone is a lifetime appointment.”

In the past, this lifetime appointment was viewed as an important protection to ensure courts remained independent and fair minded. Now, it is being weaponized as a tool to enforce extreme, conservative policies through the confirmation of deeply partisan and ideologically driven judicial nominee.

In the past 2-and-a-half years, we have seen why it is so critical to have fair and independent courts. As Senate Republicans race to pack the courts with more and more partisan judges with extreme ideologies, the integrity and independence of the Federal judiciary is at stake.

Americans must be able to trust that courts act fairly and impartially to protect the rights of all Americans. That is why I will vote against Matthew Kacsmaryk’s nomination today.

100TH ANNIVERSARY OF THE AMERICAN LEGION

Mr. BARRASSO. Madam President, today I wish to recognize the 100th anniversary of the American Legion. Following the end of World War I, the generation who fought the war to end all wars created an organization dedicated to the protection and defense of all veterans who answered the call of duty.

The American Legion has been our Nation’s leading advocate for proper healthcare and earned benefits for America’s veterans, establishing hospitals and other services for the returning servicemembers of World War I. The Legion champions compensation and pensions for the disabled and for widows and orphans and was instrumental in creating the Veterans Administration in 1930. It also played an important role in the enactment of the GI Bill of Rights, first for World War II veterans, and then for veterans of following eras, establishing education, vocational training, and home loan benefits.

Known as the father of the American Legion, Lt. Colonel Theodore Roosevelt, Jr., son of President Roosevelt, organized the first caucus of the American Legion in Paris in March 1919. The meeting was held in St. Louis on June 18, 1919 where the official name was adopted. A preamble and constitution were adopted during the first National Convention in Minneapolis. True to their pioneering nature, Wyoming’s Ferdinand Bransetter Post No. 1 organized to situate themselves at the forefront of the Legion organization. However, due to the bureaucracy encountered by the first posts, Van Tassell was actually among the first 10 posts to be charted.

In October 1919, Wyoming held its First American Legion Convention, hosted by Samuel Mares Post No. 8 in Douglas. The first department officers included Commander Charles S. Hill and Adjutant Harry Fisher. Department headquarters was originally in Casper, later moving to Cheyenne as membership gradually grew to a high of 10,805 in 1949.

Today’s Wyoming American Legion continues to care for comrades. As leaders in their communities, they demonstrate honor and respect for veterans and their loved ones. They actively support numerous youth programs including Boys and Girls State, the Child Welfare Fund, Boy Scouts, baseball, and scholarship programs. Their accomplishments continue to grow as they serve our veterans, their families, and our communities.

Today’s Wyoming American Legion is comprised of four counties. The leadership includes Commander Richard F. Dansereau, Jr., Vice Commander Mike Cooke, 2nd Vice Commander Jerry Clark, Immediate Past Commander Kenneth V. Persson, Sr., Finance Officer Dean G. Clark, and Officers: Executive Committee Chairman Terry Miller, National Executive Committee Chairman Doug Uehrlig, Adjutant Lee Buchsacher, Department Service Officer Michael H. Ott and Deputy Service Officer Michelle J. Albertson, Historian Penny Merryfield, Chaplain Jim Vandivort, Judge Advocate Gary Hartman, and Office Manager Gina Mayhan.

The American Legion is more than the names of men who fell on the battlefield in the name of freedom, liberty and democracy. They are more than buildings or posts. They are the lifeblood of our country, endowed with the never-ending spirit of patriotism and liberty. They will never quit, they will never falter and will always complete their mission. America and the State of Wyoming are better for it.

TRIBUTE TO STANLEY P. LAWRIUK, SR.

Mr. COONS. Madam President, on the 75th anniversary of D-Day, I wish to recognize a member of the G-Generation, Stanley P. “Lucky” Lawriuk, Sr., of Wilmington, DE. Stanley P. Lawriuk, a lifelong Delawarean, served in the U.S. Army Air Corps at the Battle of Normandy and throughout World War II.

On D-Day, June 6, 1944, 20-year-old Technical Sergeant Stanley Lawriuk was on his fourth combat mission as
both the flight engineer and top turret gunner on a Boeing B-17G Flying Fortress. Sergeant Lawruk and his fellow crewmen were part of the 327th Bombardment Squadron, 92nd Bomb Group, known as Fame’s Favored Few.

His mission on D-Day was to target and destroy the marshalling yards and industrial center at Thury-Harcourt in Normandy, France. As the dorsal turret gunner, Sergeant Lawruk manned twin 50-caliber machineguns located just above the cockpit of his bomber.

“I saw all the ships go across the channel.” Stan said in a 2014 interview.

“They were so thick, you could almost walk across the channel [on them]. And you could see the troops.” Sergeant Stan Lawruk survived D-Day and the many follow-on missions of the Normandy campaign. After more than 20 combat flights, Lucky Lawruk had earned his nickname.

On his 26th mission, Stan Lawruk’s luck ran out. On August 25, 1944, Stan’s B-17 was on a bombing mission to destroy a V-2 rocket experimental station located along the coast of Peenemünde, Germany. There, his Flying Fortress fell victim to anti-aircraft batteries below.

“A direct hit blew off the propeller on our number four engine. That in turn tore a large hole in our right wing,” Stan said in a 1945 newspaper interview. Another hit put our number three engine on fire and set another windmilling. We lost altitude rapidly.”

Stan and his fellow wingmen were instructed to bail out over Germany; however, they decided to stick with the plane if possible. “Over the Baltic we started to toss out everything we could move or pry loose,” Stan said in 1945, stating that he even tried to drop the ball turret. “I didn’t have a chance to finish the job before I jumped to my crash position. We came down in a slant in a fishing village. None of the crew was hurt.”

A declassified document, Missing Air Crew Report 8275, recently found in the National Archives, verifies that all nine crew members survived the force of the crash landing near Sved, Sweden. Weather conditions and visibility were described as “cloudy smooth.” The bomber, numbered 43-37596, was last sighted at “1322 hours” that day.

Stan and his crew were rescued by Swedish Red Cross volunteers; however, the American airmen would remain in neutral Sweden for 6 months. The bomber crew were considered prisoners of war until repatriated back to England. Stan, who originally enlisted in January 1943, remained in the U.S. Army Air Corps until he was honorably discharged at New Castle Army Airfield in October 1945.

After World War II, Stan did what many GIs did upon returning home. He picked up where he left off before the war. Stan eventually landed a delivery job at the American Store, now known as ACME, located at Chestnut and Franklin Streets in Wilmington.

 Shortly thereafter, Stan Lawruk married Pearl DeLucia in November 1946. Together Stan and Pearl raised three children: Kathy, Stan, and Tim. Stan eventually landed a delivery job with the Tasty Baking Company, the maker of Tastykake treats. He worked there for 35 years until retirement. Topping that record was the nearly 69 years of marriage shared by Stan and Pearl Lawruk. His beloved wife passed away in 2015.

Stan, who just celebrated his 95th birthday, is still well known in our community and in our State. He recently moved to Wilmington VA Medical Center’s Community Living Center, where he quickly became a favorite among the residents, staff, and veterans.

Stan still loves Tastykake treats and is widely known to be a bit of a card sharp who enjoys a game of BlackJack. Besides his interest in playing cards, he recently discovered his talent as an artist. In the last year alone, Stan has painted more than a dozen works of art. Folk who know Stan know him to be a loving, caring, social, and extremely positive person.

In summary, Stanley “Lucky” Lawruk is truly part of our Greatest Generation. I offer him my thanks for his sacrifices for family, for State, for country, and for humanity.

Stan, on behalf of a grateful nation, thank you for your dedicated service.

ADDITIONAL STATEMENTS

50TH ANNIVERSARY OF GE BANGOR

Ms. COLLINS. Madam President, in 1969, General Electric opened a factory in Bangor, ME. At that time, it was a small operation using old machinery to produce steam turbine rotors and blading. It powered only 7,000 homes. Today, 50 years later, the skilled workers at GE Power manufacture equipment that powers more than 1 million homes. I am delighted to congratulate this outstanding company and its dedicated workforce on their golden anniversary.

GE Power is a center of excellence for steam turbine rotors and blading. It specializes in gas turbine component manufacturing, which is especially important as natural gas has become an essential component of America’s growing energy independence and has helped reduce harmful emissions. As this facility has grown, so has its global reputation for innovation and problem solving.

That reputation is earned every day by the nearly 400 employees at GE Power. Their ingenuity and dedication have made their plant one of Bangor’s most significant employers. They have embraced GE’s companywide ethic of philanthropy and service to others, and they contribute to our community in countless ways.

The General Electric Company was founded in 1892 by Thomas Alva Edison. The famed inventor and electricity pioneer could well have had Bangor in mind when he said, “The three great essentials to achieve anything are hard work, stick-to-itness, and common sense.” The men and women of GE Power demonstrate those essentials every day, creating opportunity for themselves and our city, and I congratulate them on this landmark anniversary.

100TH ANNIVERSARY OF THE TWIN FALLS AMERICAN LEGION POST 7

Mr. RISCH. Madam President, along with my colleagues Senator MIKE CRAPO and Representative MICHEAL SIMPSON, I congratulate the American Legion Post 7 in Twin Falls, ID, on its 100th anniversary.

On March 15, 1919, the first American Legion caucus was held in Paris, France, in the wake of World War I. Just a few months later, in June of 1919, the American Legion Post 7 in Twin Falls, ID, was chartered. On September 16, 1919, Congress established the American Legion as a federally chartered corporation. As you can tell, those men in Twin Falls wasted no time answering the call in peacetime as they had in time of war, as veterans so often do. The low post number, post No. 7, shows the veterans of Twin Falls were one of the earliest to request and receive a charter in the Idaho Department.

The Twin Falls American Legion Post 7 has been around to help veterans from WWI, WWII, Korea, Vietnam, Iraq, Afghanistan, and other U.S. engagements and activities. A remarkable record of accomplishment of service and support to our troops and veterans.

In addition, you will see post 7 members serving on Memorial Day, Veterans Day, veteran funerals, and many other community events as the color guard, providing 21-gun salutes, or playing taps on the bugle. They quietly provide support to grieving military families, injured veterans, and patriotic citizens.

Twin Falls American Legion Post 7 is part of the fabric and spirit of Twin Falls and the surrounding communities. They provide assistance and service to veterans by helping them to understand and apply for benefits, find jobs, and healthcare services. In addition, they are involved in many programs and community activities, such as American Legion Baseball, Boys State, Oratorical Contests, and scholarship awards. Post 7 also has a women’s auxiliary that sponsors the Girls State Program and serves in many capacities in the community.

The Preamble of the American Legion Constitution speaks volumes about the quality and patriotism of American Legion members. The first few lines of the preamble make evident these values: “For God and Country we Associate Ourselves together for the following purposes: To uphold and defend the Constitution of the United

CONGRESSIONAL RECORD—SENATE
June 18, 2019
MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

The messages received today are printed at the end of the Senate proceedings.

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13219 OF JUNE 26, 2001, WITH RESPECT TO THE WESTERN BALKANS—PM 20

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the Federal Register a finding that the national emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, is to continue in effect beyond June 26, 2019.

The threat constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the former Republic of Macedonia (what is now the Republic of North Macedonia) and elsewhere in the Western Balkans region, or (ii) acts ob-structing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo, has not been resolved. In addition, Executive Order 13219 was amended by Executive Order 13504 of May 28, 2008, to take additional steps with respect to acts obstructing implementation of the Ohrid Framework Agreement of 2001 relating to the former Republic of Macedonia (what is now the Republic of North Macedonia).

The acts of extremist violence and obstructionist activity outlined in these Executive Orders are hostile to United States interests and continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to the Western Balkans.

DONALD J. TRUMP.
THE WHITE HOUSE, June 18, 2019.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CRAPO for the Committee on Banking, Housing, and Urban Affairs:

* Ian Paul Steff, of Indiana, to be Assistant Secretary of Commerce and Director General of the United States Foreign Commercial Service.

By Mr. CRUZ (for himself and Mr. DUCKWORTH):

S. 1881. A bill to provide PreCheck to certain severely injured or disabled veterans, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DUCKWORTH (for himself and Mr. BLOOMENTHAL):

S. 1884. A bill to amend the Internal Revenue Code of 1986 to provide an enhanced research credit for the development of smart gun technologies; to the Committee on Finance.

By Mr. REED:

S. 1885. A bill to ensure that irresponsible corporate executives, rather than shareholders, pay fines and penalties; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRUZ (for himself and Mr. CRAMER):

S. 1886. A bill to restrict security assistance to Lebanon, and for other purposes; to the Committee on Foreign Relations.

By Mr. PAUL:

S. 1887. A bill to streamline the application process for H-2A employers, and for other purposes; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself and Mr. WARNER):

S. 1888. A bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to create a pilot program to award College in High School Pell Grants; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself and Mr. GRAHAME):

S. 1889. A bill to ensure that persons who form corporations in the United States disclose the beneficial owners of those corporations, in order to prevent the formation of
corporations with hidden owners, stop the misuse of United States corporations by wrongdoers, and assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, tax evasion, and other criminal and civil misconduct involving United States corporations, and for other purposes; to the Committee on the Judiciary.

By Ms. CORTEZ MASTO (for herself, Mr. MERKLEY, Mrs. FEINSTEIN, Ms. STABENOW, and Ms. HARRIS):

S. 1891. A bill to provide for the inclusion on the Vietnam Veterans Memorial Wall of the names of the soldiers who died on Flying Tiger Flight 739 on March 16, 1962; to the Committee on Energy and Natural Resources.

By Mr. PETERS:

S. 1892. A bill to provide for grants for energy efficiency improvements and renewable energy improvements at public school facilities; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 27

At the request of Mr. MANCHIN, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 27, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 31

At the request of Mr. GARDNER, the name of the Senator from Virginia (Mr. KAIN) was added as a cosponsor of S. 31, a bill to amend title 23, United States Code, to authorize per diem payments under comprehensive service programs for homeless veterans to furnish care to dependents of homeless veterans, and for other purposes.

S. 170

At the request of Mr. DAINES, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 170, a bill to amend the Internal Revenue Code of 1986 to limit the amount of certain qualified conservation contributions.

S. 178

At the request of Mr. RUBIO, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

S. 208

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 208, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes. S. 227

At the request of Ms. MURKOWSKI, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 227, a bill to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.

S. 229

At the request of Mr. SHAHEEN, the names of the Senator from Minnesota (Ms. SMITH), the Senator from California (Ms. HARRIS), the Senator from California (Mrs. FEINSTEIN), the Senator from Connecticut (Mr. MURPHY), the Senator from Idaho (Mr. CRAPO) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 229, a bill to require the Secretary of the Treasury to mint coins in recognition of Christa McAuliffe.

S. 242

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 428, a bill to lift the trade embargo on Cuba.

S. 407

At the request of Mr. CORNYN, the names of the Senator from Colorado (Mr. GARDNER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUHNO) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 407, a bill to require that $1 coins issued during 2019 honor President George H.W. Bush and to direct the Secretary of the Treasury to issue bullion coins during 2019 in honor of Barbara Bush.

S. 466

At the request of Mr. WARNER, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 466, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 469

At the request of Mr. WARNER, the names of the Senator from Michigan (Mr. MURPHY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 469, a bill to provide that certain guidance related to waivers for State innovation under the Patient Protection and Affordable Care Act shall have no force or effect.

S. 481

At the request of Mr. HEINRICH, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 491, a bill to reaffirm the policy of the United States with respect to management authority over public land, and for other purposes.

S. 500

At the request of Mr. WARNER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 500, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 514

At the request of Mr. TESTER, the name of the Senator from North Dakota (Mr. Cramer) was added as a cosponsor of S. 514, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 546

At the request of Mr. GARDNER, the names of the Senator from Michigan (Mr. PETERS), the Senator from Florida (Mr. SCOTT) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 546, a bill to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2090, and for other purposes.

S. 578

At the request of Mr. WHITEHOUSE, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 578, a bill to amend title II of the Social Security Act to eliminate the five-month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 589

At the request of Mr. LANKFORD, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 589, a bill to provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and establish procedures and consequences in the event of a failure to complete regular appropriations.

S. 631

At the request of Mr. CARPER, the name of the Senator from New Hampshire (Ms. SHAHEEN) was added as a cosponsor of S. 631, a bill to provide for the admission of the State of Washington, D.C. into the Union.

S. 640

At the request of Mr. KENNEDY, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 640, a bill to amend title XVIII of the Social Security Act to require pharmacy-negotiated price concessions to be included in negotiated prices at the point-of-sale under part D of the Medicare program, and for other purposes.

S. 727

At the request of Mr. COONS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 727, a bill to combat international extremism by addressing global fragility and violence and stabilizing
conflict-afflicted areas, and for other purposes.

At the request of Mr. MENENDEZ, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 756, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 894, a bill to provide for the inclusion on the Vietnam Veterans Memorial Wall of the names of the lost crew members of the U.S.S. Frank E. Evans killed on June 3, 1969.

At the request of Mr. Cramer, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 849, a bill to provide for the inclusion of the names of the dead crew members of the U.S.S. Frank E. Evans killed on June 3, 1969.

At the request of Mr. DURBIN, the name of the Senator from Washington (Mrs. MURRAY), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 894, a bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism.

At the request of Mr. KAIN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 899, a bill to limit the authority of the President to modify duty rates for national security reasons and to limit the authority of the United States Trade Representative to impose certain duties or import restrictions, and for other purposes.

At the request of Mrs. FEINSTEIN, the names of the Senator from Delaware (Mr. COONS), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from California (Ms. HARRIS) were added as cosponsors of S. 906, a bill to improve the management of drift net fishing.

At the request of Mr. CASEY, the names of the Senator from Alabama (Mr. JONES) and the Senator from Wisconsin (Mr. REID) were added as cosponsors of S. 931, a bill to amend the Internal Revenue Code of 1986 to enhance the Child and Dependent Care Tax Credit and make the credit fully refundable.

At the request of Mrs. SHAHEEN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 961, a bill to amend the Internal Revenue Code of 1986 to expand eligibility for the refundable credit for coverage under a qualified health plan.

At the request of Mr. PETERS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 979, a bill to amend the Post Office and Civil Service Civil Rights Act of 1990 to provide for the investigation of discrimination by the Postal Service and Federal agencies.

At the request of Mr. PORTMAN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1032, a bill to amend the Internal Revenue Code of 1986 to modify the definition of income for purposes of determining the tax-exempt status of certain corporations.

At the request of Mr. MARKY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1086, a bill to amend the Immigration and Nationality Act to require the President to set a minimum annual goal for the number of refugees to be admitted, and for other purposes.

At the request of Mrs. CAPITO, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1126, a bill to provide better care for Americans living with Alzheimer’s disease and related dementias and their caregivers, while accelerating progress toward prevention strategies, disease modifying treatments, and, ultimately, a cure.

At the request of Mr. BLUNT, the names of the Senator from Louisiana (Mr. KENNEDY) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 1168, a bill to amend the Higher Education Act of 1965 to ensure comprehensiveness of public institutions of higher education for religious groups.

At the request of Mr. CASEY, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1223, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

At the request of Mr. BOOKER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1243, a bill to provide standards for facilities at which aliens in the custody of the Department of Homeland Security are detained, and for other purposes.

At the request of Mr. BLUMENTHAL, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. Udall) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1247, a bill to amend the Federal Election Campaign Act of 1971 to require reporting to the Federal Election Commission and the Federal Bureau of Investigation of communications between nationals to make prohibited contributions, donations, expenditures, or disbursements, and for other purposes.

At the request of Ms. MURKOWSKI, the names of the Senator from Idaho (Mr. RISCH), the Senator from Alabama (Mr. JONES) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 1317, a bill to facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs, and for other purposes.

At the request of Ms. WARREN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1329, a bill to amend the Child Abuse Prevention and Treatment Act to require that appropriate distribution of assistance include equitable distribution in Indian tribes and tribal organizations and to increase amounts reserved for allotment to Indian tribes and tribal organizations under certain circumstances, and to provide for a Government Accountability Office report on child abuse and neglect in American Indian tribal communities.

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1354, a bill to require certain protections for student loan borrowers, and for other purposes.

At the request of Mr. DURBIN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1414, a bill to provide bankruptcy relief for student borrowers.

At the request of Mr. BENNET, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1447, a bill to allow the financing by United States persons of sales of agricultural commodities to Cuba.

At the request of Ms. ERNST, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1500, a bill to amend title 10, United States Code, to improve and enhance benefits for members of the Armed Forces who are victims of a sex-related or domestic violence offense, and for other purposes.
At the request of Mr. Peters, the names of the Senator from New Hampshire (Ms. Hassan) was added as a cosponsor of S. 1539, a bill to amend the Homeland Security Act of 2002 to provide funding to secure nonprofit facilities from terrorist attacks, and for other purposes.

At the request of Mr. Portman, the name of the Senator from Wisconsin (Mr. Johnson) was added as a cosponsor of S. 1539, supra.

At the request of Ms. Ernst, the name of the Senator from Indiana (Mr. Braun) was added as a cosponsor of S. 1543, a bill to amend the Internal Revenue Code of 1986 to provide that floor plan financing includes the financing of certain trailers and campers.

At the request of Mr. Crapo, the name of the Senator from Kansas (Mr. Moran) was added as a cosponsor of S. 1555, a bill to amend title 10, United States Code, to improve the Transition Assistance Program for members of the Armed Forces, and for other purposes.

At the request of Mr. Tillis, the name of the Senator from Texas (Mr. Cruz) was added as a cosponsor of S. 1564, a bill to require the Securities and Exchange Commission and certain Federal agencies to carry out a study relating to accounting standards, and for other purposes.

At the request of Mr. Wyden, the name of the Senator from California (Mrs. Feinstein) was added as a cosponsor of S. 1566, a bill to amend title 36, United States Code, to grant a Federal charter to the Forest and Refuge County Foundation, to provide for the establishment of the Natural Resources Permanent Fund, and for other purposes.

At the request of Mr. Casey, the name of the Senator from Minnesota (Ms. Smith) was added as a cosponsor of S. 1569, a bill to amend the Higher Education Act of 1965 to provide formula grants to States to improve higher education opportunities for foster youth and homeless youth, and for other purposes.

At the request of Mr. Braun, the names of the Senator from Missouri (Mr. Hawley) and the Senator from Massachusetts (Ms. Warren) were added as cosponsors of S. 1696, a bill to amend the Higher Education Act of 1965 to eliminate origination fees on Federal Direct loans.

At the request of Mr. Markey, the names of the Senator from Missouri (Mr. Blunt) and the Senator from Arizona (Ms. Sinema) were added as cosponsors of S. 1728, a bill to require the United States Postal Service to sell the Alzheimer’s semipostal stamp for 6 additional years.

At the request of Mrs. Feinstein, the name of the Senator from Massachusetts (Mr. Markey) was added as a cosponsor of S. 1733, a bill to limit the separation of children from their parents or legal guardians, to limit the detention of families and children, to provide unaccompanied alien children with access to counsel, to increase the number of immigration judges and support staff, and for other purposes.

At the request of Ms. Duckworth, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of S. 1764, a bill to amend the Communications Act of 1934 to require the Federal Communications Commission to ensure just and reasonable charges for advanced communications services in the correctional and detention facilities.

At the request of Mr. Romney, the name of the Senator from Texas (Mr. Cornyn) was added as a cosponsor of S. 1806, a bill to make the E-Verify program permanent, and for other purposes.

At the request of Ms. Cortez Masto, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of S. 1830, a bill to enhance the security of the United States and its allies, and for other purposes.

At the request of Mr. Barrasso, the names of the Senator from Wyoming (Mr. Enzi) and the Senator from North Dakota (Mr. Hoeven) were added as cosponsors of S. 1830, a bill to enhance the security of the United States and its allies, and for other purposes.

At the request of Mr. Cardin, the names of the Senator from California (Mrs. Feinstein) and the Senator from New York (Mrs. Gillibrand) were added as cosponsors of S. 1834, a bill to prohibit deceptive practices in Federal elections.

At the request of Mr. Rubio, the name of the Senator from North Dakota (Mr. Cramer) was added as a cosponsor of S. 1838, a bill to amend the Hong Kong Policy Act of 1992, and for other purposes.

At the request of Mrs. Fischer, the names of the Senator from Illinois (Mr. Durbin), the Senator from Minnesota (Ms. Smith) and the Senator from Wisconsin (Ms. Baldwin) were added as cosponsors of S. 1840, a bill to establish certain requirements for the small refineries exemption of the renewable fuels provisions under the Clean Air Act, and for other purposes.

At the request of Mr. Murphy, the name of the Senator from New Jersey (Mr. Booker) and the Senator from California (Mrs. Feinstein) were added as cosponsors of S. 1847, a bill to require group health plans and group of individual health insurance coverage to provide coverage for over-the-counter contraceptives.

At the request of Mr. Peters, the name of the Senator from New Hampshire (Ms. Hassan) was added as a cosponsor of S. 1874, a bill to amend title 40, United States Code, to authorize the Administrator of General Services to compel States to require illuminated signs and other measures on ride-hailing vehicles, to require transportation network companies to implement an electronic system on ride-hailing vehicles, to prohibit the sale of such signs, and for other purposes.

At the request of Mr. Cardin, the names of the Senator from New Jersey (Mr. Booker) and the Senator from California (Mrs. Feinstein) were added as cosponsors of S. 1874, a bill to amend title 40, United States Code, to authorize the Administrator of General Services to compel States to require illuminated signs and other measures on ride-hailing vehicles, to require transportation network companies to implement an electronic system on ride-hailing vehicles, to prohibit the sale of such signs, and for other purposes.

At the request of Mr. Daines, the names of the Senator from Wyoming (Mr. Enzi) and the Senator from Tennessee (Mrs. Blackburn) were added as cosponsors of S.J. Res. 49, a joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States.

At the request of Mr. Coons, the name of the Senator from Alabama (Mr. Sullivan) was added as a cosponsor of S. Res. 80, a resolution establishing the John S. McCain III Human Rights Commission.

At the request of Mr. Cardin, the names of the Senator from Indiana (Mr. Braun) was added as a cosponsor of S. Res. 120, a resolution opposing efforts to delegitimize the State of Israel and the Global Boycott, Divestment, and Sanctions Movement targeting Israel.

At the request of Mr. Durbin, the name of the Senator from Texas (Mr. Cruz) was added as a cosponsor of S. Res. 198, a resolution condemning Brunei’s dramatic human rights backsliding.

At the request of Mr. Murphy, the names of the Senator from Missouri (Mr. Blunt) was added as a cosponsor of S. Res. 205, a resolution expressing the gratitude of the Senate for the people who operate or support diaper
banks and diaper distribution programs in their local communities.

S. RES. 213

At the request of Mr. Murphy, the name of the Senator from Kansas (Mr. Moran) was added as a cosponsor of S. Res. 240, a resolution requesting information about military personnel strengths for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 231

At the request of Ms. Duckworth, the name of the Senator from South Dakota (Mr. Rounds) was added as a cosponsor of amendment No. 253 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 238

At the request of Ms. Duckworth, the name of the Senator from Massachusetts (Ms. Warren) was added as a cosponsor of amendment No. 258 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 245

At the request of Mrs. Shaheen, the name of the Senator from Colorado (Mr. Bennet) was added as a cosponsor of amendment No. 264 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 252

At the request of Mr. Menendez, the name of the Senator from Alaska (Mr. Sullivan) was added as a cosponsor of amendment No. 292 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 293

At the request of Mr. Manchin, the names of the Senator from Alabama (Mr. Jones), the Senator from Ohio (Mr. Brown), the Senator from Virginia (Mr. Warner), the Senator from Illinois (Mr. Durbin), the Senator from Pennsylvania (Mr. Casey), the Senator from New Jersey (Mr. Booker), the Senator from Illinois (Ms. Duckworth), the Senator from Maryland (Mr. Van Hollen), the Senator from Vermont (Mr. Sanders), the Senator from Massachusetts (Mr. Markey), the Senator from Wisconsin (Ms. Baldwin) and the Senator from Connecticut (Mr. Blumenthal) were added as cosponsors of amendment No. 301 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 313

At the request of Ms. Murkowski, the names of the Senator from Texas (Mr. Cruz) and the Senator from Wyoming (Mr. Barrasso) were added as cosponsors of amendment No. 323 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 328

At the request of Mr. Van Hollen, the name of the Senator from Washington (Ms. Murray) was added as a cosponsor of amendment No. 329 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 333

At the request of Mr. Merkley, the name of the Senator from South Dakota (Mr. Rounds) was added as a cosponsor of amendment No. 331 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 336

At the request of Mr. Merkley, the name of the Senator from New Hampshire (Ms. Hassan) was added as a cosponsor of amendment No. 337 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 339

At the request of Mr. Peters, the name of the Senator from Iowa (Mr. Grassley) was added as a cosponsor of amendment No. 340 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 343

At the request of Ms. Stabenow, the name of the Senator from Michigan (Mr. Peters) was added as a cosponsor of amendment No. 390 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.
the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 410**

At the request of Mr. Udall, the name of the Senator from Massachusetts (Ms. Warren) was added as a co-sponsor of amendment No. 410 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 415**

At the request of Mr. Tester, the names of the Senator from Connecticut (Mr. Blumenthal) and the Senator from Massachusetts (Ms. Warren) were added as co-sponsors of amendment No. 415 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 417**

At the request of Mr. Carper, the names of the Senator from New Hampshire (Ms. Hassan), the Senator from Colorado (Mr. Bennet), the Senator from Massachusetts (Mr. Markey), the Senator from Connecticut (Mr. Blumenthal), the Senator from New Mexico (Mr. Udall) and the Senator from Maryland (Mr. Van Hollen) were added as co-sponsors of amendment No. 417 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 419**

At the request of Mr. Gardner, the name of the Senator from Massachusetts (Ms. Warren) was added as a co-sponsor of amendment No. 419 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 443**

At the request of Mr. Tester, his name was withdrawn as a co-sponsor of amendment No. 443 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 454**

At the request of Mr. Udall, the name of the Senator from Massachusetts (Ms. Warren) was added as a co-sponsor of amendment No. 454 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 455**

At the request of Mr. Whitehouse, the names of the Senator from Maryland (Mr. Van Hollen), the Senator from New York (Mrs. Gillibrand), the Senator from Arizona (Ms. McSally), the Senator from Massachusetts (Ms. Warren) and the Senator from Connecticut (Mr. Blumenthal) were added as co-sponsors of amendment No. 455 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 457**

At the request of Mr. Scott of Florida, the names of the Senator from Florida (Mr. Scott), the Senator from Missouri (Mr. Hawley) were added as co-sponsors of amendment No. 457 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 468**

At the request of Ms. McSally, the name of the Senator from Wisconsin (Mr. Johnson) was added as a co-sponsor of amendment No. 468 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

**AMENDMENT NO. 476**

At the request of Mr. Rubio, the names of the Senator from Texas (Mr. Cornyn), the Senator from Virginia (Mr. Warner) and the Senator from California (Mrs. Feinstein) were added as co-sponsors of amendment No. 476 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.
activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 559

At the request of Mr. RUBIO, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 559 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 560

At the request of Mr. B LUMENTHAL, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Ohio (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 557 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 561

At the request of Mr. C ORNYN, the names of the Senator from Texas (Mr. CRUZ), the Senator from Alaska (Mr. SULLIVAN) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of amendment No. 591 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 562

At the request of Mr. C ORNYN, the names of the Senator from Alaska (Ms. VAN HOLLEN), the Senator from Massachusetts (Ms. WARREN), the Senator from Ohio (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 576 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 563

At the request of Mr. B LUMENTHAL, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 559 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 564

At the request of Mr. C ORNYN, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Maryland (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 576 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 565

At the request of Mr. RUBIO, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 559 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 566

At the request of Mr. C ORNYN, the names of the Senator from Alaska (Ms. WARREN) and the Senator from Maryland (Ms. BROWN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 576 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 567

At the request of Mr. SULLIVAN, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Maryland (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 576 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 568

At the request of Mr. B LUMENTHAL, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Ohio (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 576 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 569

At the request of Mr. RUBIO, the names of the Senator from Alaska (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 576 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 570

At the request of Mr. B LUMENTHAL, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Ohio (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 576 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 571

At the request of Mr. C ORNYN, the names of the Senator from Alaska (Ms. WARREN) and the Senator from Maryland (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. SANDERS) and the Senator from Maryland (Ms. BROWN) were added as cosponsors of amendment No. 571 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 572

At the request of Mr. B LUMENTHAL, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Ohio (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. SANDERS) and the Senator from Maryland (Ms. BROWN) were added as cosponsors of amendment No. 571 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 573

At the request of Mr. C ORNYN, the names of the Senator from Alaska (Ms. WARREN) and the Senator from Maryland (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. SANDERS) and the Senator from Maryland (Ms. BROWN) were added as cosponsors of amendment No. 571 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.
2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 626

At the request of Mr. MURRAY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 626 intended to be proposed to S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED:

S. 1895. A bill to ensure that irresponsible corporate executives, rather than shareholders, pay fines and penalties; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today, I am reintroducing the Corporate Management Accountability Act, which asks each publicly traded company to disclose its policies on whether senior executives or shareholders bear the costs of paying the company’s fines and penalties.

In 2014, William Dudley, then the President of the Federal Reserve Bank of New York, gave a speech on Enhancing Financial Stability by Improving Culture in the Financial Services Industry. In this speech, President Dudley said, “in recent years, there have been ongoing occurrences of serious professional misbehavior, ethical lapses and compliance failures at financial institutions. This has resulted in a long list of large fines and penalties, and, to a lesser degree than I would have desired employee dismissals and punishment. The pattern of bad behavior did not end with the financial crisis, but continued despite the considerable public sector intervention that was necessary to stabilize the financial system. As a consequence, the financial industry has largely lost the public trust.”

Since 2009, banks globally have paid $372 billion in penalties, according to the Boston Consulting Group. However, despite these fines, financial institutions continue to engage in unacceptable behavior, whether it is Wells Fargo betraying the trust of its customers by opening unauthorized accounts or it is Equifax endangering millions of consumers by compromising critical personal information. Indeed, in my home State of Rhode Island, almost half the State may have been impacted by the cybersecurity breach at Equifax. These and other breaches and lapses illustrate how far financial institutions have gone in rebuilding the trust of Rhode Islanders and the American people.

At the same time, it is evident that simply fining and penalizing financial institutions at the corporate level is not enough to deter bad actors. Senior executives, many of whom are all too eager to take credit for a company’s good record, also take more responsibility for the bad news, especially if it is true that the buck stops with them. For example, the Financial Crisis Inquiry Commission concluded “the financial crisis reached cataclysmic proportions with the collapse of Lehman Brothers,” and, yet, according to the Congressional Research Service, not a single senior executive officer at Lehman Brothers at the Federal level was charged, went to jail, or personally paid a Federal fine or penalty for the damage caused at Lehman Brothers that rippled through our economy in 2008.

According to Professor Peter J. Henning, who also writes the White Collar Watch column in the New York Times, “a problem in holding individually accountable for misconduct in an organization is the disconnect between the actual decisions and those charged with overseeing the company, so that senior executives and corporate boards usually plead ignorance about an issue until it is too late.”

The Corporate Management Accountability Act I am reintroducing today is a step at helping to solve this problem. The bill simply asks publicly traded companies to disclose whether they expect senior executives or shareholders to pay the cost of corporate fines or penalties. This approach is supported by University of Minnesota Law School Professors Claire Hill and Richard Painter, who also served as President George W. Bush’s chief ethics lawyer, as well as Americans for Financial Reform.

I urge all my colleagues to join this legislative effort to hold senior executives accountable for their actions.

AMENDMENTS SUBMITTED AND PROPOSED

SA 636. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SA 642. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 643. Mr. VAN HOLLEN (for himself, Mr. THURMOND, Mr. BROWN, Mr. PORTMAN, Mr. MARKEY, Mr. GARDNER, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 644. Mrs. FEINSTEIN (for herself and Ms. HARRIS) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 645. Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. MARKEY, Mr. HEINRICH, Mr. LEARY, Mr. WHITEHOUSE, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 646. Mrs. SHAHEEN (for herself, Mr. ROUNDS, Mr. CASEY, and Ms. HARRIS) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 647. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 648. Mr. PORTMAN (for himself and Mr. DUBBIN) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 649. Mr. WICKER (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 650. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 651. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 652. Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mrs. CAPITO, Mr. CARPER, Mr. CRAMER, Ms. SMITH, Mr. ROUNDS, Mr. COONS, Mr. DAVIES, and Mr. JOHNNES) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 653. Mr. COTTON (for himself, Mr. WARNER, Mr. DAINES, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 654. Mr. CORNYN (for himself and Ms. ROSEN) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 655. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 656. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 657. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 658. Mr. COTTON (for himself, Mr. SCOTT, Mr. CRAPO, Mr. BROWN, Mr. NUCCIO, Mr. MENENDEZ, Mrs. SHAHEEN, Mr. TOOMEY, Mr. CORNYN, Mrs. CAPITO, Mr. PETERS, Mr. MARKEY, Mrs. FEINSTEIN, and Mr. BLACKWELL) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 659. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.
SA 660. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 661. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 662. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 663. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 664. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 665. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 666. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 667. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 668. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 669. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 670. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 671. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 672. Mr. CARPER (for himself and Mr. KAIN) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 673. Mr. BENNET (for himself and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 674. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 675. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 676. Mr. SCHUMER (for himself, Mr. COTTON, Mrs. GILLIBRAND, Mr. VAN HOLLEN, and Mrs. CARTWELL) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 677. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 678. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 679. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 680. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 681. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 682. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 683. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 684. Ms. COLLINS (for herself and Ms. CARTWELL) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 685. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 686. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 687. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 688. Mr. CRAPAO (for himself, Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 689. Mr. LEE (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 690. Ms. ERNST (for herself, Mr. PAUL, Mr. CUMMERS, and Mr. BAUGH) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 691. Mr. INHOFE (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 692. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 693. Mr. ROMNEY (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 694. Mrs. CARTPO (for herself, Mr. CARPER, Mr. CARTWELL, Mr. SHELBY, Mr. GARDNER, Mrs. GILLIBRAND, Mr. HUMBLENTHAL, Mr. TOOMEY, and Mr. JONES) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 695. Ms. WARREN (for herself and Mr. BROWN) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 696. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 697. Ms. WARREN (for herself, Mr. MARKEY, Mr. GARDNER, Mr. VAN HOLLLEN, and Mr. MECKLEY) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

SA 698. Mr. BROWN (for himself, Mrs. MURRAY, Mr. CASEY, Mr. MANCHIN, Ms. BALDWIN, Mrs. GILLIBRAND, Mr. Tester, Mr. MURPHY, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 699. Mr. BROWN (for himself and Mr. SCOTT of South Carolina) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 700. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.
SA 721. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 730. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 741. Mr. BANKSTON submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 759. Mrs. CAPITO (for herself, Mr. CASPER, Ms. BARRASSO, Mr. GARDNER, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. SULLIVAN, and Mr. TOOMEY) submitted an amendment intended to be proposed by her to the bill S. 1790, supra; which was ordered to lie on the table.

Text of Amendments

SA 636. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title E of title III, add the following:

SEC. 1045. PROHIBITION ON CONDUCT OF FIRST-USE NUCLEAR STRIKES.

(a) POLICY.—It is the policy of the United States to not use nuclear weapons first.

(b) PROHIBITION.—Notwithstanding any other provision of law, the President may not use the Armed Forces of the United States to conduct a first-use nuclear strike unless such strike is conducted pursuant to a declaration of war by Congress that expressly authorizes such strike.

(c) FIRST-USE NUCLEAR STRIKE DEFINED.—In this section, the term "first-use nuclear strike" means an attack using nuclear weapons against an enemy that is conducted without the President determining that the enemy has first launched a nuclear strike against the United States or an ally of the United States.

SA 638. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military 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 E of title III, add the following:

SEC. 360. MONITORING OF NOISE FROM FLIGHTS AND TRAINING OF EA-18G Growlers at Naval Air Station Whidbey Island.

(a) MONITORING.—

(1) IN GENERAL.—The Secretary of Defense shall provide for real-time monitoring of noise from local flights of EA-18G Growlers associated with Naval Air Station Whidbey Island, including field carrier landing practice at Naval Outlying Field (OLF) Coupeville and Ault Field.

(2) PUBLIC AVAILABILITY.—The Secretary shall publish the results of monitoring conducted under paragraph (1) on a publicly available Internet website of the Department of Defense.

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the monitoring conducted under paragraph (1).
SA 640. 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:

SEC. 1616. REQUIREMENTS FOR PHASE 2 OF ACQUISITION STRATEGY FOR NATIONAL SECURITY SPACE LAUNCH PROGRAM.

(a) In General.—In carrying out phase 2 of the acquisition strategy for the National Security Space Launch program, the Secretary of the Air Force —

(1) may not—

(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 provided 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 30 days after the date on which the phase 2 award is announced, 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 and all other requirements of the National Security Space Launch program;

(B) a description of the total costs of launches procured under phase 2, including launch service support;

(C) a plan to increase competition in the National Security Space Launch program to more than two launch service providers; and

(D) a plan to ensure full and equitable use of unused launch sites or potential new launch sites, including an analysis of alternatives for viable access for small or medium commercial launch providers.

(c) APPROPRIATIONS.—

(1) DECISIONS.—For the purpose of any military construction project for a child development center carried out on or after the date of the enactment of this Act, the amount specified in section 2805(a)(2) of title 10, United States Code, is deemed to be $15,000,000.

SEC. 2806. REPORT ON UNFUNDED REQUIREMENTS FOR MAJOR AND MINOR MILITARY CONSTRUCTION PROJECTS FOR CHILD DEVELOPMENT CENTERS AND INCREASE OF MAXIMUM AMOUNTS FOR SUCH MINOR PROJECTS.

(a) REPORT.—

(1) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees each year, at the time the budget of the President for the fiscal year beginning in such year is submitted to the congressional defense committees, a report on the unfunded requirements of the Department of Defense for fiscal year 2020 of the amount specified in section 2805(a)(2) of title 10, United States Code, for each major and minor military construction project included in the report.
SA 643. Mr. VAN HOLLEN (for himself, Mr. TOOMEY, Mr. BROWN, Mr. PORTMAN, Mr. MARKEY, Mr. GARDNER, 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 division A, add the following:

TITLES 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 18 resolutions imposing sanctions against North Korea under chapter VII of the United Nations Charter, which—
(A) prohibit the use, development, and pro- liferation 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 ships; 
(F) prohibit, with limited exceptions, North Korea from coal, petroleum, coal tar, vana- sim, and rare earth minerals; 
(G) prohibit the transfer to North Korea of rocket, aviation, or jet fuel, as well as gasoline, diesel, and natural gas liquids; 
(H) prohibit new work authorization for North Korean laborers 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 enterprises with expanding joint ventures with North Korea; 
(K) prohibit exports of North Korean tex- tiles; 
(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 interdict and inspect all cargo heading to or from North Korea by land, sea, or air; 
(M) limit the transfer to North Korea of re- fined petroleum products and crude oil; 
(N) ban the sale or transfer to North Korea of industrial machinery, transportation vehi- cles, electronics, iron, steel, and other met- als; 
(O) reduce North Korean diplomatic staff numbers in member countries of the United Nations and expel any North Korean diplo- mats found to be working on behalf of a person subject to sanctions or assisting in sanctions evasion;
(P) require North Korean diplomatic mis- sions abroad with respect to staff size and access to banking privileges and prohibit commerce from being conducted out of North Korea; 
(Q) require member states of the United Nations to close representative offices, subsidi- aries, and bank accounts in North Korea; 
(R) prohibit any country providing or re- ceiving military training to or from North Korea or hosting North Koreans for specialized training or that could con- tribute to programs of North Korea re- lated 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 Ko- rea origin.

(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 Inter- national Atomic Energy Agency released in August 2018, "the continuation and further development of the DPRK’s nuclear pro- gramme and related statements by the DPRK are a cause for grave concern. The DPRK’s nuclear activities, including those in relation to the Yongbyon Experimental Nuclear Power Plant (5 MW(e)) reactor, the use of the building which houses the reported centrifuge enrichment facility and the con- struction at the light water reactor, as well as the DPRK’s sixth nuclear test, are clear violations of relevant UN Security Council resolutions, including resolution 2375 (2017) and are deeply regrettable."

(5) In July 2018, Secretary of State Mike Pompeo testified to the Committee on Foreign Relations of the Senate that North Korea “continue[s] to produce fissile mate- rial” despite public pledges by North Korean leader Kim Jong-un to denuclearize.

(6) The 2019 Missile Defense Review con- ducted by the Department of Defense states that North Korea “continues to pose an ex- traordinary threat and the United States must remain vigilant. In the past, North Korea frequently issued explicit nuclear mis- sile threats against the United States and al- lied states; however, it is aggressive enough to field the capability to strike the U.S. home- land with nuclear-armed ballistic missiles. Over the past decade, it has invested consid- erable efforts in its nuclear and ballistic missile programs, and undertaken extensive efforts to expand its missile capabilities. North Korea has nearing the time when it could credibly do so.”

(7) Financial transactions and investments that provide financial resources to the Gov- ernment of North Korea, and that fail to in- corporate adequate safeguards against the misuse of those financial resources, pose an undue risk of contributing to—
(A) weapons of mass destruction programs of that Government; and
(B) efforts to evade restrictions required by the United Nations Security Council on im- ports or exports of arms and related mate- riel, 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.


(10) On February 22, 2018, the Secretary of State determined that the Government of North Korea was responsible for the lethal chemical weapons attack 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. 5601 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 THE 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 con- strued to limit the authority of the Presi- dent to fully engage in diplomatic negotia- tions to further the policy objective de- scribed in paragraph (3);

(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 effec- tive coordination among relevant Federal agencies and officials, as well as with inter- national partners of the United States; and

(4) the coordination described in paragraph (3) should include proper vetting of external 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.
In this subtitle, the terms “applicable Ex- ecutive 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 section 3 of the North Korea Sanctions and Policy En- hancement Act of 2016 (22 U.S.C. 2151 et seq.).

PART I—EXPANSION OF SANCTIONS AND RELATED MATTERS

SEC. 1721. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT PROVIDE FINANCIAL SERVICES TO CERTAIN SANCTIONED PER- SONS.
(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 sec- tion 1719 the following:

"SEC. 1721A. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT PROVIDE FINANCIAL SERVICES TO CERTAIN SANCTIONED PER- SONS.

(a) In General.—The Secretary of the Treasury shall impose one or more of the sanctions described in subsection (b) with re- spect to a foreign financial institution that
the Secretary determines, on or after the date that is 90 days after the date of the enactment of the Otto Warmbier Banking Restrictions Involving North Korea Act of 2019, knowingly provides significant financial services to any person designated for the imposition of sanctions under—
(1) a sanction or a requirement to impose a sanction specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Y) of section 5312a(2) 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 5312a(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;
(4) knowingly.—The term ‘knowingly’, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result;”.

(c) Definitions.—In this section:

(1) Appropriate congressional committees and leadership.—The term ‘appropriate congressional committees and leadership’ means—

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the majority and minority leaders of the Senate;

(B) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Speaker, the majority leader, and the minority leader of the House of Representatives.


SEC. 1725. REPORT ON USE BY THE GOVERNMENT OF NORTH KOREA OF BENEFICIAL OWNERSHIP RULES TO ACCESS THE INTERNATIONAL FINANCIAL SYSTEM.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report setting forth the findings of the Secretary regarding how the Government of North Korea is exploiting laws with respect to beneficial ownership of an entity in order to access the international financial system.

(b) Elements.—The Secretary shall include in the report required under this subsection—

(1) proposals for such legislative and administrative actions as the Secretary considers appropriate to combat the abuse by the Government of North Korea of laws with respect to beneficial ownership of an entity; and

(2) such other information as the Secretary considers appropriate.

SEC. 1730. EFFECTIVE DATE.

This act shall take effect on the date of the enactment of this Act.
(c) FORM.—Each report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. 1733. BRIEFINGS ON IMPLEMENTATION AND ENFORCEMENT OF SANCTIONS.

Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall provide to the appropriate congressional committees a briefing on efforts relating to the implementation and enforcement of United States sanctions with respect to North Korea, and appropriate update on the efforts of the Department of the Treasury to address compliance with such sanctions by foreign financial institutions.

SEC. 1734. REPORT ON FINANCIAL NETWORKS AND OTHER METHODS TO SUPPORT THE GOVERNMENT OF NORTH KOREA.

(a) Report Required.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through 2025, the President shall submit to the appropriate congressional committees a report on sources of external support for the Government of North Korea that includes—

(A) a description of the methods used by the Government of North Korea to launder, transact in, or conceal the ownership, control, or origin of goods and services exported by North Korea;

(B) an assessment of the relationship between the proliferation of weapons of mass destruction by the Government of North Korea and the financial industry or financial institutions; and

(C) an assessment of the relationship between the acquisition by the Government of North Korea of military expertise, equipment, and technology that are made with significant amounts of North Korean labor, material, or goods, including minerals, manufacturing, seafood, overseas labor, or other exports from North Korea;

(2) an assessment of the involvement of any person in human trafficking involving citizens or nationals of North Korea;

(3) a description of how the President plans to address the flow of funds generated by activities described in subparagraphs (A) through (E), including through the use of sanctions or other means;

(4) an assessment of the extent to which the Government of North Korea engages in criminal activities, including money laundering, to support the Government;

(5) information relating to the identification, blocking, and release of property described in section 201(b)(1) of the North Korea Sanctions and Policy Enforcement Act of 2016, as added by section 1721;

(I) a description of the metrics used to measure the effectiveness of law enforcement initiatives of Federal, State, and foreign governments to comply with the provisions of applicable United Nations Security Council resolutions; and

(J) an assessment of the effectiveness of programs within the financial industry to ensure compliance with United States sanctions, applicable United Nations Security Council resolutions, and applicable Executive orders.

(b) interagency Coordination.—The President shall ensure that any information collected pursuant to subsection (a) is shared among the Department of the Treasury, the Department of Commerce, the Office of Technical Assistance of the Department of State, and the Secretary of the Treasury, and the appropriate congressional committees a report that identifies all countries that the Director determines are of concern with respect to transshipment, reexportation, or diversion 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 subsection (a) shall be submitted in unclassified form but may include a classified annex.

part III—GENERAL MATTERS

SEC. 1741. Rulemaking.

The President shall prescribe such rules and regulations as may be necessary to carry out this subtitle and amendments made by this subtitle.

SEC. 1742. AUTHORITY TO CONSOLIDATE REPORTS.

(a) In general.—Any and all reports required to be submitted to the appropriate congressional committees under this subtitle or an amendment made by this subtitle that are subject to a deadline for submission consisting of the number of days the report may be consolidated into a single report that is submitted pursuant to that deadline.

(b) CONTENT.—The report required under subsection (a) shall contain all information required under this subtitle or an amendment made by this subtitle and any other elements that may be required by existing law.

SEC. 1743. Waivers, Exemptions, and Termination.

(a) APPLICATION AND MODIFICATION OF EXEMPTIONS AND WAIVERS FROM NORTH KOREA SANCTIONS AND POLICY ENFORCEMENT ACT OF 2016.—Section 206 of the North Korea Sanctions and Policy Enforcement Act of 2016 (22 U.S.C. 9228) is amended—

(1) by inserting “201B,” after “201A,” each time it appears, and

(2) in subsection (c), by inserting “, not less than 15 days before the waiver takes effect,” after “if the President”.

(b) Exemptions.—The briefing required by subsection (a) shall include the following:

(I) a description of the metrics used to measure the effectiveness of law enforcement initiatives of Federal, State, and foreign governments to comply with the provisions of applicable United Nations Security Council resolutions; and

(II) an assessment of the effectiveness of programs within the financial industry to ensure compliance with United States sanctions, applicable United Nations Security Council resolutions, and applicable Executive orders.

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

(b) interagency Coordination.—The President shall ensure that any information collected pursuant to subsection (a) is shared among the Department of the Treasury, the Department of Commerce, the Office of Technical Assistance of the Department of State, the Secretary of the Treasury, and the appropriate congressional committees a report that identifies all countries that the Director determines are of concern with respect to transshipment, reexportation, or diversion 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 subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. 1744. PROCEDURES FOR REVIEW OF CLASSIFIED INFORMATION.

(a) In general.—If a finding under this subtitle or an amendment made by this subtitle, a prohibition, condition, or penalty imposed under this subtitle, or a penalty imposed under this subtitle or an amendment made by this subtitle, is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.) and a court reviews the finding or the imposition of the penalty, the Department of State, the Secretary of the Treasury may submit such information to the court ex parte and in camera. 

(b) RULE OF CONSTRUCTION.—Nothing in this Act 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, condition, 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 SANCTIONS PROGRAMS.

Not later than 30 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 the Department of the Treasury to support each sanctions program administered by the Department; and recommendations for additional authorities 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 FINANCING.

(a) In general.—Not later than 60 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 financing.

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

(I) a description of the definition and description of an appropriate risk-based approach to combating financing of the proliferation of weapons of mass destruction;

(2) An assessment of—

(A) Federal financial regulatory agency oversight, including by the Financial Crimes Enforcement Network, of United States financial institutions and the adoption by their foreign subsidiaries, branches, and correspondent institutions of a risk-based approach to proliferation financing; and

(B) whether financial institutions in foreign jurisdictions known by the United States intelligence and law enforcement communities to be involved in proliferation financing are of comparable risk to the approach required by United States financial institution supervisors.

(3) A survey of the technical assistance the Office of Technical Assistance of the Department of the Treasury, and other appropriate Executive branch offices, currently provide foreign institutions on implementing counter-proliferation financing best practices.

(4) An assessment of the ability of foreign subsidiaries, branches, and correspondent institutions of United States financial institutions to implement a risk-based approach to proliferation financing.
Title B—Divestment From North Korea

SEC. 1751. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO DIVEST FROM COMPANIES THAT INVEST IN NORTH KOREA.

(a) Sense of Congress.—It is the sense of Congress that the United States should support any State or local government made for moral, prudential, or reputational reasons, to divest from, or prohibit the investment of assets of the State or local government in, any person that engages in investment activities described in subsection (c) if North Korea is subject to economic sanctions imposed by the United States or the United Nations Security Council.

(b) Authority To Divest.—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of subsection (d) to divest the assets of the State or local government from, or prohibit 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).

(c) Investment Activities Described.—Investment activities described in this subsection 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 subsection (b) shall meet the following requirements:

(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 earlier than the date that is 90 days after the date on which written notice under paragraph (1) is provided to the person.

(3) Opportunity to Demonstrate Compliance.—

(A) In General.—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.

(B) Nonapplication.—If a person with respect to which a measure is to be applied under this section demonstrates to the State or local government under subparagraph (A) that the person does not engage in investment activities described in subsection (c), the measure shall not apply to that person.

SEC. 1752. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.

Section 13c(1) of the Investment Company Act of 1940 (56 U.S.C. 80a-13c(1)) is amended—

(1) in subparagraph (A), by striking or at the end;

(2) in subparagraph (B), by striking the period and inserting ; or ; and

(3) by adding at the end the following:

"(C) engage in investment activities described in section 1751(c) of the Otto Warmbier Banking Restrictions Including North Korea Act of 2019;

SEC. 1753. SENSE OF CONGRESS REGARDING CERTAIN ERIA PLAN INVESTMENTS.

It is the sense of Congress that—

(1) a fiduciary of an employee benefit plan, as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(3)), may divest plan assets from, or avoid investing plan assets in, any person the fiduciary determines engages in investment activities described in section 1751(c), if—

(A) the fiduciary makes that determination using credible information that is available to the public; and

(B) the fiduciary prudently determines that the fiduciary's retirement plan assets are not at risk; or

(2) the fiduciary is not breaching the responsibilities, obligations, or duties imposed upon the fiduciary by subparagraph (A) or (B) of section 404(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104(a)(1)).

SEC. 1754. RULE OF CONSTRUCTION.

Nothing in this subtitle, an amendment made by this subtitle, or the provision of law authorizing sanctions with respect to North Korea shall be construed to affect or disrupt—

(1) the authority of a State or local government to issue and enforce rules governing the safety, soundness, and solvency of a financial institution subject to its jurisdiction;

(2) the regulation and taxation by the several States of the business of insurance, pursuant to the Act of March 9, 1945 (59 Stat. 33, chapter 20, 15 U.S.C. 1101 et seq.) (commonly known as the "McCarran-Ferguson Act").

Subtitle C—Financial Industry Guidance to Halt Trafficking

SEC. 1751. SHORT TITLE.

This subtitle may be cited as the "Financial Industry Guidance to Halt Trafficking Act" or the "FIGHT Act".

SEC. 1752. FINDINGS.

Congress finds the following:

(1) The terms "human trafficking" and "trafficking in persons" are used interchangeably to describe crimes involving the exploitation of a person for the purposes of compelled labor or commercial sex through force, fraud, or coercion.

(2) According to the International Labour Organization, there are an estimated 21,900,000 people worldwide who are victims of forced labor, including human trafficking victims in the United States.

(3) Human trafficking is perpetrated for financial gain.

(4) According to the International Labour Organization, the economic benefit from trafficking, including illegal profits generated annually from human trafficking—

(A) approximately $ 3.5 billion are generated by commercial sexual exploitation, exacted by fraud or by force; and

(B) approximately $500 million are generated by forced labor.

(5) Most purchases of commercial sex acts are paid for with cash, making trafficking proceeds difficult to identify in the financial system. Nonetheless, traffickers rely heavily on access to financial institutions as destinations for trafficking proceeds and as conduits to finance every step of the trafficking process.

(2) Under section 1556 of title 18, United States Code (relating to money laundering), human trafficking is a "specified unlawful activity" and transactions conducted with proceeds earned from trafficking people, or used to further trafficking operations, can be prosecuted as money laundering offenses.

SEC. 1753. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should aggressively apply, as appropriate, existing sanctions for human trafficking authorized under section 111 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7108);

(2) the Financial Crimes Enforcement Network of the Department of the Treasury should—

(A) to monitor reporting required under subchapter II of chapter 33 of title 31, United

(1) a lower rate of return than alternative investments with commensurate degrees of risk; or

(2) a higher degree of risk than alternative investments with commensurate rates of return; and

(3) to monitor reporting required under subchapter II of chapter 33 of title 31, United

(1) a lower rate of return than alternative investments with commensurate degrees of risk; or

(2) a higher degree of risk than alternative investments with commensurate rates of return; and

(3) the fiduciary is not breaching the responsibilities, obligations, or duties imposed upon the fiduciary by subparagraph (A) or (B) of section 404(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104(a)(1)).

SEC. 1754. RULE OF CONSTRUCTION.

Nothing in this subtitle, an amendment made by this subtitle, or the provision of law authorizing sanctions with respect to North Korea shall be construed to affect or disrupt—

(1) the authority of a State or local government to issue and enforce rules governing the safety, soundness, and solvency of a financial institution subject to its jurisdiction;

(2) the regulation and taxation by the several States of the business of insurance, pursuant to the Act of March 9, 1945 (59 Stat. 33, chapter 20, 15 U.S.C. 1101 et seq.) (commonly known as the "McCarran-Ferguson Act").

Subtitle C—Financial Industry Guidance to Halt Trafficking

SEC. 1751. SHORT TITLE.

This subtitle may be cited as the "Financial Industry Guidance to Halt Trafficking Act" or the "FIGHT Act".

SEC. 1752. FINDINGS.

Congress finds the following:

(1) The terms "human trafficking" and "trafficking in persons" are used interchangeably to describe crimes involving the exploitation of a person for the purposes of compelled labor or commercial sex through the use of force, fraud, or coercion.

(2) According to the International Labour Organization, there are an estimated 21,900,000 people worldwide who are victims of forced labor, including human trafficking victims in the United States.

(3) Human trafficking is perpetrated for financial gain.

(4) According to the International Labour Organization, the economic benefit from trafficking, including illegal profits generated annually from human trafficking—

(A) approximately $3.5 billion are generated by commercial sexual exploitation, exacted by fraud or by force; and

(B) approximately $500 million are generated by forced labor.

(5) Most purchases of commercial sex acts are paid for with cash, making trafficking proceeds difficult to identify in the financial system. Nonetheless, traffickers rely heavily on access to financial institutions as destinations for trafficking proceeds and as conduits to finance every step of the trafficking process.

(2) Under section 1556 of title 18, United States Code (relating to money laundering), human trafficking is a "specified unlawful activity" and transactions conducted with proceeds earned from trafficking people, or used to further trafficking operations, can be prosecuted as money laundering offenses.

SEC. 1753. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should aggressively apply, as appropriate, existing sanctions for human trafficking authorized under section 111 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7108);

(2) the Financial Crimes Enforcement Network of the Department of the Treasury should—

(A) to monitor reporting required under subchapter II of chapter 33 of title 31, United

(1) a lower rate of return than alternative investments with commensurate degrees of risk; or

(2) a higher degree of risk than alternative investments with commensurate rates of return; and

(3) to monitor reporting required under subchapter II of chapter 33 of title 31, United

States Code (commonly known as the “Bank Secrecy Act”) and to update advisories, as warranted;
(B) to periodically review its advisories to provide financial institutions, and other appropriate entities, with a list of new “red flags” for identifying activities of concern, particularly human trafficking;
(C) to encourage entities covered by the advisories described in subparagraph (B) to incorporate relevant elements provided in the advisories into their current transaction and account monitoring systems and procedures, and training on human trafficking to enable financial institutions to maintain ongoing efforts to examine transactions and accounts;
(D) to use geographic targeting orders, as appropriate, to impose additional reporting and recordkeeping requirements under section 5326(a) of title 31, United States Code, to carry out the purposes of, and prevent evasions of, the Bank Secrecy Act; and
(E) to utilize the Bank Secrecy Act Advisory Group and other relevant entities to identify opportunities for nongovernmental organizations to share relevant actionable information or “red flags” with human traffickers’ use of the financial sector for nefarious purposes;
(3) Federal banking regulators, the Department of the Treasury, relevant law enforcement agencies, the United States Smuggling and Trafficking Center, in partnership with representatives from the United States financial community, should adopt regular forms of communication to assist in preventing human trafficking, including developing protocols and procedures to share actionable information between and amongst covered financial institutions, law enforcement, and the Federal States intelligence community;
(4) training front line bank and money service business employees, school teachers, law enforcement officers, foreign service officers, counselors, and the general public is an important factor in identifying trafficking victims;
(5) the Department of Homeland Security’s Blue Campaign, training by the BEST Employers Alliance, and similar efforts by industry, human rights, and nongovernmental organizations focused on human trafficking provide good examples of current efforts to educate employees of critical sectors to save victims, identify victims, and bring traffickers to justice; and
(6) the President should intensify diplomatic efforts, bilaterally and in appropriate international fora, in support of the United Nations, to develop and implement a coordinated, consistent, multilateral strategy for addressing the international financial networks supporting human trafficking;

SEC. 1764. COORDINATION OF HUMAN TRAFFICKING ISSUES BY THE OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE.

SEC. 312(a)(4) of title 31, United States Code, is amended—

(a) FUNCTIONS.—Section 312(a)(4) of title 31, United States Code, is amended—

(1) by inserting after subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively, and

(b) INTERAGENCY COORDINATION.—Section 312(a)(4) of title 31, United States Code, is amended by adding at the end the following:

(8) INTELLIGENCE, COLLABORATION, AND COORDINATION.—The Secretary of the Treasury, in coordination with the Undersecretary for Terrorism and Financial Crimes, shall determine, as appropriate, whether to amend financial institutions’ anti-money laundering and anti-terrorism policies, procedures, and training to combat human trafficking.

The Committee on the Judiciary of the Senate, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations, shall submit to the Interagency Task Force to Monitor and Combat Trafficking and the other Federal agencies the required review of procedures, and the Interagency Task Force to Monitor and Combat Trafficking shall submit to the Committee on the Judiciary of the House of Representatives, the Secretary of the Treasury, and each appropriate Federal banking agency—

(a) an analysis of anti-money laundering efforts of the United States Government, United States financial institutions, and multilateral development banks related to human trafficking; and

SEC. 1765. STRENGTHENING THE ROLE OF ANTI-MONEY LAUNDERING AND OTHER FINANCIAL TOOLS IN COMBATING HUMAN TRAFFICKING.

SEC. 1766. SENSE OF CONGRESS ON RESOURCES TO COMBATE HUMAN TRAFFICKING.

It is the sense of Congress that—

(1) adequate funding should be provided for critical Federal efforts to combat human trafficking;
(2) the Department of the Treasury should have appropriate law enforcement agencies to investigate human trafficking networks under section 111 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101(d)(7)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by inserting “the Committee on Financial Services,” after “the Committee on Foreign Affairs”; and

(B) by inserting “the Committee on Bank-
ing, Housing, and Urban Affairs,” after “the Committee on Foreign Relations,”;

(2) in subparagraph (Q)(vi), by striking “;” and inserting “; and”;

(3) in subparagraph (R), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(ii) the Interagency Task Force to Combat Trafficking in Persons of the Department of State, and

(i) the Office to Monitor and Combat Trafficking in Persons of the Department of State; and

(3) by adding at the end the following:

(A) by inserting “the Committee on Financial Services,” after “the Committee on Foreign Affairs”; and

(B) by inserting “the Committee on Bank-
ing, Housing, and Urban Affairs,” after “the Committee on Foreign Relations,”;

(2) by inserting after subparagraph (D) the following:

(F) the Office to Monitor and Combat Trafficking in Persons of the Department of State; and

(G) the Interagency Task Force to Moni-
tor and Combat Trafficking;”.

(C) any recommended changes to training and account monitoring systems or in policies, procedures, and training for law enforcement agencies, and appropriate Federal agencies.

(2) in subparagraph (Q), by striking “;” and inserting “; and”;

(3) in subparagraph (R), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(ii) the Interagency Task Force to Combat Trafficking in Persons of the Department of State, and

(i) the Office to Monitor and Combat Trafficking in Persons of the Department of State; and

(F) the Office to Monitor and Combat Trafficking in Persons of the Department of State; and

(G) the Interagency Task Force to Monitor and Combat Trafficking;”.

It is the sense of Congress that—

(1) adequate funding should be provided for critical Federal efforts to combat human trafficking;
(2) the Department of the Treasury should have appropriate law enforcement agencies to investigate human trafficking networks under section 111 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101(d)(7)) is amended—

(A) by inserting “the Committee on Financial Services,” after “the Committee on Foreign Affairs”; and

(B) by inserting “the Committee on Bank-
ing, Housing, and Urban Affairs,” after “the Committee on Foreign Relations,”;

(2) in subparagraph (Q)(vi), by striking “;” and inserting “; and”;

(3) in subparagraph (R), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(ii) the Interagency Task Force to Combat Trafficking in Persons of the Department of State, and

(i) the Office to Monitor and Combat Trafficking in Persons of the Department of State; and

(F) the Office to Monitor and Combat Trafficking in Persons of the Department of State; and

(G) the Interagency Task Force to Monitor and Combat Trafficking;”.
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 capacity and appropriate resources to support technical assistance to develop foreign partners’ ability to combat human trafficking, including an anti-money laundering and countering the financing of terrorism programs;

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

(5) the Department of State should be provided additional resources, as necessary, to carry out the Survivors of Human Trafficking Act; and

(6) the Department of Health and Human Services, the Department of Defense, the Department of Homeland Security, and the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 2815. MODIFICATION OF AUTHORIZED USES OF CERTAIN PROPERTY CONVEYED TO THE UNITED STATES IN LOS ANGELES, CALIFORNIA.

(a) IN GENERAL.—Section 2 of Public Law 85-236 (71 Stat. 517) is amended in the first sentence by inserting after “for other military purposes” the following: “and for purposes of meeting the needs of the homeless (as that term is defined in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11362)).”

(b) MODIFICATION OF USE.—

(1) APPLICATION.—The State of California may submit an amendment to the Administrator of General Services an application for use of the property conveyed pursuant to section 2 of Public Law 85-236 for purposes of meeting the needs of the homeless, in accordance with the amendment made by subsection (a).

(2) REVIEW OF APPLICATION.—

(A) IN GENERAL.—If the Administrator of General Services determines that the amendment is submitted in accordance with section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)), or to inquire whether the source of the funds solicited, accepted, or received is a foreign national, as defined in section 319(b) of the Federal Election Act of 1971 (52 U.S.C. 30121(b)), or to inquire whether the source of the funds solicited, accepted, or received is a foreign national, as so defined. Regulations promulgated under the proceeding sentence shall also provide guidance to political committees and campaigns to not engage in racial or ethnic profiling in making such a conclusion or inquiry.

(c) REPORTING OFFERS OF PROHIBITED CONTRIBUTIONS, DONATIONS, EXPENDITURES, OR DISBURSEMENTS BY FOREIGN NATIONALS TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971.

(1) IN GENERAL.—If a political committee or an individual (as defined in paragraph (5)) receives (orally, in writing, or otherwise) of a prohibited contribution, donation, expenditure, or disbursement from a foreign national, as defined in section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)), or to inquire whether the source of the funds solicited, accepted, or received is a foreign national, as so defined. Regulations promulgated under the proceeding sentence shall also provide guidance to political committees and campaigns to not engage in racial or ethnic profiling in making such a conclusion or inquiry.

(2) OFFENSE.—

(A) IN GENERAL.—It shall be unlawful to knowingly and willfully fail to comply with paragraph (1).

(B) PENALTY.—Any person who violates subparagraph (A) shall be fined not more than $2,000, or imprisoned not more than 5 years, or both.

(3) DEFINITIONS.—In this subsection:

(A) APPLICABLE INDIVIDUAL.—

(I) IN GENERAL.—The term “applicable individual” means

(1) an agent of a political committee;

(II) a candidate;

(III) an individual who is an immediate family member of a candidate;

(IV) any individual affiliated with a campaign of a candidate.

SA 644. MR. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. MARKEY, Mr. HEINRICH, Mr. LEAHY, Mr. WHITEHOUSE, and Mr. BOOKER) 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. 2815. MODIFICATION OF AUTHORIZED USES OF CERTAIN PROPERTY CONVEYED TO THE UNITED STATES IN LOS ANGELES, CALIFORNIA.

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Commission shall promulgate regulations providing additional indicators beyond the pertinent facts described in section 110.20(a)(5) of the Code of Federal Regulations (as in effect on the date of enactment of this Act) that may lead a reasonable person to conclude that there is a substantial probability that the source of the funds solicited, accepted, or received is a foreign national, as so defined. Regulations promulgated under the proceeding sentence shall also provide guidance to political committees and campaigns to not engage in racial or ethnic profiling in making such a conclusion or inquiry.

(B) MODIFICATION OF USE.—

(1) APPLICATION.—The State of California may submit an application to the Administrator of General Services an application for use of the property conveyed pursuant to section 2 of Public Law 85-236 for purposes of meeting the needs of the homeless, in accordance with the amendment made by subsection (a).

(2) REVIEW OF APPLICATION.—

(A) IN GENERAL.—If the Administrator of General Services determines that the application is submitted in accordance with section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)), or to inquire whether the source of the funds solicited, accepted, or received is a foreign national, as so defined. Regulations promulgated under the proceeding sentence shall also provide guidance to political committees and campaigns to not engage in racial or ethnic profiling in making such a conclusion or inquiry.

(3) PROMULGATION OF REGULATIONS.—Not later than one year after the date of enactment of this Act, the Commission shall promulgate regulations providing additional indicators beyond the pertinent facts described in section 110.20(a)(5) of the Code of Federal Regulations (as in effect on the date of enactment of this Act) that may lead a reasonable person to conclude that there is a substantial probability that the source of the funds solicited, accepted, or received is a foreign national, as so defined. Regulations promulgated under the proceeding sentence shall also provide guidance to political committees and campaigns to not engage in racial or ethnic profiling in making such a conclusion or inquiry.

(c) REPORTING OFFERS OF PROHIBITED CONTRIBUTIONS, DONATIONS, EXPENDITURES, OR DISBURSEMENTS BY FOREIGN NATIONALS TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971.

(1) IN GENERAL.—If a political committee or an individual (as defined in paragraph (5)) receives (orally, in writing, or otherwise) of a prohibited contribution, donation, expenditure, or disbursement from a foreign national, (as defined in section 319(b) of the Federal Election Act of 1971 (52 U.S.C. 30121(b)), or to inquire whether the source of the funds solicited, accepted, or received is a foreign national, as so defined. Regulations promulgated under the proceeding sentence shall also provide guidance to political committees and campaigns to not engage in racial or ethnic profiling in making such a conclusion or inquiry.

(2) OFFENSE.—

(A) IN GENERAL.—It shall be unlawful to knowingly and willfully fail to comply with paragraph (1).

(B) PENALTY.—Any person who violates subparagraph (A) shall be fined not more than $2,000, or imprisoned not more than 5 years, or both.

(3) DEFINITIONS.—In this subsection:

(A) APPLICABLE INDIVIDUAL.—

(I) IN GENERAL.—The term “applicable individual” means

(1) an agent of a political committee;

(II) a candidate;

(III) an individual who is an immediate family member of a candidate;

(IV) any individual affiliated with a campaign of a candidate.
(II) IMMEDIATE FAMILY MEMBER; INDIVIDUAL AFFILIATED WITH A CAMPAIGN.—For purposes of clause (I)—

(I) the term ‘‘immediate family member’’ means a spouse, a parent, a child, a sibling, a grandparent, a grandchild, a stepparent, a stepchild, or a stepgrandchild of, or a child or sibling of, or a parent of, a candidate; and

(II) the term ‘‘individual affiliated with a campaign’’ means, in respect to a candidate, a parent, a candidate, an employee of any organization legally authorized under Federal, State, or local law to support the candidate’s campaign for nomination or, in the case of a candidate for a Federal, State, or local office, any organization on an unpaid basis (including an intern or volunteer).

(B) FOREIGN NATIONAL.—The term ‘‘foreign national’’ has the meaning given that term in section 313(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)).

(C) KNOWINGLY.—The term ‘‘knowingly’’ has the meaning given that term in section 1001 of title 18, Code of Federal Regulations (or any successor regulations).

(D) PROHIBITED CONTRIBUTION, DONATION, EXPENDITURE, OR DISBURSEMENT.—(I) the term ‘‘prohibited contribution, donation, expenditure, or disbursement’’ means a contribution, donation, expenditure, or disbursement prohibited under section 312(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)).

(ii) CLARIFICATION.—Such term includes, with respect to a candidate or election, any information—

(1) regarding any of the other candidates for election for that office;

(2) that is not in the public domain; and

(iii) which should not be used to the advantage of the campaign of the candidate.

(E) OTHER TERMS.—Any term used in this subsection which is defined in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101) and which is not otherwise defined in this subsection shall have the meaning given such term under such section 301.

(d) CLARIFICATION REGARDING USE OF INFORMATION REPORTED.—Information reported under subsection (j) or (k) of section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104), as added by subsection (b), or under subsection (c)(1), may not be used to the advantage of a candidate in violation of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.) relating to the removal of undocumented aliens.

SA 646. Mrs. SHAHEEN (for herself, Mr. ROUNDS, Mr. CASEY, and Ms. HARRIS) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Secretary of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitile B of title XII, add the following:

SEC. 1236. EFFORTS TO ENSURE MEANINGFUL PARTICIPATION OF AFGHAN WOMEN IN PEACE NEGOTIATIONS IN AFGHANISTAN.

(a) In General.—The Secretary of State, in coordination with the Secretary of Defense, shall carry out activities to ensure the meaningful participation of Afghan women in the Afghan peace process in Afghanistan in a manner consistent with the Women, Peace, and Security Act of 2017 (22 U.S.C. 2151 note; Public Law 115–68), which shall include—

(1) continued United States Government advocacy for the inclusion of Afghan women leaders in Afghan peace negotiations and future negotiations to end the conflict in Afghanistan; and

(2) support for the inclusion of constitutional protections on women’s and girls’ human rights that ensure their freedom of movement, rights to education and work, political participation, and access to healthcare and justice in any agreement reached through Afghan negotiations, including negotiations with the Taliban.

(b) Report.—Not later than 180 days after the date of enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall submit to the appropriate committees of Congress a report describing the steps taken to fulfill the duties of the Secretary of State and the Secretary of Defense under subsection (a).

(c) APPROPRIATE COMMITTEES OF CONGRESS.—If 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;

DAN 647. Mr. HEINRICH (for himself and 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:

In section 3203(b)(1)(A), strike ‘‘sentence’’ and all that follows and insert the following:

‘‘sentences: ‘A member may be reappointed for a second term only if the member was confirmed by the Senate more than two years into the member’s first term. A member may not be reappointed for a third term.’’

SA 648. Mr. PORTMAN (for himself and Mr. DUBEN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of 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 (4), by adding ‘‘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) redesignating paragraphs (14) and (15) as paragraphs (15) and (16), respectively; and

(C) by inserting after paragraph (13) the following new paragraph (14):

‘‘(14) Coastal defense and anti-ship missile systems.’’;

and

(D) in paragraph (15), as so redesignated, by striking ‘‘by paragraph (13) and inserting ‘‘by paragraphs (13) and (14)’’;

(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 (f)(5), $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:

‘‘(f) For fiscal year 2020, $300,000,000.’’;

(5) by redesigning the second subsection (g) as subsection (i) and inserting the following:

‘‘(i) report on capability and capacity requirements.—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 submit a report to the congressional defense committees on the capability and capacity requirements of the military forces of Ukraine.

(II) 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 may be addressed in a timely and efficient manner by unilateral efforts of the Government of Ukraine; and

(ii) are unlikely to be sufficiently addressed solely through bilateral efforts;

(D) an assessment of the capability gaps and capacity shortfalls that may be addressed by the Ukraine Security Assistance Initiative in a timely and efficient manner; and

(E) a plan to provide the necessary resources for the Ukraine Security Assistance Initiative in fiscal years 2020, 2021, and 2022 to meet the most critical capability gaps and capacity shortfalls of the military forces of Ukraine.’’.

SA 649. Mr. WICKER (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XXXV and insert the following:

SEC. 1304.
TITLE XXX—MARITIME ADMINISTRATION

SEC. 3510. SHORT TITLE.
This title may be cited as the “Maritime Administration Authorization and Enhancement Act of 2019.”

Subtitle A—Maritime Administration

SEC. 3511. AUTHORIZATION OF THE MARITIME ADMINISTRATION.
(a) IN GENERAL.—There are authorized to be appropriated to the Department of Transportation for the Maritime Administration for fiscal year 2020, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $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.

(2) For expenses necessary to support the State maritime academies, $50,280,000, of which—
(A) $2,340,000 shall remain available until September 30, 2021, for the Student Incentive Program;
(B) $6,000,000 shall remain available until expended for direct payments to such academies;
(C) $30,080,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;
(D) $3,800,000 shall remain available until expended for training ship fuel assistance; and
(E) $3,000,000 shall remain available until expended for offsetting the costs of training ship sharing.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $900,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $60,452,000, of which $5,000,000 shall remain available until expended for activities authorized under section 50397 of title 46, United States Code.

(5) In addition to the amounts necessary to dispose of vessels in the National Defense Reserve Fleet, $5,000,000, which shall remain available until expended.

(6) For expenses necessary to maintain and preserve a United States flag Merchant Marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $30,000,000, which shall remain available until expended.

(7) For expenses necessary for the loan guarantee program authorized under section 537 of title 46, United States Code, $35,000,000, of which—
(A) $30,000,000 may be used for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990, 31 U.S.C. 690(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 53101 of title 46, United States Code, $40,000,000, which shall remain available until expended.

(9) For expenses necessary to implement the Marine Safety 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, except with or without the exercise of human intervention or control, if the Secretary determines such equipment would result in a net loss of jobs that relate to the movement of goods through a port and its intermodal connections.

(b) MARITIME SECURITY PROGRAM.—
(1) AWARD OF OPERATING AGREEMENTS.—Section 53103 of title 46, United States Code, is amended by striking “2025” each place it appears and inserting “2025 and 2026.”

(b) EFFICIENT ENFORCEMENT.—Section 53104(a) of title 46, United States Code, is amended by striking “2025” and inserting “2032.”

(c) PAYMENTS.—Section 53106(a)(1) of title 46, United States Code, is amended—
(1) in subparagraph (B), by striking “$3,700,000 for each of fiscal years 2022, 2023, 2024, and 2025,” and inserting “$5,233,463 for each of fiscal years 2022, 2023, 2024, and 2025; and
(2) by adding at the end the following:

(D) $5,233,463 for each of fiscal years 2026 through 2035.”

(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 subparagraph (B), by striking “$222,000,000 for each fiscal year thereafter under the program” and inserting “$314,007,780 for each of fiscal years 2022, 2023, 2024, and 2025; and”; and
(3) by adding at the end the following:

(D) $314,007,780 for each of fiscal years 2026 through 2035.”

SEC. 3512. 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 3 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 its November 2017 report entitled “Maritime Administration: Defining its Mission, Aligning its Programs, and Meeting its Objectives”;

(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. 3513. DEPARTMENT OF TRANSPORTATION—SELECTION OF PREPARATORY SCHOOL.
Section 53103 of title 46, United States Code, is amended—
(1) by striking “The Secretary” and inserting “(a) CREDENTIALING SUPPORT.—Not later than 1 year after the date of enactment of this title, 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, with respect to the applicable services, shall—
(1) take all necessary and appropriate action to establish a program to provide for the waiver of fees and to provide for the applicable services in their respective departments, shall—
(2) in paragraph (3), by striking “2025” each place it appears and inserting “2035”.

(c) DEADLINE AND REPORT.—Not later than 180 days after the date of enactment of this title, the Secretary shall submit to the Congress a report on the 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 the more modern careers in the maritime industry;

(3) Development of an action plan for the United States Merchant Marine Academy with specific recommendations for—
(A) improvements or updates relating to the unprecedented demand for personnel;
(B) systemic changes needed to help the United States Merchant Marine Academy achieve its mission of inspiring and educating the next generation of the maritime workforce on a long-term basis.

(2) REVIEWS.—The Secretary shall—
(1) submit to the Congress not later than 180 days after the date of enactment of this title a report that contains a determination of whether such training and experience counts for credentialing purposes.

(3) MILITARY TO MARINER.
(a) CREDENTIALING SUPPORT.—Not later than 1 year after the date of enactment of this title, 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, with respect to the applicable services, shall—
(1) take all necessary and appropriate action to establish a program to provide for the applicable services in their respective departments, shall—
(2) in paragraph (3), by striking “2025” each place it appears and inserting “2035”.

(c) FEES AND SERVICES.—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) carry out the activities described in this section to—
(a) review the applicable services in their respective departments, shall—
(b) submit to the Congress a report concerning whether training and experience counts for credentialing purposes.

(c) REVIEW OF APPLICABLE SERVICE.—The United States Coast Guard Commandant, the United States Secretary of Transportation, or the United States Secretary of Commerce, as applicable, shall submit to the Congress a report that includes the results of the review conducted under subsection (a).

(d) DEADLINE AND REPORT.—Not later than 180 days after the date of enactment of this title, the Secretary shall submit to the Congress a report that includes the results of the review conducted under subsection (a) and includes the Secretary’s determination of whether training and experience counts for credentialing purposes.

(e) CREDENTIALING SUPPORT.—Not later than 1 year after the date of enactment of this title, 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, with respect to the applicable services, shall—
(1) take all necessary and appropriate action to establish a program to provide for the applicable services in their respective departments, shall—

(3) MILITARY TO MARINER.
for members of the uniformed services on active duty, if a waiver is authorized and appropriate, and, if a waiver is not granted, take all necessary and appropriate actions to provide other opportunities for members of the uniformed services on active duty by the applicable service to the fullest extent permitted by law;

(2) ensure the applicable services have developed, or continue to operate, as appropriate, the online resource known as Credentialing Opportunities On-Line to support separating members of the uniformed services who are seeking information and assistance on merchant mariner credentialing; and

(3) not later than 1 year after the date of enactment of this section, take all necessary and appropriate actions to review and implement time-related medical certifications and 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, and the Secretary of Transportation, acting directly or by direct authority of a civilian employing agency,

(ii) the Federal entity for which the Maritime Administration is authorized to provide maritime-related services to the applicable services has de-

(iii) the Federal entity for which the Maritime Administration is authorized to provide maritime-related services to the applicable services may or will provide such goods and services, depending on the agreement of the parties involved;

(iv) the proceeds recovered from such salvage;

(v) the Federal entity for which the Maritime Administration has or will provide such goods and services, depending on the agreement of the parties involved;

(vi) amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(vii) amounts in such fund or account.

(viii) amounts in such fund or account.

(x) SALES AGREEMENT.—A sales agreement entered into by the Maritime Administration for the purpose of acquiring goods or services using its existing or new commercial enterprise funds shall be for a minimal cost; and

(xi) the reassignment or relocation of any person to perform duties in Lightship No. 102, New York Harbor, as authorized by section 1301 of title 31, United States Code, shall not apply with respect to the hiring of a separated member of the uniformed services who is retiring or is retired as a member of the uniformed services.

SEC. 3518. SALVAGE RECOVERIES OF FEDERALLY OWNED CARGOES.

Section 5710 of title 46, United States Code, is amended by adding at the end the following:

(1) TRANSFER AUTHORITY RELATED TO THE USE OF NATIONAL DEFENSE RESERVE FLEET VESSELS AND THE PROVISION OF MARITIME-RELATED SERVICES.—

(1) is retiring or is retired as a member of the uniformed services;

(2) is voluntarily retiring or voluntarily separated from the uniformed services at the end of enlistment or service obligation; or

(3) is administratively separating or has administratively separated from the uniformed services to the fullest extent permitted by law;

(4) projects, activities, and expenses related to the National Defense Reserve Fleet or maritime-related services:

(A) Federal entities are authorized to receive goods and services under a reimbursable agreement with a Federal entity or, if a waiver is authorized and appropriate, to receive goods and services from the Maritime Administration for programs,
(3) ELIGIBLE PROJECTS.—The Secretary may make a grant under this subsection—
(A) for a project, or package of projects, that—
(i) is either—
(I) within the boundary of a port; or
(II) outside the boundary of a port, but is directly related to port operations or to an Intermodal connection to a port; and
(ii) will be used to improve the safety, efficiency, or reliability of—
(I) the loading and unloading of goods at the port, such as for marine terminal equipment;
(II) the movement of goods into, out of, around, or within a port, such as for highway, rail infrastructure, intermodal facilities, freight intelligent transportation systems, and digital infrastructure systems; or
(III) environmental mitigation measures and operational improvements directly related to enhancing the efficiency of ports and intermodal connections to ports; 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 may not be used—
(A) to finance or refinance the construction, reconstruction, reconditioning, or purchase of a vessel that is eligible for such assistance under chapter 537, unless the Secretary determines such vessel—
(i) is necessary for a project described in paragraph (3)(A)(iii) of this subsection; and
(ii) is not receiving assistance under chapter 537, or
(B) for any project within a small shipyard (as defined in section 54101).
(5) APPLICATIONS AND PROCESS.—
(A) APPLICATIONS.—To be eligible for a grant under this subsection, an eligible applicant shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary considers appropriate.
(B) SOLICITATION PROCESS.—Not later than 60 days after the date that amounts are made available for grants under this subsection for a fiscal year, the Secretary shall solicit grant applications for eligible projects in accordance with this subsection.
(6) 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 applicant.
(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 as compared to 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) if the Secretary establishes a simplified, alternative basis for determining whether a project is cost effective, for a small project described in paragraph (7)(B).
(7) ALLOCATIONS.—
(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 1 State.
(B) SMALL PROJECTS.—The Secretary shall reserve 25 percent of the amounts made available for grants under this subsection for each fiscal year to make grants for eligible projects described in paragraph (3)(A) that request the lesser of—
(i) 10 percent of the amounts made available for grants under this subsection for a fiscal year; or
(ii) $1,000,000.
(C) 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 for development phase activities under paragraph (3)(B).
(8) FEDERAL SHARE OF TOTAL PROJECT COSTS.—
(A) TOTAL PROJECT COSTS.—To be eligible for a grant under this subsection, an eligible applicant shall submit to the Secretary an estimate of the total costs of a project under this subsection based on the best available information, including any available engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.
(B) FEDERAL SHARE.—
(i) IN GENERAL.—Except as provided in clause (ii), the Federal share of the total costs of a project under this subsection shall not exceed 80 percent.
(ii) RURAL AREAS.—The Secretary may increase the Federal share of costs above 80 percent for a project located in a rural area.
(9) PROCEDURAL SAFEGUARDS.—The Secretary shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—
(A) grant funds are used for the purposes for which those funds were made available;
(B) each grantee properly accounts for all expenditures of grant funds; and
(C) grant funds not used for such purposes and amounts not obligated or expended are returned.
(10) CONDITIONS.—
(A) IN GENERAL.—The Secretary shall require as a condition of making a grant under this subsection that—
(i) maintain such records as the Secretary considers necessary;
(ii) make the records described in clause (i) available for review and audit by the Secretary; and
(iii) periodically report to the Secretary such information as the Secretary considers necessary to assess progress.
(B) LABOR.—The Federal wage rate requirements of subchapter IV of chapter 31 of title 42 shall apply, in the same manner as such requirements apply to contracts subject to such subchapter, to—
(i) each project for which a grant is provided under this subsection; and
(ii) all work performed at the project described in clause (i), regardless of whether such a portion is funded using—
(I) other Federal funds; or
(II) non-Federal funds.
(C) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to affect existing authorities to conduct port infrastructure programs in—
(A) Hawaii, as authorized by section 9008 of the SAFETEA-LU Act (Public Law 109–59; 119 Stat. 596); or
(B) Alaska, as authorized by section 10205 of the SAFETEA-LU Act (Public Law 109–59; 119 Stat. 594); or
(12) ADMINISTRATION.—
(A) ADMINISTRATIVE AND OVERSIGHT COSTS.—The Secretary may retain not more than 2 percent of the amounts appropriated for each fiscal year under this subsection for the administrative and oversight costs incurred by the Secretary to carry out this subsection.
(B) AVAILABLE.—
(i) IN GENERAL.—Amounts appropriated for carrying out this subsection shall remain available until expended.
(ii) UNEXPENDED FUNDS.—Amounts appropriated for carrying out this subsection shall be available for grants under this subsection that are not expended by the grantee during the 5-year period following the date the award was made available. The Secretary shall retain administrative or oversight costs incurred for grants under this subsection in a subsequent fiscal year.
(13) DEFINITIONS.—In this subsection:
(A) AN 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 rehabilitation, acquisition of property, including land related to the project and improvements to the land, equipment acquisition, and operational improvements.
(D) RURAL AREA.—The term ‘rural area’ means an area that is outside an urbanized area.
(14) ADDITIONAL AUTHORITY OF THE SECRETARY.—In carrying out this section, the Secretary may—
(A) receive funds from a Federal or non-Federal entity that has a specific agreement with the Secretary to further the purposes of this section;
(B) 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 port facilities to improve the efficiency of the transportation system, to increase port security, or to provide greater access to port facilities;
(C) seek to coordinate all reviews or requirements with appropriate Federal, State, local agencies; and
(D) in addition to any financial assistance provided under subsection (c), provide such technical assistance to port authorities or commissions or their staff members 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 5092(c) of title 46, United States Code, as in effect on the day before the date of enactment of this title.
SEC. 3224. IMPROVEMENT OF NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.

(a) ADDITIONAL MEANS OF ACHIEVEMENT OF GOALS OF PROGRAM THROUGH OCEANOGRAPHIC PARTNERSHIP.—Section 8931(b)(2)(A) of title 10, United States Code, is amended—

(1) by inserting “, creating,” after “identifying”; and

(2) by inserting “science,” after “areas of”.

(b) NATIONAL OCEAN RESEARCH LEADERSHIP COUNCIL.—Membership.—Section 8932 of title 10, United States Code, is amended—

(1) by redesigning subsections (f) through (h) as subsections (g) through (i), respectively;

(2) in subsection (b)–

(A) by striking paragraph (10); and

(B) by redesigning paragraphs (11) through (14) as paragraphs (12) through (15), respectively; and

(C) by inserting after paragraph (9) the following new paragraphs:


“(11) The Director of the Bureau of Safety and Environmental Enforcement of the Department of the Interior.”

(3) in subsection (c)–

(A) in paragraph (2)–

(i) in subparagraph (B), by striking “broad participation within the oceanographic community and inserting participation within the oceanographic community, which may include public, academic, commercial, and private participation or support; and

(ii) in subparagraph (E), by striking “peer”;

(B) in paragraph (3), by striking subparagraph (D) and inserting the following:

“(D) Preexisting facilities, such as regional data centers operated by the Integrated Ocean Observing System, and expertise.”;

(C) in paragraph (4)–

(A) in the section heading by striking “Report” and inserting “Briefing”;

(B) in the matter preceding paragraph (1), by striking “to Congress a report” and inserting “to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the Committee on Energy and Natural Resources of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Armed Services of the House of Representatives a briefing”;

(C) by striking “report” and inserting “briefing” each place the term appears;

(D) by striking paragraph (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 for the fiscal year”.

(4) by inserting after subsection (e) the following:

“(f) REPORT.—Not later than March 1 of each year, the Council shall publish on a publicly available website a report summarizing the briefing described in subsection (e).”;

(g) 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 a process to support the National Oceanographic Partnership Program. The Council shall use competitive procedures in selecting

“(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. 3232. MARITIME TECHNICAL ASSISTANCE PROGRAM.

Section 5007 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “The Secretary of Transportation may engage in the enforcement of the Secretary of Transportation’s responsibilities under section 5002 of title 46, United States Code, with respect to such facilities.”;

(2) by adding after such subsection the following:

“(b) ELEMENTS.—The report required by subsection (a) in consultation with the Maritime Administrator and the individual responsible for each port facility described in such subsection—

“(A) an identification of, to the maximum extent practical, all potential funding sources for such improvements from existing authorities;

“(B) an identification of the support that would be appropriate for the Department of Defense to provide in the execution of the functions specified in paragraphs (1) through (4) of section 8931(a) of title 10, United States Code, is amended—

(A) by striking paragraph (10); and

(B) in paragraph (11), by striking “science,” after “areas of”;

(C) by inserting after paragraph (10) the following new paragraphs:


“(11) The Director of the Bureau of Safety and Environmental Enforcement of the Department of the Interior.”

(3) in subsection (c)–

(A) in paragraph (2)–

(i) in subparagraph (B), by striking “broad participation within the oceanographic community and inserting participation within the oceanographic community, which may include public, academic, commercial, and private participation or support; and

(ii) in subparagraph (E), by striking “peer”;

(B) in paragraph (3), by striking subparagraph (D) and inserting the following:

“(D) Preexisting facilities, such as regional data centers operated by the Integrated Ocean Observing System, and expertise.”;

(C) in paragraph (4)–

(A) in the section heading by striking “Report” and inserting “Briefing”;

(B) in the matter preceding paragraph (1), by striking “to Congress a report” and inserting “to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the Committee on Energy and Natural Resources of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Armed Services of the House of Representatives a briefing”;

(C) by striking “report” and inserting “briefing” each place the term appears;

(D) by striking paragraph (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 for the fiscal year”.

(4) by inserting after subsection (e) the following:

“(f) REPORT.—Not later than March 1 of each year, the Council shall publish on a publicly available website a report summarizing the briefing described in subsection (e).”;

(g) 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 a process to support the National Oceanographic Partnership Program. The Council shall use competitive procedures in selecting
an operator for the partnership program office.

(b) In paragraph (2)(B), by inserting "where appropriate," before "managing;" and

(7) by redesignating paragraphs (8) through (10), as redesignated by paragraph (1), to read as follows:

"(b) CONTRACT AND GRANT AUTHORITY.—

(1) 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 enter into cooperative 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 funds, including fines and penalties, from other Federal and State departments and agencies.

(C) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to make grants to or enter into contracts with or for the purpose of implementing the National Oceanographic Partnership Program.

(D) To make grants to other Federal and State departments and agencies 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 department or agency concerned, or in the case of a vessel deemed to be of national interest that is outstanding that are—

(i) based on the financial covenants or financial ratios, if any, that are then applicable to the obligor under private sector credit agreements; and

(ii) in lieu of other financial covenants applicable to the obligor under this chapter with respect to requirements regarding long-term debt-to-equity, minimum working capital, or minimum amount of equity;

(E) represent the Secretary or Administrator to protect the security interests of the Government relating to an obligation guarantee.

(2) PRIVATE SECTOR EXPERT.—Independent analysis, review, and representation conducted under this subsection shall be performed by a private sector expert in the applicable field who is selected by the Secretary or Administrator.

(3) VESSELS OF NATIONAL INTEREST.—

(A) NOTICE OF FUNDING.—The Secretary or Administrator may post a notice in the Federal Register regarding the availability of funding for obligations 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 funding for—

(B) VESSEL CHARACTERISTICS.—

(1) In general.—The Secretary or Administrator, in consultation with the Secretary of Defense, shall conduct the Department in which the Coast Guard Operates, or the heads of other Federal agencies, as appropriate, to develop a list of vessel types that will be considered Vessels of National Interest.

(2) VESSEL OF NATIONAL INTEREST.—The term ‘Vessel of National Interest’ means a vessel deemed to be of national interest that meets characteristics determined by the Administrator, in consultation with the Secretary or Administrator, with the Secretary of the Department in which the Coast Guard Operates, or the heads of other Federal agencies, as appropriate.

(b) PREFERRED LENDER.—Section 53702(a) of title 46, United States Code, is amended by adding at the end the following:

"(3) PREFERRED 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 associated with market, technology, financial, or legal structures related to an application or guarantee under this chapter, the Secretary or Administrator may require third-party experts, including legal counsel, to—

(A) assess and review applications under this chapter, including 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 whether the financial covenants or financial ratios to be met by the applicant during the time a guarantee under this chapter is outstanding that are—

(i) based on the financial covenants or financial ratios, if any, that are then applicable to the obligor under private sector credit agreements; and

(ii) in lieu of other financial covenants applicable to the obligor under this chapter with respect to requirements regarding long-term debt-to-equity, minimum working capital, or minimum amount of equity;

(E) represent the Secretary or Administrator to protect the security interests of the Government relating to an obligation guarantee.

(2) PRIVATE SECTOR EXPERT.—Independent analysis, review, and representation conducted under this subsection 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.—

(A) NOTICE OF FUNDING.—The Secretary or Administrator may post a notice in the Federal Register regarding the availability of funding for obligations 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 funding for—

(B) VESSEL CHARACTERISTICS.—

(1) In general.—The Secretary or Administrator, in consultation with the Secretary of Defense, shall conduct the Department in which the Coast Guard Operates, or the heads of other Federal agencies, as appropriate, to develop a list of vessel types that will be considered Vessels of National Interest.

(2) VESSEL OF NATIONAL INTEREST.—The term ‘Vessel of National Interest’ means a vessel deemed to be of national interest that meets characteristics determined by the Administrator, in consultation with the Secretary or Administrator, with the Secretary of the Department in which the Coast Guard Operates, or the heads of other Federal agencies, as appropriate.

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(C) analyze and review aspects of, structure, and document the obligation guarantee during the term of the guarantee;

(D) recommend whether the financial covenants or financial ratios to be met by the applicant during the time a guarantee under this chapter is outstanding that are—

(i) based on the financial covenants or financial ratios, if any, that are then applicable to the obligor under private sector credit agreements; and

(ii) in lieu of other financial covenants applicable to the obligor under this chapter with respect to requirements regarding long-term debt-to-equity, minimum working capital, or minimum amount of equity;

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"(c) INDEPENDENT ANALYSIS.—

(1) IN GENERAL.—To assess and mitigate the risks associated with market, technology, financial, or legal structures related to an application or guarantee under this chapter, the Secretary or Administrator may require third-party experts, including legal counsel, to—

(A) assess and review applications under this chapter, including 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 whether the financial covenants or financial ratios to be met by the applicant during the time a guarantee under this chapter is outstanding that are—

(i) based on the financial covenants or financial ratios, if any, that are then applicable to the obligor under private sector credit agreements; and

(ii) in lieu of other financial covenants applicable to the obligor under this chapter with respect to requirements regarding long-term debt-to-equity, minimum working capital, or minimum amount of equity;

(E) represent the Secretary or Administrator to protect the security interests of the Government relating to an obligation guarantee.

(2) PRIVATE SECTOR EXPERT.—Independent analysis, review, and representation conducted under this subsection 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.—

(A) NOTICE OF FUNDING.—The Secretary or Administrator may post a notice in the Federal Register regarding the availability of funding for obligations 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 funding for—

(B) VESSEL CHARACTERISTICS.—

(1) In general.—The Secretary or Administrator, in consultation with the Secretary of Defense, shall conduct the Department in which the Coast Guard Operates, or the heads of other Federal agencies, as appropriate, to develop a list of vessel types that will be considered Vessels of National Interest.

(2) VESSEL OF NATIONAL INTEREST.—The term ‘Vessel of National Interest’ means a vessel deemed to be of national interest that meets characteristics determined by the Administrator, in consultation with the Secretary or Administrator, with the Secretary of the Department in which the Coast Guard Operates, or the heads of other Federal agencies, as appropriate.
PREVENTION and Response program (mandated under section 3312 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2786)), are fully 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. 3326. 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 as appropriate, shall prepare and submit a report 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, op-rated, 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 of the proposed reorganization or consolidation.

SEC. 3327. DEFINITIONS.

(a) IN GENERAL.—The terms defined in paragraph (1) shall be defined as follows (in alphabetical order):

(1) DOMICILY.—The term "domicily" means the coastlines of the United States, Hawaii, Puerto Rico; the Colombian Archipelago, the Galapagos Islands, the Virgin Islands, American Samoa, the United States Virgin Islands, Guam, and the Northern Mariana Islands, a line that is 3 geographic miles from the coastline of American Samoa, the United States Virgin Islands, Guam, or the Northern Mariana Islands, respectively; or a line equidistant between two such coastlines, if applicable.

(2) WEIGHT.—The term "weight" means tons, metric tons, or any other unit of measurement used to measure weight.

(3) INSTALLATION.—The term "installation" means the placement of a vessel in a location by Hook, lift, or by any other method.

(4) VESSEL.—The term "vessel" means a ship, vessel, or other watercraft used to transport goods or passengers.

(5) COMMERCIAL VESSEL.—The term "commercial vessel" means a vessel used for the purpose of carrying goods or passengers for hire.

(6) CRUISE.—The term "cruise" means a voyage of a vessel for pleasure, recreation, or other non-commercial purposes.

(7) OFFSHORE.—The term "offshore" means the United States Exclusive Economic Zone (EEZ) or the United States continental shelf as defined in the United States Code, including the EEZ.

(8) INTERNATIONAL AGREEMENTS.—The term "international agreements" means any international agreements, conventions, or treaties that have been entered into by the United States and that are applicable to vessels engaged in offshore activities.

(9) UNITED STATES.—The term "United States" means the United States, its territories, possessions, and other possessions outside the continental United States.

SEC. 3328. PLAN OF ACTION TO PREVENT, DETER, AND ELIMINATE ILLEGAL, UNREPORTED, AND UNREgULATED FISHING.

(a) IN GENERAL.—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).

(b) PURPOSE.—The term "IUU fishing" includes illegal, unreported, and 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).

(c) PROHIBITING.—The term "prohibiting" means to forbid, prevent, or prohibit.

(d) PROHIBITION.—The term "prohibition" means a regulation that isbinding on the United States, its territories, possessions, and other possessions outside the continental United States.

(e) REGULATION.—The term "regulation" means a regulation that is binding on the United States, its territories, possessions, and other possessions outside the continental United States.

(f) RULE.—The term "rule" means a regulation that is binding on the United States, its territories, possessions, and other possessions outside the continental United States.

(g) LAW.—The term "law" means a statute, ordinance, or other regulation that is binding on the United States, its territories, possessions, and other possessions outside the continental United States.

SEC. 3329. REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this title, in consultation with the Secretary of Energy, the Secretary of the Interior, and the heads of other relevant agencies, as appropriate, the Secretary shall prepare and submit a report to Congress—

(1) describing the extent to which the terms defined in paragraph (1) are being engaged in, or are in violation of, United States law; or

(2) describing the extent to which the terms defined in paragraph (1) are being engaged in, or are in violation of, international agreements.

SEC. 3330. IMMEDIATE RESPONSE.—Not later than 180 days after the date of enactment of this title, in consultation with the Secretary of Energy, the Secretary of the Interior, and the heads of other relevant agencies, as appropriate, the Secretary shall prepare and submit a report to Congress—

(1) describing the extent to which the terms defined in paragraph (1) are being engaged in, or are in violation of, United States law; or

(2) describing the extent to which the terms defined in paragraph (1) are being engaged in, or are in violation of, international agreements.

SEC. 3331. SHORT TITLES.

(a) SHORT TITLES.—This subtitle may be cited as the "Maritime Security and Fisheries Enforcement Act" or the "Maritime SAFE Act".

(b) APPROPRIATIONS.—For purposes of this subtitle—

(1) the term "appropriations" means funds appropriated to the Department of Transportation for the fiscal year in which this subtitle is enacted;

(2) the term "fiscal year" means a fiscal year ending on June 30; and

(3) the term "Secretary" means the Secretary of Transportation of the United States, as defined in section 50001 of title 49, United States Code.

SEC. 3332. DEFINITIONS.

(a) IN GENERAL.—The terms defined in paragraphs (1) and (2) shall be defined as follows—

(1) EXCLUSIVE ECONOMIC ZONE.—The term "exclusive economic zone" means the zone bordering the territorial sea or the continental shelf of the United States, including all islands within 12 nautical miles of the coastline of such possession.

(2) PRIORITY REGION.—The term "priority region" means a region selected in accordance with section 3352(b)—

(A) whereby the flagged vessels of which actively engage in, knowingly profit from, or whose products are sold in IUU fishing; and

(B) that is willing, but lacks the capacity, to monitor or take effective enforcement action against its fleet.

The term "priority region" means a region selected in accordance with section 3352(b)—

(A) that is at high risk for IUU fishing activities, including the entry of illegally caught seafood into the markets of countries in the region; and

(B) that is willing, but lacks the capacity, to monitor or take effective enforcement action against its fleet.

The term "priority region" means a region selected in accordance with section 3352(b)—

(A) where IUU fishing is a significant threat to marine ecosystems, including the entry of illegally caught seafood into the markets of countries in the region; and

(B) that is willing, but lacks the capacity, to monitor or take effective enforcement action against its fleet.
(B) in which countries lack the capacity to fully address the illegal activity described in subparagraph (A).

(10) REGIONAL FISHERIES MANAGEMENT ORGANIZATIONS. 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, or other forms of marine animal and plant life, including those grown, produced, or reared through marine aquaculture, 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 by self-perpetuating 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 when and 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; and

(B) carry the accumulated catches back to port;

(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 across the Federal Government to counter IUU fishing and related threats to maritime security;

(2) to improve data sharing that enhances surveillance, enforcement, and prosecution against IUU fishing and related activities at a national 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 food 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 financial source for transnational organized crime 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 develop holistic diplomatic, military, law enforcement, economic, and capacity-building tools to counter IUU fishing;

(3) to provide technical assistance to countries in priority regions and priority flag states to combat IUU fishing, including assistance to—

(A) increase local, national, and regional level capacities to counter IUU fishing through the engagement of law enforcement agencies;

(B) to enhance port 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 in the management of fisheries management and trade;

(D) to enhance information sharing within and across governments and multilateral organizations, and to use of agreed standards for information sharing; and

(E) to support effective, science-based fisheries management tools that promote legal and safe fisheries and act as a deterrent to IUU fishing;

(4) to promote global maritime security through the development and implementation of technical 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 the development of an agreed standard for information sharing;

(8) to continue to use existing and future trade agreements to combat IUU fishing;

(9) to establish 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 identify 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 human trafficking and illegal trade in narcotics and arms, and as applicable, to focus on illicit activity in a coordinated, cross-cutting manner;

(12) to recognize 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 food security;

(14) to promote 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, as appropriate, to enhance regional responses 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 (as defined in section 102 of the Foreign Service Act of 1980 (22 U.S.C. 3902)) to a relevant country or to a priority flag state may, if the Secretary of State determines such action is appropriate—

(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 engaged in private sector initiatives of local fishermen in the region; and

(B) experts on IUU fishing, law enforcement, criminal justice, transnational organized crime, related activity, vessel movement monitoring, and international development operating in or with knowledge of the region; and

(2) designate a United States IUU Fishing Coordinator from among existing personnel at the mission if the chief of mission determines such action is appropriate.
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 countries that have not adopted the Port State Measures Agreement;
(4) to conduct vessel inspections at port and associated enforcement actions;
(5) to develop technology needs and promote the use of technology to improve monitoring, enforcement, and prosecution of IUU fishing;
(6) to conduct DNA-based and forensic identification of seafood used in trade;
(7) to conduct training on techniques, such as collecting electronic evidence and using computer forensics, for law enforcement personnel involved in complex investigations related to international matters, financial issues, and government corruption that include the use of whistleblower information and ways to incentivize whistleblowers to come forward with original information related to IUU fishing;
(e) CAPACITY BUILDING FOR INFORMATION SHARING.—The officials referred to in subsection (a) shall evaluate opportunities to provide assistance, as appropriate, to key countries in those regions and priority flag states in the form of training, equipment, and systems development to build capacity for information sharing related to maritime enforcement and port security.
(f) COORDINATION WITH OTHER RELEVANT AGENCIES.—The Secretary of State, in collaboration with the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, and the Secretary of Defense, shall coordinate with other relevant agencies, as appropriate, in accordance with this section.
SEC. 3544. EXPANSION OF EXISTING MECHANISMS TO COMBAT IUU FISHING.
The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, the Secretary of Defense, the Secretary of Commerce, the Attorney General, and the heads of other appropriate Federal agencies shall assess opportunities to combat IUU fishing by expanding, as appropriate, the use of the following mechanisms:
(1) Including counter-IUU fishing in existing shiprider agreements in which the United States does not already have such an agreement.
(2) Entering into shiprider agreements that include counter-IUU fishing with priority flag states and countries in priority regions with which the United States does not already have such an agreement.
(3) Including counter-IUU fishing as part of the mission of the Combined Maritime Forces.
(4) Including counter-IUU fishing exercises in the annual at-sea exercises conducted by the Department of Defense, in coordination with the Coast Guard.
(5) Creating partnerships similar to the Oceania Maritime Security Initiative and the Africa Maritime Law Enforcement Partnership in other priority regions.
SEC. 3545. IMPROVEMENT OF TRANSPARENCY AND TRACEABILITY PROGRAMS.
The Secretary, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, the Secretary of Commerce, and the heads of other Federal agencies, as appropriate, with priority flag states and key countries in priority regions:
(1) to increase 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) 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 associated enforcement actions;
(C) 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 associated enforcement actions.
SEC. 3546. TECHNOLOGY PROGRAMS.
The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, the Secretary of Defense, the Secretary of Commerce, and the heads of other Federal agencies, as appropriate, shall pursue programs to expand the role of technology for combating IUU fishing, including by:
(1) promoting the use of technology to combat IUU fishing, including vessel monitoring, surveillance, and computer forensics, for law enforcement purposes;
(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 vessel monitoring systems for fishery management, monitoring technologies on fishing vessels and transhipment vessels at all times, as appropriate, while at sea as a means to identify IUU fishing and deter the shipment of illegally caught fish products; and
(4) building partnerships with the private sector, including universities, nonprofit research organizations, industry, and the technology, transportation and logistics sectors, to leverage new and existing technologies and data analytics to address IUU fishing.
SEC. 3547. SAVINGS CLAUSE.
No provision of section 3532 or of this part shall impose, or be interpreted to impose, any duty, responsibility, requirement, or obligation on the Department of Defense, the Department of the Navy, or any official or component of the Coast Guard.
PART II—ESTABLISHMENT OF INTERAGENCY WORKING GROUP ON IUU FISHING
SEC. 3551. INTERAGENCY WORKING GROUP ON IUU FISHING.
(a) IN GENERAL.—There is established a collaborative interagency working group on maritime security and IUU fishing (referred to in this subtitle as the ‘‘Working Group’’).
(b) MEMBERS.—The members of the Working Group shall be composed of:
(I) 1 chair, who shall be either the Coast Guard, the Department of State, and the National Oceanographic and Atmospheric Administration on a 3-year term;
(II) 2 deputy chairs, who shall be appointed by their respective agency heads and shall be from a different Department than that of the chair, from—
(A) the Coast Guard;
(B) the Department of State; and
(C) the National Oceanic and Atmospheric Administration;
(III) 11 members, who shall be appointed by their respective agency heads, from—
(A) the Department of Defense;
(B) the United States Navy;
(C) the United States Agency for International Development;
(D) the United States Fish and Wildlife Service;
(E) the Department of Justice;
(F) the Department of the Treasury;
(G) U.S. Customs and Border Protection;
(H) U.S. Immigration and Customs Enforcement;
(I) the Federal Trade Commission;
(J) the Department of Agriculture;
(K) the Food and Drug Administration; and
(L) the Department of Commerce.
(2) 2 deputy chairs, who shall be appointed by the President, from—
(A) the National Security Council;
(B) the Council on Economic Quality;
(C) the Office of Management and Budget;
(D) the Office of Science and Technology Policy; and
(E) the Office of the United States Trade Representative.
(c) RESPONSIBILITIES.—The Working Group shall ensure an integrated, Federal Government-wide response to IUU fishing globally, including by—
(1) improving the coordination of Federal agencies to identify, interdict, investigate, prosecute, and dismantle IUU fishing operations and organizations perpetrating and knowingly benefitting from IUU fishing;
(2) assessing areas for increased interagency information sharing related to IUU fishing and related crimes;
(3) establishing standards for information sharing related to maritime enforcement; and
(4) developing a strategy for how military assets and intelligence can contribute to enforcement strategies to combat IUU fishing;
(5) improving maritime domain awareness relating to IUU fishing and related crimes and developing a strategy to leverage awareness for enhanced enforcement and prosecution actions against IUU fishing;
(6) supporting the adoption and implementation of the Port State Measures Agreement in relevant countries and assessing the capacity and training needs in such countries;
(7) outlining a strategy to coordinate, increase, and use shiprider agreements between the Department of Defense or the Coast Guard and relevant countries;
(8) enhancing cooperation with partner governments to combat IUU fishing;
(9) identifying opportunities for increased information sharing between Federal agencies and partner governments working to combat IUU fishing;
(10) consulting and coordinating with the seafood industry and nongovernmental stakeholders that work to combat IUU fishing; and
(11) supporting the work of collaborative international initiatives to make available certified data from state authorities about
vessel and vessel-related activities related to IUU fishing;
(12) supporting the identification and cer-
tification procedures to address IUU fishing in accordance with the High Seas Driftnet Fish-
ing Moratorium Protection Act (16 U.S.C. 1826d et seq.); and
(13) publishing annual reports summarizing nonresident populations about the Working Group’s efforts to investigate, enforce, and prosecute groups and individuals engaging in IUU fishing.

SEC. 3553. STRATEGIC PLAN.
(a) STRATEGIC PLAN.—Not later than 2 years after the date of the enactment of this title, the Working Group, after consultation with the designated subworking group of the United States in the Gulf of Mexico, 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) Federal actions taken and policies estab-
lished under subsection (a) shall identify priority regions and priority flag states to be the focus of assistance coordinated by the Working Group’s efforts to investigate, enforce, and prosecute IUU fishing, and:
(A) at high risk for IUU fishing activity or the entry of illegally caught seafood into their markets; and
(B) lack the capacity to fully address the issues described in subparagraph (A).
(2) PRIORITY REGION SELECTION CRITERIA.—In selecting priority regions under paragraph (1), the Working Group shall select regions that—
(A) are at high risk for IUU fishing activity or the entry of illegally caught seafood into their markets; and
(B) lack the capacity to fully address the issues described in subparagraph (A).
(3) PRIORITY FLAG STATES SELECTION CRITERIA.—In selecting priority flag states under paragraph (1), the Working Group shall select states that—
(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. 3555. 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 Appropriations of the Senate, the Committee on Natural Resources of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that contains—
(1) a summary of global and regional trends in IUU fishing;
(2) an assessment of the extent of the con-
vergence between transnational organized il-
legal 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 rec-

ommendations regarding harmonization of data collection and sharing;
(4) an assessment of assets, including mili-
tary assets and intelligence, which can be used for either enforcement operations or strategies to combat IUU fishing;
(5) an assessment of the situational threats with respect to IUU fishing in priority re-
gions and an assessment of the capacity of countries within such regions to respond to those threats as a result of assistance by the United States pursuant to the strategic plan developed under section 3552, including—
(A) the identification of 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
(B) indicators of IUU fishing that are re-
lated to money laundering;
(6) an assessment of the capacity of pri-
ority regions to implement shiprider agreements;
(7) an assessment of the capacity of coun-
ties in priority regions to increase mar-
time domain awareness; and
(8) an assessment of the extent of involve-
melt in IUU fishing of organizations des-
ignated as terrorists, or as organizations under section 219 of the Immigration and Na-

SEC. 3554. GULF OF MEXICO IUU FISHING SUB-
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 shall estab-
lish 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 es-
ablished under subsection (a) shall iden-

tify—
(1) Federal actions taken and policies es-
stablished during the 5-year period imme-
diately preceding the date of the enactment of this title with respect to IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico, including such actions and policies related to—
(A) the surveillance, interdiction, and prose-
cution of any foreign nationals engaged in such fishing; and
(B) the description of the procedures of the High Seas Driftnet Fishing Moratorium Prote-
cion Act (16 U.S.C. 1826d et seq.) to any relevant nation, including the status of any past or ongoing consultations and certifi-
cation procedures;
(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 re-

sources, to combat IUU fishing in the exclu-
sive economic zone of the United States in the Gulf of Mexico;
(3) any additional authorities that could as-
sist each agency in more effectively address-
ing such IUU fishing.
(c) REPORT.—Not later than 1 year after the IUU Fishing Subworking Group is estab-
lished under subsection (a), the group shall submit to the Committee on Com-
merce, Science, and Transportation of the Senate and the Committee on Natural Re-

ources of the House of Representatives that contains—
(1) the findings identified pursuant to sub-
section (b); and
(2) a timeline for each of the Federal agen-
cies described in subsection (a) to implement each action or policy identified pursuant to subsection (b)(2).

PART IV.—AUTHORIZATION OF APPROPRIATIONS
SEC. 3571. AUTHORIZATION OF APPROPRIATIONS.
(a) FUNDING.—Amounts made available to carry out this subtitle shall be derived from appropriations for the purposes made available to the relevant agencies and de-
partments.
(b) NO INCREASE IN CONTRIBUTIONS.—Noth-
ing less than the amount made available for the purposes described by paragraph (2) shall be used to au-
thorize an increase in required or voluntary contributions paid by the United States to
any multilateral or international organization.

SEC. 3572. ACCOUNTING OF FUNDS.

By not later than 180 days after the date of enactment of this title, the head of each Federal agency receiving or allocating funds to carry out activities under this subtitle shall, to the greatest extent practicable, prepare and submit to the Committees of Appropriations of the Senate and the Committees of Appropriations of the House of Representatives a report that provides an accounting of all funds made available under this subtitle to the Federal agency.

SA 650. 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 subsection 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, for military construction, and for defense activities of the Department of Energy, to prescribe military 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, add the following:

SEC. 1045. REPEAL OF SUNSET OF LIMITATION

SEC. 1052. REPEAL OF SUNSET OF LIMITATION

SEC. 1061. REPEAL OF SUNSET OF LIMITATION

SEC. 3572. ACCOUNTING OF FUNDS.

SEC. 3573. REPORT ON MILITARY ACTIVITIES IN THE ARCTIC REGION.


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

(b) Matters to be included.—The reports under subsection (a) shall include, with respect to the Russian Federation or the People's Republic of China, as applicable, the following:

(1) A description of military activities of such country in the Arctic region, including—

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

(B) any exercises or other military activities

(c) Appropriate committees of Congress means—

(1) the congressional defense committees;

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

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 651. 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 X, add the following:

"(a) I N GENERAL.—Not later than 180 days 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.

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

(bb) using natural photosynthesis.

(c) INTELLIGENT PROPERTY.—The term ‘intellectual property’ means—

(2) any patent on an invention described in item (aa).

(iv) TECHNOLOGY PRIZES.—

(A) in general.—Not later than 1 year after the date of enactment of the USE IT Act, the Administrator shall establish a prize program to reward the highest-valued technologies that enable carbon capture from dilute air.

(B) the Secretary of Energy shall establish a prize program to reward the highest-valued environmental protection technologies that enable carbon capture from dilute air.

(c) Authorization for Appropriations

SEC. 3572. ACCOUNTING OF FUNDS.

SEC. 3573. REPORT ON MILITARY ACTIVITIES IN THE ARCTIC REGION.


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

(b) MATTERS TO BE INCLUDED.—The reports under subsection (a) shall include, with respect to the Russian Federation or the People’s Republic of China, as applicable, the following:

(1) A description of military activities of such country in the Arctic region, including—

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

(B) any exercises or other military activities

(c) Appropriate committees of Congress means—

(1) the congressional defense committees;

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

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 651. 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 X, add the following:

"(i) Definitions.—In this subparagraph:

(1) Board.—The term ‘Board’ means the Direct Air Capture Technology Advisory Board established by clause (iii)(I).

(2) Dilute.—The term ‘dilute’ means a concentration of less than 1 percent by volume.

(III) Direct Air Capture.—The term ‘direct air capture’, with respect to a facility, technology, or system, means that the facility, technology, or system uses carbon capture equipment to capture carbon dioxide directly from the air.

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

(1) that is deliberately released from a near-surface or near-subsurface spring; or

(bb) using natural photosynthesis.

(iv) INTELLIGENT PROPERTY.—The term ‘intellectual property’ means—

(1) an invention that is patentable under title 35, United States Code; and

(bb) any patent on an invention described in item (aa).

(ii) TECHNOLOGY PRIZES.—

(A) in general.—Not later than 1 year after the date of enactment of the USE IT Act, the Administrator shall establish a program to provide, and shall provide, financial awards on a competitive basis for direct air capture from dilute air.

(B) the Secretary of Energy shall establish a program to reward the highest-valued environmental protection technologies that enable carbon capture from dilute air.

(f) Authorization for Appropriations

SEC. 3572. ACCOUNTING OF FUNDS.

SEC. 3573. REPORT ON MILITARY ACTIVITIES IN THE ARCTIC REGION.


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

(b) MATTERS TO BE INCLUDED.—The reports under subsection (a) shall include, with respect to the Russian Federation or the People’s Republic of China, as applicable, the following:

(1) A description of military activities of such country in the Arctic region, including—

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

(B) any exercises or other military activities

(c) Appropriate committees of Congress means—

(1) the congressional defense committees;

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

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 651. 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 X, add the following:

SEC. 1045. REPEAL OF SUNSET OF LIMITATION

SEC. 1052. REPEAL OF SUNSET OF LIMITATION

SEC. 1061. REPEAL OF SUNSET OF LIMITATION

SEC. 3572. ACCOUNTING OF FUNDS.

SEC. 3573. REPORT ON MILITARY ACTIVITIES IN THE ARCTIC REGION.


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

(b) MATTERS TO BE INCLUDED.—The reports under subsection (a) shall include, with respect to the Russian Federation or the People’s Republic of China, as applicable, the following:

(1) A description of military activities of such country in the Arctic region, including—

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

(B) any exercises or other military activities

(c) Appropriate committees of Congress means—

(1) the congressional defense committees;

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

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 651. 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 X, add the following:

SEC. 1045. REPEAL OF SUNSET OF LIMITATION

SEC. 1052. REPEAL OF SUNSET OF LIMITATION

SEC. 1061. REPEAL OF SUNSET OF LIMITATION

SEC. 3572. ACCOUNTING OF FUNDS.

SEC. 3573. REPORT ON MILITARY ACTIVITIES IN THE ARCTIC REGION.


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

(b) MATTERS TO BE INCLUDED.—The reports under subsection (a) shall include, with respect to the Russian Federation or the People’s Republic of China, as applicable, the following:

(1) A description of military activities of such country in the Arctic region, including—

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

(B) any exercises or other military activities

(c) Appropriate committees of Congress means—

(1) the congressional defense committees;

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

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.
(bb) Vacancies.—A vacancy on the Board—

(AA) shall not affect the powers of the Board and shall be filled in the same manner as the original appointment was made.

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

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

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

(vii) Chairperson and Vice Chairperson.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

(viii) Compensation.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Board.

(ix) Duties.—The Board shall advise the Administrator on carrying out the duties of the Administrator under this subparagraph.

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

(iv) Intellectual Property.—

(I) In general.—As a condition of receiving a subaward under this subparagraph, an applicant shall agree to vest the intellectual property of the applicant derived from the technology in 1 or more entities that are incorporated in the United States.

(ii) Reservation of license.—The United States—

(aa) may reserve a nonexclusive, nontransferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States, in connection with any intellectual property.

(bb) shall not, in the exercise of a license reserved under item (aa), publicly disclose proprietary information relating to the license.

(iii) Transfer of title.—Title to any intellectual property described in subclause (I) shall be held by the Board, and an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

(iv) Authorization of appropriations.—

(I) In general.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, $35,000,000 shall be available to carry out this subparagraph, to remain available until expended.

(ii) Requirement.—Research carried out using amounts made available under this subparagraph shall terminate not later than 10 years after the date of enactment of the USE IT Act.

(v) Carbon Dioxide Utilization Research.—

(I) Definition of carbon dioxide utilization research.—In this subparagraph, the term ‘carbon dioxide utilization research’ means—

(A) any activity that transforms carbon dioxide, through photosynthesis or chemosynthesis, such as through the growth of algae or bacteria;

(B) the chemical conversion of carbon dioxide to a material or chemical compound in which the carbon dioxide is securely stored;

(C) the use of carbon dioxide for any other purpose for which a commercial market exists, as determined by the Administrator.

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

(iii) Technical and financial assistance.—Not later than 2 years after the date of enactment of the USE IT Act, Congress shall submit to the responsible committees of Congress a report describing the activities undertaken by the Administrator 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 bays 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, States, the private sector, and 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.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, $35,000,000 shall be available to carry out this subparagraph, to remain available until expended.

(ii) Requirement.—Research carried out using amounts made available under this subparagraph may not duplicate research funded by the Department of Energy.

(iii) Deep Saline Formation Report.—

(I) DEFINITION OF DEEP SALINE FORMATION.—

(1) In general.—In this subparagraph, the term ‘deep saline formation’ means—

(A) any geologic formation that is deep under the continental shelf and is potentially available for sequestration of carbon dioxide;

(B) a formation that is deep enough to—

(i) store carbon dioxide in a manner that is permanent;

(ii) store carbon dioxide in a manner that is temporary;

(iii) store carbon dioxide in a manner that is secure;

(iv) store carbon dioxide in a manner that is secure and temporary;

(v) store carbon dioxide in a manner that is secure and permanent.

(ii) Authorization of expenditures.—

(I) In general.—Not less frequently than the market exists, as determined by the Administrator.

(ii) Authorization of appropriations.—

(I) Authorization of appropriations.—

(1) In general.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, $35,000,000 shall be available to carry out this subparagraph, to remain available until expended.

(ii) Requirement.—Research carried out under this subparagraph may not duplicate research funded by the Department of Energy.
(i) any facility, technology, or system that captures, utilizes, or sequesters carbon dioxide emissions, including projects for direct air capture (as defined in paragraph (6)(B) of the Clean Air Act (42 U.S.C. 7439(g))); and

(ii) carbon dioxide pipelines.

(c) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Chair shall—

(i) submit the report under this paragraph to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(ii) as soon as practicable, make the report publicly available.

(d) IN GENERAL.—After submission of the report under paragraph (2)(B), but not later than 1 year after the date of enactment of this Act, the Chair shall submit the report consistent with that report to all relevant Federal agencies that—

(i) facilitates reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(ii) supports the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) REQUIREMENTS.—

(i) IN GENERAL.—The guidance under subparagraph (A) shall address requirements under—

(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(II) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(III) the Clean Air Act (42 U.S.C. 7401 et seq.);

(IV) 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.); and

(VI) division A of subtitle III of title 54, United States Code (formerly known as the ‘‘National Historic Preservation Act’’);

(VII) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(VIII) the Act of June 4, 1946 (16 U.S.C. 668 et seq.) (commonly known as the ‘‘Bald and Golden Eagle Protection Act’’); and

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

(ii) ENVIRONMENTAL REVIEWS.—The guidance under subparagraph (A) shall include recommendations to the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, the Executive Director of the Federal Permitting Improvement Council, and the head of any other relevant Federal agency (as determined by the President), shall prepare a report that—

(I) compiles all existing relevant Federal permitting and review information and resources for project applicants, agencies, and other stakeholders interested in the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—

(aa) the appropriate points of interaction with Federal agencies;

(bb) the clarification of the permitting responsibilities and authorities among Federal agencies; and

(cc) best practices and templates for permitting;

(ii) inventories current or emerging activities that transform captured carbon dioxide into products of commercial value, as an input to products of commercial value;

(iii) inventories existing initiatives and priority publications that analyze or identify priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(iv) identifies gaps in the current Federal regulatory framework for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(v) identifies Federal financing mechanisms available to project developers.

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

(i) 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

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

(D) EVALUATION.—The Chair shall—

(i) perform annual reports of the task forces under paragraph (4)(E) and, as necessary, revise the guidance under subparagraph (A); and

(ii) 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 for legislation, rules, revisions to rules, or other policies that would address the issues identified by the task force 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 each cover a different geographical area with differing demographic, land use, or geological issues—

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

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

(B) MEMBERS AND SELECTION.—

(I) IN GENERAL.—The Chair shall—

(aa) select members for each task force in accordance with subparagraph (I) and clause (ii); and

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

(ii) MEMBERS.—Each task force—

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

(aa) the Environmental Protection Agency;

(bb) the Department of Energy;

(cc) the Department of the Interior;

(dd) any other relevant Federal agency the Chair determines to be appropriate; and

(ee) any State that requests participation in the geographical area covered by the task force.

(B) (i) if developers or operators of carbon capture, utilization, and sequestration projects or carbon dioxide pipelines; and

(ii) any State governments or regional membership organizations, the primary mission of which concerns protection of the environment; and

(C) MEETINGS.—Each task force shall meet not less than twice each year.

(D) DUTIES.—Each task force shall—

(i) inventory existing or potential Federal and State approaches to facilitate reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including practices that—

(A) avoid duplicative reviews;

(B) assume early in the permitting process; and

(C) develop the permitting process efficient, orderly, and responsible;

(ii) identify gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;

(iii) identify any priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(iv) identify gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;

(v) identify any priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(vi) operate any gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(vii) develop recommendations for relevant Federal agencies on how to develop and research technologies that—

(A) can capture carbon dioxide; and

(B) would be able to be deployed within the region covered by the task force, including projects that have received technical or financial assistance for research under paragraph (6) of section 103(g) of the Clean Air Act (42 U.S.C. 7439(g)).

(C) Each year, each task force shall prepare and submit to the Chair and to the other task forces a report that includes—
(i) any recommendations for improvements in efficient, orderly, and responsible issuance or administration of Federal permits and other Federal authorizations required under a law of Congress or in coordination with any other Federal agency or with a State or local governmental entity, or (ii) any other nationally relevant information that the task force has collected in carrying out the duties under subparagraph (D).

(f) Not later than 5 years after the date of enactment of this Act, the Chair shall—

1. Reevaluate the need for the task force; and
2. Submit to Congress a recommendation as to whether the task forces should continue.

SA 653. Mr. CRAPO (for himself, Mr. WARNER, Mr. Daines, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 243. PLAN FOR STRENGTHENING THE SUPPLY CHAIN INTELLIGENCE FUNCTION.

(a) In General.—Not later than 180 days after the date of enactment of this Act, the Director of the National Counterintelligence and Security Center in coordination with the interagency working group established under subsection (b) shall submit to Congress a plan for strengthening the supply chain intelligence function.

(b) Elements.—The plan submitted under subsection (a) shall address the following:

1. The appropriate workforce model, including size, mix, and seniority, from the elements of the intelligence community and other interagency partners;
2. The budgetary resources necessary to implement the plan;
3. An appropriate governance structure within the intelligence community and with interagency partners;
4. The authorities necessary to implement the plan;
5. The definition of intelligence community.—In this section, the term "intelligence community" has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 654. Mr. CORNYN (for himself and Ms. ROSEN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 244. FEDERAL CYBERSECURITY AND RESEARCH PROTECTION POLICY.

(a) Definitions.—In this section—

1. the term "covered applicant" means an applicant for funding from a Federal agency to carry out research under a covered program;
2. the term "covered program" means a research program of a Federal agency for which the Director determines compliance with the Framework is required;
3. the term "Director" means the Director of the Office of Science and Technology Policy;
4. the term "Federal agency" means an Executive agency, as defined in section 105 of title 5, United States Code;
5. the term "Framework" means the framework developed by the working group under subsection (b); and
6. the term "institutes of higher education" has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); and
7. the term "working group" means the interagency working group established under subsection (b).

(b) Interagency Working Group for Coordination and Development of Federal Cybersecurity and Research Protection Framework.

1. In General.—The Director, acting through the National Science and Technology Council and in coordination with the National Economic Council and the Executive Office of the President, shall establish an interagency working group to—

A. Coordinate Federal science and technology agencies’ intelligence and security activities and
B. Develop a Federal agency framework for compliance and best practices, which shall include—
(C) recommendations for cybersecurity protocols and protecting federally funded research and development activities from foreign interference, espionage, and exfiltration.

2. Membership.—The working group shall, at a minimum, be composed of the following members:

A. The Director, who shall serve as chair of the working group;
B. A representative from the National Science and Technology Council;
C. Not more than 2 representatives from each of the following entities:
(i) The Department of State;
(ii) The Department of Commerce;
(iii) The National Intelligence Coordinating Board;
(iv) The Department of Justice;
(v) The Department of Education;
(vi) The Department of Homeland Security;
(vii) The Department of Health and Human Services;
(viii) The Department of Energy;
(ix) The Department of Agriculture;
(x) The Department of Homeland Security;
(xi) The National Institutes of Health;
(xii) The National Science Foundation;
(xiii) The National Aeronautics and Space Administration;
(xiv) The National Institute of Standards and Technology;
(xv) The National Security Agency;
(xvi) The National Oceanic and Atmospheric Administration; and
(xvii) The National Institutes of Health.

3. Responsibilities.—Not later than 1 year after the date of enactment of this Act, the working group shall—

A. Develop a framework for compliance across Federal agencies to apply to applications submitted by covered applicants for covered programs, which shall include—
(i) establishing a clear, unified cybersecurity policy across Federal agencies for the protection of Federal research from foreign interference, espionage, and theft, and espionage and develop common definitions and best practices for Federal science agencies, grantees, and covered applicants, including—
1. developing common definitions and aligning terms across Federal agencies, including sensitive technologies, critical technologies, emerging technologies, genomic data, and foundational technologies;
2. coordinating efforts among Federal agencies to share important information, suspicious foreign actors, specific examples or attempts at foreign interference, cyber attacks, theft, or espionage with key stakeholders, including institutions of higher education, federally funded research and development centers, and nonprofit research institutions, to help them better understand and defend against those threats;
3. identifying potential cyber threats and vulnerabilities within the United States scientific enterprise that shall in include—
I. Common definitions and terminology for classification of research and technologies that are covered programs;
II. Identified areas of research or technology that may require additional controls; and
III. A classified addendum as necessary to further inform Federal science agency decision-making;
and
B. Recommend additional mechanisms for control of science and technology and be used to help protect federally funded research and development from foreign interference, cyber attacks, espionage, intellectual property theft, and other attempts by foreign governments or representatives to compromise the integrity of the United States scientific and technological enterprise; and
C. Developing and providing to each Federal agency a list, which shall not be made available to the public, of researchers found to be knowingly fraudulent in disclosure and the institution of higher education where the fraudulence occurred; and
D. Developing a clear, unified metric across Federal agencies that covered applicants will use to determine compliance with the Framework for purposes of subsection (c)(2); and

(B) coordinate activities to protect federally funded research and development from foreign interference, cyber attacks, espionage, and theft, and espionage and develop common definitions and best practices for Federal science agencies, grantees, and covered applicants, including—

1. Developing common definitions and aligning terms across Federal agencies, including sensitive technologies, critical technologies, emerging technologies, genomic data, and foundational technologies;
2. Coordinating efforts among Federal agencies to share important information, suspicious foreign actors, specific examples or attempts at foreign interference, cyber attacks, theft, or espionage with key stakeholders, including institutions of higher education, federally funded research and development centers, and nonprofit research institutions, to help them better understand and defend against those threats;
3. Identifying potential cyber threats and vulnerabilities within the United States scientific enterprise that shall in include—
I. Common definitions and terminology for classification of research and technologies that are covered programs;
II. Identified areas of research or technology that may require additional controls; and
III. A classified addendum as necessary to further inform Federal science agency decision-making; and

(v) determining how current Federal efforts described in the memorandum issued by the Office of Science and Technology Policy on February 22, 2013 entitled “Increasing Access to the Results of Federal Funded Scientific Research”, can be appropriately balanced with concerns about the need to protect certain research data, information, and resulting technologies from disclosure, theft, or espionage with key stakeholders, including institutions of higher education, federally funded research and development centers, and nonprofit research institutions, to help them better understand and defend against those threats;
SA 655. 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 end of subtitle E of title XII, add the following:

SEC. 1262. POLICY WITH RESPECT TO EXPANSION OF COOPERATION WITH ALLIES IN THE INDOPACIFIC REGION AND EUROPE TO COUNTER THE RISE OF THE PEOPLE'S REPUBLIC OF CHINA.

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

(1) The People's Republic of China is leveraging military modernization, influence operations, and predatory economics to coerce neighboring countries to reorder the Indo-Pacific region to the advantage of the People's Republic of China.

(2) As the People's Republic of China continues its economic and military ascendancy, asserting power through a whole of government long-term strategy, the People's Republic of China is pursuing a military modernization program that seeks Indo-Pacific regional hegemony in the near-term and displacement of the United States to achieve global preeminence in the future.

(3) The most important long-term objective of the defense strategy of the United States to set the military relationship between the United States and the People's Republic of China on a path toward transparency and nonaggression.

(b) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to expand military, diplomatic, and economic alliances in the Indo-Pacific region and with Europe and like-minded countries around the globe that are critical to addressing the rise of the People's Republic of China; and

(2) to develop, in collaboration with such allies, a unified approach to address the rise of the People's Republic of China.

SA 656. 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 end of subtitle E of title XII, add the following:

SEC. 1262. REPORTS ON THEFT OF INTELLECTUAL PROPERTY CONDUCTED BY CHINESE PERSONS.

(a) CLASSIFIED REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit to Congress a report on theft of intellectual property conducted by Chinese persons.

(b) UNCLASSIFIED REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress and make available to the public an unclassified report on theft of intellectual property conducted by Chinese persons.

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

(A) An identification of any Chinese person that—

(i) has conducted theft of intellectual property from one or more United States entities; or

(ii) is using or has used intellectual property stolen by a Chinese person in commercial activity in the United States.

(B) A general description of the intellectual property involved.

(C) For each Chinese person identified under subparagraph (A), an assessment of whether that person is using or has used the stolen intellectual property in commercial activity in the United States.

(3) DEFINITIONS.—In this section:

(A) AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—The term "agency or instrumentality of the Government of the People's Republic of China" means any entity—

(i) that is a separate legal person, corporate or otherwise;

(ii) that is an organ of the Government of the People's Republic of China or a political subdivision thereof, or a majority of whose shares of other ownership interest is owned by that government or a political subdivision thereof; and

(iii) that is using or has used intellectual property from one or more United States entities.

(B) CHINESE PERSON.—The term "Chinese person" means—

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

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

(C) the Government of the People's Republic of China or any agency or instrumentality of the Government of the People's Republic of China.

(2) COMMERCIAL ACTIVITY.—The term "commercial activity" means either a regular course of commercial conduct or a particular commercial transaction or act. The commercial character of an activity shall be determined by reference to the nature of the course of commercial conduct or particular transaction or act, rather than by reference to its purpose.

(3) INTELLECTUAL PROPERTY.—The term "intellectual property" means—

(A) any work protected by a copyright under title 17, United States Code;

(B) any work protected by a patent granted by the United States Patent and Trademark Office under title 35, United States Code;
Congress makes the following findings: (1) The Centers for Disease Control and Prevention estimate that from September 2017 to September 2018 more than 219,500 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 the recent years, the number of deaths from synthetic opioids have continued to increase.

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 AND LEADERSHIP.—The term "appropriate congressional committees and leaders" means—
(A) the Committee on Appropriations,
(B) the Committee on Armed Services,
(C) the Committee on Banking, Housing, and Urban Affairs,
(D) the Committee on Foreign Relations,
(E) the Committee on Homeland Security and Governmental Affairs,
(F) the Committee on Intelligence, and
(G) the Speaker and the minority leader of the House of Representatives.

(3) CONTROLLED SUBSTANCE, LISTED CHEMICAL.—The terms "controlled substance" and "listed chemical", "narcotic drug", and "opioid" have the meanings given those terms in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(4) ENTITY.—The term "entity" means a partnership, joint venture, association, corporation, organization, network, group, or subgroup, or any form of business collaboration.

(5) FOREIGN OPIOID TRAFFICKER.—The term "foreign opioid trafficker" means any foreign person that the President determines plays a significant role in opioid trafficking.

(6) FOREIGN PERSON.—The term "foreign person" means—
(A) any citizen or national of a foreign country;
(B) any entity not organized under the laws of the United States or, alternatively, shipped directly to a foreign person;
(C) any other person to carry out such an activity.

(7) OPIOID TRAFFICKING.—The term "opioid trafficking" means any activities that involve dramatically restricting the foreign supply of licit opioids, the production and distribution of synthetic opioids, and the manufacture and distribution of fentanyl and other controlled substances.

(8) OPIOID TRAFFICKING.—The term "opioid trafficking" means any activity that involves the production and distribution of synthetic opioids, controlled substances that are synthetic opioids, listed chemicals that are synthetic opioids, or active pharmaceutical ingredients for controlled substances that are synthetic opioids; and

SEC. 1705. SENSE OF CONGRESS.
It is the sense of Congress that—
(1) the United States should apply economic and other financial sanctions to curb the licit and illicit production and distribution of synthetic opioids, controlled substances that are synthetic opioids, listed chemicals that are synthetic opioids, or active pharmaceutical ingredients for controlled substances that are synthetic opioids; and

(2) to attempt to carry out an activity described in paragraph (1) on or after May 1, 2019, to treat all fentanyl analogues as controlled substances under the Controlled Substances Act (21 U.S.C. 801).

(3) to assist, abet, or conspire with other persons to carry out such an activity.

(4) PERSON.—The term "person" means an individual or entity.
(C) any entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity); or

(D) any person located in the United States.

Subtitle A—Sanctions With Respect to Foreign Opioid Traffickers

SEC. 1711. IDENTIFICATION OF FOREIGN OPIOID TRAFFICKERS.

(a) Public Report.—

(1) IN GENERAL.—The President shall submit to the appropriate congressional committees and leadership an annual report containing the information required by paragraph (1) with respect to each foreign person.

(2) EFFECT ON OTHER REPORTING REQUIREMENTS.—The report required by paragraph (1) with respect to foreign persons described in subsection (a) or (b) shall not disclose the identity of any person if the Attorney General, in coordination, as appropriate, with the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, the Secretary of the Treasury, the Secretary of State, and the head of any other appropriate federal department or agency determines that such disclosure could reasonably be expected—

(A) to compromise the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution that furnished information on a confidential basis;

(B) to jeopardize the integrity or success of an ongoing criminal investigation or prosecution;

(C) to endanger the life or physical safety of any person;

(D) to cause substantial harm to physical property.

(3) EXCLUSION.—If the Director of National Intelligence makes a determination under paragraph (1) or the Attorney General makes a determination under paragraph (2), the President shall submit the reports required by paragraph (1) with respect to the foreign person.

(b) Classified Report.—

(1) IN GENERAL.—Each report required by paragraph (1) or (2) any person with respect to which the United States has imposed sanctions before the date of the report under this subtitle or any other provision of law with respect to opioid trafficking.

(2) 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.

(B) AVAILABILITY TO PUBLIC.—The unclassified portion of a report required by paragraph (1) or (2) shall be made available to the public.

(c) Classified Report.—

(1) IN GENERAL.—The President shall submit to the appropriate congressional committees and leadership, in accordance with subsection (c), a report, in classified form but may include a classified annex, 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 leadership an additional report containing the information required by paragraph (1) with respect to the foreign person.

(2) EXCLUSION.—The President shall not be required to include in a report under paragraph (1) any persons with respect to which the United States has imposed sanctions before the date of the report under this subtitle or any other provision of law with respect to opioid trafficking.

(3) EXCLUSION.—Nothing in this section may be construed to authorize or compel the disclosure of information determined by the President to be law enforcement, national security, sensitive but unclassified information, or other information the disclosure of which is prohibited by any other provision of law.

(4) PROVISION OF INFORMATION REQUIRED FOR REPORTS.—The Secretary of the Treasury, the Attorney General, the Secretary of Defense, the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence shall consult among themselves and provide to the President and the Director of the Office of National Drug Control Policy the appropriate and necessary information to enable the President to submit the reports required by subsection (a).

SEC. 1712. SENATE OF CONGRESS ON INTER-NATIONAL OPIOID CONTROL REGIME.

It is the sense of Congress that, in order to 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—

(1) the President should instruct the Secretary of State to commence immediately diplomatic efforts, both in appropriate international fora, such as the United Nations, the Group of Seven, the Group of Twenty, and trilaterally and bilaterally with partners of the United States, to combat foreign opioid trafficking, including by working to establish a multilateral sanctions regime with respect to foreign opioid traffickers; and

(2) the Secretary of State, in consultation with the Secretary of the Treasury, should intensify efforts to maintain and strengthen the coalition of countries formed to combat foreign opioid trafficking.

SEC. 1713. IMPOSITION OF SANCTIONS.

The President shall impose five or more of the sanctions described in section 1714 with respect to each foreign person that is an entity, and four or more of such sanctions with respect to each foreign person that is an individual, that—

(1) is identified as a foreign opioid trafficker in a report submitted under section 1711(a); or

(2) the President determines is owned, controlled, directed by, knowingly supplying or sourcing precursors for, or acting for or on behalf of, such a foreign opioid trafficker.

SEC. 1714. DESCRIPTION OF SANCTIONS.

(a) IN GENERAL.—The sanctions that may be imposed with respect to a foreign person under section 1713 are the following:

(1) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government may not extend, guarantee, guarantee a loan, or extend the use of any financial institution from making loans or providing credits to the foreign person.

(2) PROHIBITIONS ON FINANCIAL INSTITUTIONS.—The following prohibitions may be imposed with respect to a foreign person that is a financial institution:

(A) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any designation as a primary dealer in United States Government debt instruments.

(B) PROHIBITION ON SERVICE AS A REPOSITORY GOVERNMENT FUNDS.—The financial institution may not serve as agent of the United States Government or serve as repository for United States Government funds.

(3) PROCUREMENT BAN.—The United States Government may not procure, or enter into an agreement for the procurement of, any goods or services from the foreign person.

(4) FOREIGN EXCHANGE.—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.

(5) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve all or a substantial interest of the foreign person.

(6) 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; or

(B) dealing in or exercising any right, power, or privilege with respect to such property.

(7) OTHER SANCTIONS.—The President may impose such other economic sanctions as the President may prescribe, prohibit any transfers of credits or payments between financial institutions, and, to the extent that such transfers or payments are subject to the jurisdiction of the United States, all or substantial interests of the foreign person.

(8) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of the Treasury or 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.

(b) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—President may impose on principal executive officer or officers of the foreign person, or on individuals performing similar functions and with similar authorities as such officer or officers, any of the sanctions described in paragraphs (a) through (8) that are applicable. 

(p) Findings.—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 liable to the penalties set forth in subsections (b) and (c) of section 209 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. 

(c) EXCEPTIONS.—

(1) INTELLIGENCE AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section shall not apply to—

(A) any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.); or

(B) any authorized intelligence and law enforcement cooperation with the United States in efforts to prevent opioid trafficking.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under subsection (a)(8) shall not apply to an alien who is an alien of the United States, the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the foreign person, or on individuals performing similar functions and with similar authorities as such officer or officers, any of the sanctions described in paragraphs (a) through (8) that are applicable.

(3) SUBSEQUENT REVOCATION OF WAIVER.—The President may renew a waiver under paragraph (1) for subsequent periods of not more than 12 months if, not less than 15 days before the renewal is to take effect, the Director of National Intelligence certifies to the appropriate congressional committees and the Secretary of State that the waiver is necessary in the national interest of the United States to which the waiver applies and, except as otherwise provided in this section, shall be subject to the penalties set forth in the certification under paragraph (2).

(b) WAIERS FOR NATIONAL SECURITY AND ACCESS TO PRESCRIPTION MEDICATIONS.—

(1) IN GENERAL.—The President may waive the application of sanctions under this subsection if the President determines that the application of such sanctions would harm—

(A) the national security interests of the United States; or

(B) the access of United States persons to prescription medications.

(2) MONITORING.—The President shall establish a monitoring program to verify that a person that receives a waiver under paragraph (1)(B) is not trafficking illicit opioids.

(3) NOTIFICATION.—Not later than 15 days after making a determination under paragraph (1), the President shall notify the appropriate congressional committees and the Secretary of State of the determination and the reasons for the determination.

(c) HUMANITARIAN WAIVER.—The President may waive, for renewable periods of 180 days, the application of the sanctions under this subsection if the President certifies to the appropriate congressional committees and the leadership of the United States that the waiver is necessary for the provision of humanitarian assistance.

(d) IMPLEMENTATION; REGULATORY AUTHORITY.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

SEC. 1715. WAIVERS FOR STATE-OWNED FINANCIAL INSTITUTIONS IN COUNTRIES THAT COOPERATE IN MULTILATERAL ANTI-TRAFFICKING EFFORTS.

(a) IN GENERAL.—The President may waive for a period of not more than 12 months the application of sanctions under this subsection with respect to a financial institution that is owned or controlled, directly or indirectly, by a foreign government or any political subdivision, agency, or instrumentality of a foreign government, if, not less than 15 days before the date that the effect, the President certifies to the appropriate congressional committees and the leadership of the United States that the government of the foreign country is closely cooperating with the United States in efforts to prevent opioid trafficking.

(b) CERTIFICATION.—The President may certify under paragraph (1) that a foreign government cooperating with the United States in efforts to prevent opioid trafficking if that government is—

(A) implementing substantial improvements in judicial regulations to combat transnational criminal organizations that traffic opioids;

(B) implementing efforts to prosecute foreign opioid traffickers;

(C) increasing intelligence sharing and law enforcement cooperation with the United States with respect to opioid trafficking;

(D) increasing efforts to prosecute foreign opioid traffickers;

(E) increasing intelligence sharing and law enforcement cooperation with the United States with respect to opioid trafficking; and

(F) increasing efforts to prosecute foreign opioid traffickers.

SEC. 1716. PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.

(a) IN GENERAL.—If a finding under this subsection is based on classified information, any prohibition, condition, or penalty imposed as a result of any such finding is based on classified information (as defined in section 6(c) of the Classified Procedures Act (18 U.S.C. App.)) and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the President shall submit such information to the court ex parte and in camera.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to confer or imply any right to judicial review of any finding under this subsection, or any prohibition, condition, or penalty imposed as a result of any such finding.

SEC. 1717. BRIEFINGS ON IMPLEMENTATION OF CONTROL STRATEGY REPORT.

The President shall, not later than 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, submit to the President of the Senate, in coordination with the Secretary of the Treasury, shall provide to the appropriate congressional committees and leadership of the United States, a description of those measures; and

(1) the countries the governments of which have agreed to undertake measures to apply economic or other financial sanctions on the traffickers of illicit opioids; and

(2) the countries the governments of which have agreed to undertake measures to apply economic or other financial sanctions on the traffickers of illicit opioids;

Subtitle B—Commission on Combating Synthetic Opioid Trafficking

SEC. 1721. COMMISSION ON COMBATING SYNTHETIC OPIOID TRAFFICKING.

(a) Establishment.—

(1) IN GENERAL.—There is established a Commission to develop a consensus on a strategic approach to combating the flow of synthetic opioids into the United States.

(2) Designation.—The commission established under paragraph (1) shall be known as the “Commission on Synthetic Opioid Trafficking” (in this section referred to as the “Commission”).

(b) Membership.—

(1) COMPOSITION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Commission shall be composed of the following members:

(i) The Administrator of the Drug Enforcement Administration.

(ii) The Secretary of Homeland Security.

(iii) The Secretary of Defense.

(iv) The Secretary of the Treasury.

(v) The Secretaries of the Departments.

(B) Two members appointed by the majority leader of the Senate, one of whom shall be a Member of the Senate and one of whom shall not be.

(C) Two members appointed by the minor leader of the Senate, one of whom shall be a Member of the Senate and one of whom shall not be.

(D) Two members appointed by the Speaker of the House of Representatives, one of whom shall be a Member of the House of Representatives and one of whom shall not be.

(ii) Two members appointed by the minority leader of the House of Representatives, one of whom shall be a Member of the House of Representatives and one of whom shall not be.

(ii) Two members appointed by the Speaker of the House of Representatives, one of whom shall be a Member of the House of Representatives and one of whom shall not be.

(E) The members of the Commission who are not Members of Congress and who are appointed under clause (vi) through (ix) of subparagraph (A) shall be individuals who are nationally recognized for expertise, knowledge, or experience in—

(i) transnational criminal organizations conducting synthetic opioid trafficking;

(ii) the production, manufacturing, distribution, sale, or transportation of synthetic opioids; or

(iii) relations between—

(aa) the United States; and

(bb) the People’s Republic of China, Mexico, or any other country of concern with respect to trafficking in synthetic opioids.

(ii) An official who appoints members of the Commission may not appoint an individual as a member of the Commission if the individual possesses any personal or financial interest in the discharge of any of the duties of the Commission.

(iii)(I) All members of the Commission described in clause (i) shall possess an appropriate security clearance with applicable provisions of law concerning the handling of classified information.

(II) The Commission shall be composed of not more than 12 members, with a majority of the members being appointed by the majority leader of the Congress.

(III) The members of the Commission shall not receive compensation for their service.
(II) For the purpose of facilitating the activities of the Commission, the Director of National Intelligence shall expedite to the fullest degree possible the processing of security clearances that are necessary for members of the Commission.

(2) CO-CHAIRS.—
(A) IN GENERAL.—The Commission shall have two co-chairs selected from among the members of the Commission, one of whom shall be a member of the majority party and one of whom shall be a member of the minority party.

(B) SELECTION.—The individuals who serve as the co-chairs of the Commission shall be jointly agreed upon by the President, the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the majority 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 to the United States.
(3) To evaluate whether the options described in paragraph (2) are exclusive or complementary, the best means for executing this strategy, and how the United States should incorporate and implement such options within the strategic approach described in subsection (a)(1).

(4) To review and make determinations on the difficult choices present within such options, among them what norms-based regimes the United States should seek to establish and what the effective regulation of dangerous synthetic opioids.

(5) To report on efforts by actors in the People’s Republic of China to subvert United States efforts to apply illicit synthetic opioids to persons in the United States, including up-to-date estimates of the scale of illicit synthetic opioids flows from the People’s Republic of China.

(6) To report on the deficiencies in the regulation of pharmaceutical and chemical production of controlled substances and export controls on such substances in the People’s Republic of China and other countries that allow opioid traffickers to subvert such regulations and controls to traffic into the United States.

(7) To report on the scale of contaminated or counterfeit drugs originating from the People’s Republic of China and India.

(8) To show how 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 legislative and regulatory authorities that need to be established, revised, or augmented within the Federal Government.

(d) FUNCTIONING OF COMMISSION.—The provisions of subsections (c), (d), (e), (g), (h), (i), (l), and (m) of section 1652 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) shall apply to the Commission to the same extent and in the same manner as such provisions apply to the commission established under that section, except that—

(i) subsections (j)(1) and (m) of section 1652 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) shall apply to the Commission to the same extent and in the same manner as such provisions apply to the commission established under that section, except that—

(1) subsection (j)(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 substituting “and the Attorney General” after “Secretary of Defense”; and

(3) subsections (h)(2)(A) and (i)(2)(A) of that section shall be applied and administered by substituting “level V of the Executive Schedule under section 5316” for “level IV of the Executive Schedule under section 5315”.

(e) TREATMENT OF INFORMATION RELATING TO NATIONAL SECURITY.—

(1) RESPONSIBILITY OF DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall assume responsibility for the handling and disposition of any information identified by the Director of National Intelligence as the United States that is received, considered, or used by the Commission under this section.

(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 approval of the chairperson of the committee, or the Member of Congress, as the case may be, that provided the information to the Commission.

(3) ACCESS AFTER TERMINATION OF COMMISSION.—Notwithstanding any other provision of law, after the termination of the Commission under subsection (h), only the members and designated staff of the appropriate congressional committees and leadership may have access to information related to the national security of the United States that is received, considered, or used by the Commission.

(f) REPORTS.—

(1) QUARTERLY REPORTS ON PROGRAM.—Not later than 90 days after the date of the enactment of this Act, and 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)(1) during the 90–day period ending on the date on which the report is submitted 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)(1) during each of fiscal years 2017 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 subsection (a)(1) meet the goals and objectives described in subsection (a)(1) and are appropriate and sufficient in light of the number of lives lost in the United States each year due to use of illegal drugs.

(g) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated $5,000,000 for each of fiscal years 2020 through 2026 to carry out the provisions of this section.

(h) TERMINATION.—

(1) IN GENERAL.—The Commission, and all of its activities, including those authorized or funded by this Act, shall cease to exist on the date of enactment of an Act amending title IV of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(2) EXTRAORDINARY SITUATIONS.—In extraordinary situations that require the Commission to continue to exist after the date described in paragraph (1), the President may extend the termination date for the Commission by written notice to the appropriate congressional committees and leadership.

(i) 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)(1)(2) and disseminating the report.

Subtitle C—Other Matters

SEC. 1731. DIRECTOR OF NATIONAL INTELLIGENCE PROGRAM ON USE OF INTELLIGENCE RESOURCES IN EFFORTS TO SANCTION FOREIGN OPIOID TRAFFICKERS.

(a) PROGRAM REQUIRED.—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 intelligence community resources to the Director of National Intelligence community, including intelligence collection and analysis, to assist the Secretary of the Treasury, the Secretary of the Department of the Treasury, the Under Secretary of the Treasury for International Affairs, and the Director of Enforcement Administration in efforts to identify and impose sanctions with respect to foreign opioid traffickers under subtitle A.

(b) Focus on Illicit Finance.—To the extent practicable, efforts described in paragraph (a) 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 Financial Crimes Enforcement Network, and appropriate Federal law enforcement agencies.

(c) Authorization of Appropriations for the Intelligence Community.—The Director of National Intelligence shall, in coordination with the Director of the Office of National Drug Control Policy, carry out a comprehensive review of the current intelligence collection priorities of the intelligence community for counternarcotics purposes in order to identify whether such priorities are appropriate and sufficient in light of the number of lives lost in the United States each year due to use of illegal drugs.

(2) Reports.—

(1) QUARTERLY REPORTS ON PROGRAM.—Not later than 90 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 report on the status and accomplishments of the program required by subsection (a)(1) during the 90–day period ending on the date on which the report is submitted 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)(1) during each of fiscal years 2017 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 subsection (a)(1) meet the goals and objectives described in subsection (a)(1) and 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 the priorities described in subsection (a)(1) are appropriate and sufficient, the report shall also include a description of the actions to be taken to modify such priorities in order to assure such priorities are so appropriate and sufficient.

(d) Intelligence Community Defined.—In this section, the term “intelligence community” has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3063(4)).

SEC. 1732. DEPARTMENT OF DEFENSE FUNDING.

(a) Authorization of Appropriations.—

There are authorized to be appropriated $25,000,000 for each of fiscal years 2020 through 2025 to carry out the provisions of this section.

(b) Operations and Activities.—The operations and activities described in this subsection are the operations and activities described in subsection (a) and are available to carry out the operations and activities described in subsection (b).
SA 659. 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 part II of subtitle A of title XVI, add the following:

SEC. 1617. ACQUISITION STRATEGY FOR CATEGORY C SPACE LAUNCH MISSIONS.

(a) In General.—Not later than March 1, 2020, the Secretary of the Air Force shall submit to the congressional defense committees a report on the cost of constructing infrastructure of Category C space launch services independently of the acquisition of Category A and B missions.

(b) Funding Authorized.—Of the funds authorized to be appropriated in fiscal year 2020 for National Security Space Launch, the Air Force may transfer up to $100,000,000 to support the acquisition strategy required by subsection (a).

(c) Eligibility.—Category C missions shall be filled by a mix of:

(1) commercially available space launch vehicles; and

(2) previously certified space launch vehicles.

(d) Report Required.—The Secretary of the Air Force may submit to the congressional defense committees a report on the cost of constructing infrastructure to support the acquisition strategy.

SA 661. 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 part II of subtitle B of title XVI, add the following:

SEC. 1617. ACCOUNTING FOR FULL INVESTMENT IN NATIONAL SECURITY SPACE LAUNCH PROGRAM.

(a) In General.—In awarding any contract for space launch services for the National Security Space Launch Program, or any successor program, the Secretary of Defense shall ensure that the total government investment in the development and procurement of the launch services from Launch Services Agreements is accounted for in determining the total evaluated contract price.
services contracts. (b) REVIEW REQUIRED.—Prior to the award of any launch services contract under phase 2 of the National Security Space Launch Program, the Secretary of Defense shall determine whether the most cost-effective method of achieving assured access to space is—

(1) providing Federal funding to develop new launch vehicles to compete for National Security Space Launch contracts;

(2) providing commercial space launch providers with funding to adopt already available commercial space launch vehicles to compete for National Security Space Launch contracts; or

(3) a hybrid approach that incentivizes commercial launch providers to compete for launch services contracts.

(c) REPORT TO CONGRESS.—Before the award of any contract under phase 2 of the National Security Space Launch program, the Secretary shall submit to the congressional defense committees a report on the determination made under subsection (b).”

SA 662. 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 end of subtitle E of title XII, add the following:

SEC. 1252. LIMITATION ON REMOVAL OF HUAWEI TECHNOLOGIES CO. LTD. FROM ENTITY LIST OF BUREAU OF INDUSTRY AND SECURITY.

The Secretary of Commerce may not remove Huawei Technologies Co. Ltd. (in this section referred to as “Huawei”) from the entity list maintained by the Bureau of Industry and Security and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations, until the Secretary certifies to Congress that—

(1) neither Huawei nor any senior officers of Huawei have engaged in actions in violation of sanctions imposed by the United States or the United Nations in the 5-year period preceding the certification;

(2) Huawei has not engaged in theft of United States intellectual property in that 5-year period;

(3) Huawei does not pose an ongoing threat to United States telecommunications systems or critical infrastructure; and

(4) Huawei does not pose a threat to critical infrastructure of allies of the United States.

SA 663. 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 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 the Interior and the Secretary of Defense, shall submit to Congress a report that assesses the viability and necessity of using or developing new technologies to reduce the reliance of the United States on imports of rare earth elements, including—

(1) traditional extraction of such elements;

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

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

SA 664. 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 VII, add the following:

SEC. 729. REPORT ON RELIANCE BY DEPARTMENT OF DEFENSE ON PHARMACEUTICAL PRODUCTS FROM CHINA.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Health and Human Services, shall submit to the appropriate congressional committees a classified report on the reliance by the Department of Defense on imports of certain pharmaceutical products made in part or in whole in China.

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

(1) analyze the percent of pharmaceutical products made in part or in whole in China, including—

(A) drugs;

(B) nonprescription drugs intended for human use;

(C) active ingredients;

(D) polymers used to build pharmaceutical products;

(E) antibiotic drugs;

(F) dietary supplements; and

(G) any other pharmaceutical product, or its components, as the Secretary considers appropriate;

(2) assess the products identified under paragraph (1) to determine—

(A) whether the Department of Defense can procure the product from alternative sources;

(B) whether the Department of Defense on the product is likely, or has significant potential, to be used for a military, geopolitical, or economic advantage against the United States;

(C) if reliance on the product creates a risk for the United States; and

(D) what would be if access to the product was terminated; and

(3) set forth recommendations to ensure that by 2025 no pharmaceutical products purchased for the benefit of the Department of Defense or any associated program are made in part or in whole in China.

(c) DEFINITIONS.—In this section:

(1) ANTIBIOTIC DRUG.—The term “antibiotic drug” has the meaning given that term in section 351 of the Public Health Service Act (42 U.S.C. 262).

(2) NONPRESCRIPTION DRUG.—The term “nonprescription drug” has the meaning given that term in section 201(ff) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(ff)).

SA 665. 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. 333. SENSE OF CONGRESS ON BED DOWN OF CERTAIN AIRCRAFT AT TYNDALL AIR FORCE BASE.

It is the sense of Congress that the Secretary of the Air Force should—

(1) bed down three F-35 squadrons and an MQ-9 Wing at Tyndall Air Force Base; and

(2) use innovative construction methods, materials, designs, and technologies in carrying out such bed down in order to achieve efficiencies, cost savings, resiliency, and capability, which may include—

(A) innovative and resistant basing that is highly resilient to weather and natural disaster;

(B) open architecture design to evolve with the national defense strategy; and

(C) efficient example for members of the Air Force in the 21st century.

SA 666. 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:

Strike section 214.

SA 667. 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:

Page 542, strike lines 14 through 18, and insert the following:

“(14) Coastal defense and anti-ship missile systems:”

On page 544, strike paragraphs (15), as so redesignated, by striking “paragraphs (1) through (13)” and inserting “paragraphs (1) through (14)”;}
SA 668. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1688. PROHIBITION ON USE OF FUNDS FOR LONG-RANGE STANDOFF WEAPON OR W80 WARHEAD LIFE EXTENSION PROGRAM. 

Notwithstanding any other provision of this Act or any other provision of law, none of the funds authorized to be appropriated for fiscal year 2020 for the Department of Defense, the Department of Energy, or the Atomic Veterans Service Medal to the next-of-kin of the person.

SA 669. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 589. ATOMIC VETERANS SERVICE MEDAL. 

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the “Atomic Veterans Service Medal”, to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) DISTRIBUTION OF MEDAL.—

(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran who is deceased, the Secretary shall provide an Atomic Veterans Service Medal to the veteran's next-of-kin. At the request of a radiation-exposed veteran who is not deceased, the Secretary shall issue an Atomic Veterans Service Medal to the veteran.

(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

SEC. 1291. SHORT TITLE. 

This Act may be cited as the “Save Arms Control and Verification Efforts Act of 2019” or “SAVE Act”.

SEC. 1292. FINDINGS. 

Congress makes the following findings:

(1) Every United States president since John F. Kennedy has successfully concluded at least one agreement with Russia to reduce nuclear dangers.

(2) If the Intermediate Range Nuclear Forces Treaty and the New START Treaty is not extended, or a new treaty is not negotiated and ratified before 2021, there would be no legally binding, verifiable arms control agreement on United States or Russian nuclear arsenals for the first time since 1972.

(3) For both the United States and the Russian Federation, the New START Treaty’s transparency and verification measures provide invaluable insight into the size, capabilities, and operations of both countries’ nuclear forces, and any more traditional intelligence collection and assessment methods, helping create a mutually beneficial environment of stability and predictability.

(4) Former Republican and Democratic national security leaders, including George Shultz, William Perry, Richard Burt, Sam Nunn, Richard Lugar, and others, have expressed support for a prompt decision to extend the New START Treaty.

(5) United States military leaders continue to see value in the New START Treaty, including Gen. John Hyten, Commander of United States Strategic Command, who told Congress in March that, "this bilateral, verifiable arms control agreements are essential to our ability to provide an effective deterrent," and testified before Congress in February 2019 that the treaty is important because it provides to the United States “a cap on [Russia’s] strategic baseline nuclear weapons, and their ballistic missiles, submarine and bomber forces” and “just as important it gives me insight through the verification regime to their Russia’s real capabilities.”

(6) The United States and Russian Federation have consistently expressed support for a decision by the United States and the Russian Federation to extend New START before the scheduled expiration date in 2021.

(7) Russian President Vladimir Putin said in July 2018 that “I reassured President Trump that Russia stands ready to extend New START but we have to agree on the specifics…”. 

(8) The Department of Defense Report on the Strategic Nuclear Forces of the Russian Federation submitted pursuant to section 1240 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1665) determined that Russia would not be able to achieve a militarily significant advantage by any plausible expansion of its strategic nuclear forces, even in a cheating or breakout scenario under the New START Treaty, primarily because of the inherent survivability of the planned United States strategic force structure, particularly the Ohio-class ballistic missile submarines, a number of which are at sea at any given time.

(9) For as long as it must exist, the United States nuclear arsenal must be maintained and modernized in a cost-effective manner to ensure its stability, security, and reliable effective nuclear force that can continue to deter nuclear attack on the United States and its allies, and so that the United States can continue to pursue further verifiable reduction in global nuclear stockpiles consistent with its obligations under the Nuclear Nonproliferation Treaty.

(10) The New START Treaty created a Bilateral Consultative Commission to resolve issues related to implementation of the New START Treaty and Article II of the New START Treaty states, “When a Party believes that a new kind of strategic offensive arm is emerging, that Party shall have the right to raise the question of such a strategic offensive arm for consideration in the Bilateral Consultative Commission.”

(11) It is the sense of the Senate that—

(1) extending the New START Treaty by a period of five years is in the national security interest of the United States, so long as the Russian Federation continues to meet the central limits of the treaty;

(2) the United States should immediately seek to begin discussions with the Russian Federation on a new extension, a 5-year extension of the New START Treaty;

(3) the United States should use the Bilateral Consultative Commission mechanism within the New START Treaty to address issues related to new Russian strategic nuclear weapons it believes may fall under New START treaty limits;

(4) extending the New START Treaty would facilitate efforts by the United States to pursue additional arms control efforts...
with the Russian Federation, including efforts to address the Russian Federation’s nonstrategic nuclear weapons and emerging technologies such as hypersonic weapons.

(5) 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.

(6) 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.

SEC. 1294. CERTIFICATIONS IN EVENT NEW START TREATY IS NOT EXTENDED.

Not later than 90 days after the date of the enactment of this Act, and every 120 days thereafter, if the parties to the New START Treaty have not completed the procedures outlined in the treaty and its related protocols and annexes to extend the treaty’s effective date by up to five years beyond February 5, 2021:

(1) The President, the Secretary of Defense, and the Secretary of State shall separately submit to the appropriate congressional committees a certification that the absence of an extension of the treaty is in the national security interest of the United States; and

(2) The Director of National Intelligence shall submit to the appropriate congressional committees—

(A) an intelligence community-coordinated assessment of why the New START Treaty has not been extended;

(B) a certification that the absence of an extension of the treaty is in the national security interest of the United States;

(C)(i) a certification that the United States is not losing intelligence insight into the Russian Federation’s strategic nuclear program;

(ii) a report detailing how the Director of National Intelligence and the intelligence community will account for any lost intelligence insight into the Russian Federation’s strategic nuclear program; or

(3) A description of the Russian Federation’s compliance with the New START Treaty.

(4) A description of the intelligence collection benefits gained as a result of the ratification and implementation of the New START Treaty.

(5) 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.

(6) 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.

(7) An assessment of the expected impacts on the Nuclear Nonproliferation Treaty and the ability of the United States to key nonproliferation objectives.

(8) A description of the risks posed to the long-term health of the Nuclear Nonproliferation Treaty in the absence of United States-Russia bilateral nuclear arms control agreements and dialogues.

SEC. 1295. NATIONAL INTELLIGENCE ESTIMATE.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the National Intelligence Estimate shall be submitted to the appropriate congressional committees a National Intelligence Estimate, consisting of an unclassified executive summary and a classified report that is not tailored, classified report on the Russian Federation’s compliance with the New START Treaty and the impact to the intelligence collection capabilities of the United States if the New START Treaty and its related information exchanges and associated inspections regimes were to lapse. The report shall include—

(1) A description of the Russian Federation’s compliance with the New START Treaty.

(2) An assessment of the Russian Federation’s intentions with regard to extending the New START Treaty.

(3) A description of the intelligence collection benefits gained as a result of the ratification and implementation of the New START Treaty.

(4) 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.

(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 in place and without the limitations in place.

(7) An assessment of Russian Federation actions, intentions, and likely responses to the New START Treaty and subsequently developing platforms and weapons beyond the New START Treaty’s limitations.

(b) Briefings.—The Director of National Intelligence shall brief the appropriate congressional committees on the elements set forth in subsection (a) when the National Intelligence Estimate is submitted under such subsection and every 120 days thereafter.

SEC. 1296. REPORTING REQUIREMENTS.

(a) DEPARTMENT OF DEFENSE.—

(1) REPORT ON EXPECTED FORCE STRUCTURE CHANGES IN EVENT OF TREATY Lapse.—Not later than 90 days after the date of the enactment of this Act, and not later than February 5, 2021, if the New START Treaty is allowed to lapse, the Secretary of Defense shall submit to the appropriate congressional committees a report discussing changes to the expected force structure of the United States Armed Forces if the New START Treaty is no longer in place and estimating the expected costs necessary to make such changes.

(2) REPORT ON IMPACTS TO MODERNIZATION PLAN.—Not later than 90 days after the date of the enactment of this Act, and not later than February 5, 2021, if the New START Treaty is allowed to lapse, the Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff, submit to the appropriate congressional committees a report on the current program of record to replace and upgrade United States nuclear delivery systems and warheads, which anticipates the continued existence of the New START Treaty, would be modified without the existence of the New START Treaty. The report shall include the information required to be submitted in the report required by section 1043 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 112–81; 125 Stat. 1761) and shall include—

(A) a separate 10-year cost estimate from the Department of Defense to implement a modernization plan that does and does not anticipate the continued existence of the New START Treaty, including possible costs associated with conversion or uploading of strategic delivery vehicles and warheads;

(B) a separate 10-year cost estimate from the Department of Energy to implement a nuclear sustainment and modernization plan that does and does not anticipate the continued existence of the New START Treaty, including uploading warheads previously withdrawn from service;

(C) a description of how the absence of the New START Treaty limits would impact the schedule and cost of Department of Energy’s Stockpile Stewardship management plan; and

(D) an assessment of the potential impacts on how these changes will impact the Department of Energy’s nuclear weapons complex.

(b) DEPARTMENT OF STATE.—Not later than 90 days after the date of the enactment of this Act, and not later than February 5, 2021, if the New START Treaty is allowed to lapse, the Secretary of State shall submit to the appropriate congressional committees a report on the likely foreign policy implications and potential impacts to United States diplomatic relations if the New START Treaty lapses. The report shall include the following elements:

(1) An assessment of the likely reactions of the North Atlantic Treaty Organization (NATO) and NATO member countries, United States allies, Asia, and Europe, and permanent member of the United Nations Security Council.

(2) A description of the expected impacts on the Nuclear Nonproliferation Treaty and the ability of the United States to key nonproliferation objectives.

(3) A description of the risks posed to the long-term health of the Nuclear Nonproliferation Treaty in the absence of United States-Russia bilateral nuclear arms control agreements and dialogues.

(c) PRESIDENTIAL REPORT ON STRATEGIC ARMS CONTROL STRATEGY.—Not later than February 5, 2020, the President shall submit to the appropriate congressional committees a report including—

(1) a 5-year strategy for future strategic arms control agreements with the Russian Federation;

(2) an update on the status of any current discussions that may be in progress at time of report;

(3) a description of other United States bilateral and multilateral arms control efforts globally.

SEC. 1297. PROHIBITION ON INCREASES IN CERTAIN WARHEADS, MISSILES, AND LAUNCHERS.

(a) PROHIBITION.—

(1) IN GENERAL.—If either of the conditions in paragraph (2) occurs, the United States Government may not, except as provided under subsection (b), obligate or expend any funds to—

(A) increase above 1,550 the number of United States warheads operationally deployed on ICBMs, SLBMs, and heavy bombers;

(B) increase above 700 the number of deployed Intercontinental Ballistic Missiles (ICBMs), Submarine-Launched Ballistic Missiles (SLBMs), and heavy bombers; or

(C) increase above 800 the number of deployed and non-deployed ICBM launchers, SLBM launchers, and ICBM warheads.

(2) CONDITIONS.—The conditions referred to in paragraph (1) are as follows:

(A) The President in the United States withdrawal from the New START Treaty in accordance with the procedures outlined in the New START Treaty and its related protocols and annexes.

(B) As of February 5, 2021, the parties to the New START Treaty have not completed the procedures outlined in the New START Treaty and its related protocols and annexes to extend the Treaty’s effective date to February 5, 2026.

(c) Exceptions.—The prohibition under subsection (a) shall not be in effect if all of the following conditions are met:

(1) The President, the Secretary of State, the Secretary of Defense, and the Director of National Intelligence jointly certify that the Russian Federation is, in a way that is militarily significant, increasing above 1,550 the number of strategic delivery vehicles and warheads that are counted in the New START Treaty.
SA 672. Mr. CARPER (for himself and Mr. KAIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense munitions and the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1299. DEFINITIONS.-(a) LIMITATION ON AUTHORITY OF PRESIDENT TO MODIFY DUTY RATES FOR NATIONAL SECURITY REASONS.—(1) AUTHORITY TO MODIFY DUTY RATES FOR NATIONAL SECURITY REASONS.—Notwithstanding any other provision of law and except as provided in paragraph (3), the President may proclaim a new or additional national security duty on an article imported into the United States as a whole or as a part of any other article or thing, or on any article imported into the United States for processing or fabrication or for use in processing or fabrication, under clause (a) of section 232(a) of the Trade Expansion Act of 1962 (19 U.S.C. 2412(a)), if the President determines that urgent action is necessary to—

(A) [omission]

(B) [omission]

(C) [omission]

(D) [omission]

(E) [omission]

and (F) [omission]

(B) A duty proclaimed pursuant to—

(A) the President, not later than 30 calendar days after making the national security determination, submits to Congress a request for authorization to modify duty rates in accordance with that duty proposal, including—

(i) a description of each article for which the President recommends a new or additional duty; and

(ii) the proposed new or additional duty rate; and

(iii) the proposed duration of that rate.

(C) the President consults with the Committee on Finance and the Committee on Armed Services of the House of Representatives regarding the duty proposal under subparagraph (A), including—

(i) the short-term and long-term goals of the proposal;

(ii) an action plan to achieve those goals; and

(iii) plans to consult with officials of countries affected by, and other interested parties, to resolve any issues relating to the proposal; and

(D) a joint resolution of approval under paragraph (2) is enacted.

(C) JOINT RESOLUTION OF APPROVAL.—

(A) JOINT RESOLUTION OF APPROVAL DEFINED.—In this paragraph, the term ‘‘joint resolution of approval’’ means a joint resolution of the House of Representatives and the Senate of which is as follows: “That Congress authorizes the President to proclaim duty rates as set forth in the request of the President, and that the blank space be filled with the date of the request submitted pursuant to paragraph (1)(B).

(B) INTRODUCTION.—A joint resolution of approval is not to be introduced in either House of Congress by any Member during the 15-legislative day period beginning on the date on which the President submits to Congress the material set forth in paragraph (1)(B).

(C) EXPEDITED PROCEDURES.—The provisions of subsections (b) through (i) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) apply to a joint resolution of approval to the same extent that such subsections apply to joint resolutions under such section 152.

SECTION 1298. LIMITATIONS AND CONDITIONS ON AUTHORITY OF PRESIDENT TO MODIFY DUTY RATES AND IMPOSE CERTAIN DUTIES OR OTHER IMPORT RESTRICTIONS.—(a) LIMITATION ON AUTHORITY OF PRESIDENT TO MODIFY DUTY RATES FOR NATIONAL SECURITY REASONS.—(1) AUTHORITY TO MODIFY DUTY RATES FOR NATIONAL SECURITY REASONS.—Notwithstanding any other provision of law and except as provided in paragraph (3), the President may proclaim a new or additional national security duty on an article imported into the United States as a whole or as a part of any other article or thing, or on any article imported into the United States for processing or fabrication or for use in processing or fabrication, under clause (a) of section 232(a) of the Trade Expansion Act of 1962 (19 U.S.C. 2412(a)), if the President determines that urgent action is necessary to—

(A) [omission]

(B) [omission]

(C) [omission]

(D) [omission]

(E) [omission]

and (F) [omission]

(B) A duty proclaimed pursuant to—

(A) the President, not later than 30 calendar days after making the national security determination, submits to Congress a request for authorization to modify duty rates in accordance with that duty proposal, including—

(i) a description of each article for which the President recommends a new or additional duty; and

(ii) the proposed new or additional duty rate; and

(iii) the proposed duration of that rate.

(C) the President consults with the Committee on Finance and the Committee on Armed Services of the House of Representatives regarding the duty proposal under subparagraph (A), including—

(i) the short-term and long-term goals of the proposal;

(ii) an action plan to achieve those goals; and

(iii) plans to consult with officials of countries affected by, and other interested parties, to resolve any issues relating to the proposal; and

(D) a joint resolution of approval under paragraph (2) is enacted.

(C) JOINT RESOLUTION OF APPROVAL.—

(A) JOINT RESOLUTION OF APPROVAL DEFINED.—In this paragraph, the term ‘‘joint resolution of approval’’ means a joint resolution of the House of Representatives and the Senate of which is as follows: “That Congress authorizes the President to proclaim duty rates as set forth in the request of the President, and that the blank space be filled with the date of the request submitted pursuant to paragraph (1)(B).

(B) INTRODUCTION.—A joint resolution of approval is not to be introduced in either House of Congress by any Member during the 15-legislative day period beginning on the date on which the President submits to Congress the material set forth in paragraph (1)(B).

(C) EXPEDITED PROCEDURES.—The provisions of subsections (b) through (i) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) apply to a joint resolution of approval to the same extent that such subsections apply to joint resolutions under such section 152.

SECTION 1298. FORM OF REPORTS AND CERTIFICATIONS.—If any request for certification required under this subtitle is submitted in classified form, an unclassified version shall also be submitted at the same time.

SECTION 1298. DEFINITIONS.—(1) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term ‘‘appropriate congressional committees’’ means all members of—

(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.


(B) NUCLEAR NONPROLIFERATION TREATY.—The term ‘‘Nonproliferation Treaty’’ means the Treaty on the Non-Proliferation of Nuclear Weapons signed at Washington July 1, 1968 (commonly known as the ‘‘NPT’’).
the Senate and the Committee on Ways and Means of the House of Representatives and, if the proposal affects agricultural products, the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives;

(iv) a period of 60 calendar days, beginning on the date on which the Trade Representative has completed consultations under clause (iii), has passed; and

(v) no disapproval resolution under subparagraph (B) is passed during the period described in clause (iv).

(2) in subparagraph (B)—

(B)(i) In this subparagraph, the term ‘disapproval resolution’ means a joint resolution the second or second-to-last clause of which is as follows: ‘That implementation of the proposal by the Trade Representative to impose duties or other import restrictions submitted to Congress is not in the interest of the United States’, with the blank space being filled with the date on which the Trade Representative submitted to Congress the material described in subsection (A)(ii).

(ii) Paragraph (2) of section 106(b) of the Bipartisan Trade Promotion and Accountability Act of 2015 (19 U.S.C. 4205(b)) applies to a disapproval resolution under this subparagraph to the same extent that such paragraph applies to a procedural disapproval resolution under section 106(b).

Conforming Amendment.—Paragraph (1)(B) of such section is amended by inserting ‘subject to paragraph (7),’ before ‘impose military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12. MODIFICATION OF SEMIANNUAL REPORT ON ENHANCING SECURITY AND STABILITY IN AFGHANISTAN.

Paragraph (1) of section 1225(b) of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3550) is amended:

(1) in the paragraph heading by inserting “and transparency” and taking into account the August 28th strategy of the United States after “2014”; and

(2) in subparagraph (B)—

(B) by striking the period at the end and inserting a semicolon

(C) by striking “in the assessment of any such threat” and inserting in the assessment of—

(i) any such;” and

(C) by adding at the end the following new clauses:

(iii) the United States counterterrorism mission; and

(iii) efforts by the Department of Defense to support reconciliation efforts and develop conditions for the transition of the reach of the Government of Afghanistan throughout Afghanistan.”.

SEC. 674. 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, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle P of title XII, insert the following:

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

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the heads of appropriate agencies, shall submit to the appropriate congressional committees a report, on addressing the threat or potential threat posed by the export, reexport, or in-country transfer of satellites described in section 1261(c)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–256; 22 U.S.C. 2776 note) to entities described in subsection (b).

(b) ENTITIES DESCRIBED.—

(1) In General.—An entity described in this subsection is an entity the beneficial owner of which—

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

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

(C) the government of such a country; or

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

(2) Determination of Beneficial Ownership.—For purposes of paragraph (1), the Secretary shall identify a person as the beneficial owner of an entity if—

(A) in a manner that is not less stringent than the manner set forth in section 240.13d–3 of title 17, Code of Federal Regulations (as in effect on the date of the enactment of this Act); and

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

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

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

(2) An examination of the effect on national security of not limiting the export, reexport, or in-country transfer of satellites in compliance with section 1261(c) of the National Defense Authorization Act for Fiscal Year 2013 of which the services, bandwidth, or functions of the satellites could subsequently be leased or sold to, or otherwise disposed of by, an entity described in subsection (b).

(3) An examination of the effect on national security of not limiting the export, reexport, or in-country transfer of such satellites described in subsection (b).

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

(5) An assessment, based on realistic and justifiable assumptions and forecasts, of the economic implications of and potential harm caused by a licensing condition described in paragraphs (4). That condition shall target the United States industries that develop or produce satellites and commercial telecommunications equipment that do not have direct national security ties, including any costs identified under paragraph (3).

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

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

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

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

(B) when evaluating such a decision—

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

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

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

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

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

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

SA 675. Mr. BENNET (for himself and 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 B of title XII, add the following:

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

(a) In General.—The Secretary of the Air Force shall pay a local water authority located in the vicinity of an installation of the Air Force, or a State in which the local water authority is located, for the treatment of perfluorobutane sulfonic acid and perfluorooctanoic acid in drinking water from the wells owned and operated 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), a local water authority—

(1) a local water authority that develops or produces drinking water from the wells owned and operated 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.
(A) request such a payment from the Secretary of the Air Force for reimbursable expenses not already covered under a cooperative agreement entered into by the Secretary relating to the remediation of perfluorooctanoic acid and perfluorooctanoic acid contamination before the date on which funding is made available to the Secretary for payment relating to such treatment; and

(B) upon acceptance of such a payment, waive all legal causes of action arising under chapter 171 of title 28, United States Code (commonly known as the ‘Federal Tort Claims Act’), and any other Federal tort liability statute for expenses for treatment and mitigation of perfluorooctanoic acid and perfluorooctanoic acid contamination in time before January 1, 2018, and otherwise covered under this section;

(2) the elevated levels of perfluorooctanoic acid and perfluorooctanoic acid in the water must be the result of activities conducted by or paid for by the Department of the Air Force; and

(3) treatment or mitigation of such acids must have taken place during the period beginning on January 1, 2016, and ending on the day before the date of the enactment of this Act.

(4) AGREEMENTS.—

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

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

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

(d) LIMITATION.—Any payment made under subsection (a) may not exceed the actual cost of the efforts to remediate the perfluorooctanoic acid and perfluorooctanoic acid resulting from the activities conducted by or paid for by the Department of the Air Force.

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

SA 676. Mr. SCHUMER (for himself, Mr. COTTON, Mrs. GILLIBRAND, Mr. VAN HOLLEN, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12. STATEMENT OF POLICY AND SENSE OF THE SENATE ON MUTUAL DEFENSE TREATY WITH THE REPUBLIC OF THE PHILIPPINES.

(a) STATEMENT OF POLICY.—It is the policy of the United States:

(1) while the United States has long adopted an approach that takes no position on the ultimate disposition of the disputed sovereignty claims in the South China Sea, disputing States should—

(A) resolve their disputes peacefully without the threat or use of force; and

(B) ensure that their maritime claims are consistent with international law; and

(2) an attack on the armed forces, public vessels, or aircraft of the Republic of the Philippines in the People’s Republic of China, including the South China Sea, would trigger the mutual defense obligations of the United States under Article IV of the Mutual Defense Treaty between the Republic of the Philippines and the United States of America, done at Washington August 30, 1951, ‘‘to meet common dangers in accordance with its constitutional processes’’;

(b) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of State and the Secretary of Defense should—

(1) affirm the importance of the United States to the Mutual Defense Treaty between the United States and the Republic of the Philippines;

(2) preserve and strengthen the alliance of the United States with the Republic of the Philippines;

(3) prioritize efforts to develop a shared understanding of alliance commitments and defense planning; and

(4) provide appropriate support to the Republic of the Philippines to strengthen its self-defense capabilities of the Republic of the Philippines, particularly in the maritime domain.

SA 678. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 811. DOCUMENTATION OF MARKET RESEARCH RELATED TO COMMERCIAL ITEM DETERMINATIONS.

Section 3309(d) of title 41, United States Code, is amended by adding at the end the following new paragraph:

‘‘(4) Agencies shall document the results of market research in a manner appropriate to the size and complexity of the acquisition.’’

SA 679. 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 end of subtitle H of title X, add the following:

SEC. 10. ROYALTIES FOR MINING; ABANDONED MINES RECLAMATION FEES; LIMITATION ON PATENTS.

(a) IN GENERAL.—Production of all locatable minerals, including any minerals identified by the Secretary of Commerce or the Secretary of the Interior as critical minerals, from any mining claim located under the general mining laws shall be subject to a royalty established by the Secretary of the Interior by regulation of not less than 5 percent, and not more than 8 percent, of the gross income from mining for production of all locatable minerals.

(b) ABANDONED MINES LAND RECLAMATION FEE.—Each operator of a hardrock minerals mining operation shall pay to the Secretary of the Interior a reclamation fee in an amount established by the Secretary of the Interior by regulation of not less than 1 percent, and not more than 3 percent, of the gross income from mining for production of the hardrock minerals mining operation for each calendar year.

(c) LIMITATION ON PATENTS.—(1) DETERMINATIONS REQUIRED.—No patent shall be issued by the United States for any mining claim, millsite, or tunnel site located under the general mining laws unless the Secretary of the Interior determines that—

(A) a patent application was filed with the Secretary of the Interior with respect to the claim not later than September 30, 1994; and

(B) the requirements applicable to the patent application under law were fully complied with by the date described in subparagraph (A).

(2) RIGHT TO PATENT.—

(A) IN GENERAL.—Subject to subparagraph (B), and notwithstanding paragraph (3), if the
Secretary of the Interior makes the determinations under subparagraphs (A) and (B) of paragraph (1) with respect to a mining claim, millsite, or tunnel site, the claim holder shall be entitled to the issuance of a patent in the same manner and degree to which the claim holder would have been entitled to a patent before the date of enactment of this Act.

(2) Withdrawal.—The claim holder shall not be entitled to the issuance of a patent if the determinations under subparagraphs (A) and (B) of paragraph (1) are withdrawn or invalidated by the Secretary of the Interior or, on review, by a court of the United States.

(3) Repeal.—Section 2325 of the Revised Statutes (30 U.S.C. 29) is repealed.

SEC. 680. 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. 1247. BRIEFING ON DETERRENCE OF OPPORTUNISTIC AGGRESSION BY THE RUSSIAN FEDERATION AGAINST BALTIAN ALLIES.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Joint Chiefs of Staff, shall submit to the congressional defense committees a briefing on the following:

(1) 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) The deterrence of opportunistic aggression by the Russian Federation against one or more Baltic allies in the case of engagement of the Armed Forces in a conflict with the Democratic People’s Republic of Korea.

(3) The deterrence of opportunistic aggression by the People’s Republic of China against Taiwan in the case of engagement of the Armed Forces in a conflict with the Russian Federation.

(b) Matters To Be Included.—The briefing under subsection (a) shall include, for each scenario described in paragraphs (1) through (3) of that subsection, the following:

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

(2) A description of the requirements to restore deterrence against the People’s Republic of China in the case of such opportunistic aggression.

(3) An assessment of the ability of the Department of Defense to meet the requirements described in paragraphs (1) and (2) at current resource levels.

(4) Recommendations to improve the ability of the Department of Defense to meet any such requirement that the Department is unable to meet as of the date of the enactment of this Act.

SEC. 682. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. REPORT ON IMPROVEMENTS TO DETERRENCE EFFORTS WITH RESPECT TO THE PEOPLES REPUBLIC OF CHINA.

(a) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Commander of the United States European Command, shall submit to the congressional defense committees 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) Matters to Be Included.—The report under subsection (a) shall identify prioritized requirements for further improving 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.

(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.

SEC. 683. 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 DETERRENCE 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 Secretary of Defense, in consultation with the Commander of the United States European Command, shall submit to the congressional defense committees 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) Matters to Be Included.—The report under subsection (a) shall identify prioritized requirements for further improving 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.

(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.

SEC. 684. Ms. COLLINS (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 270 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of Labor and Veterans Affairs, shall submit to the appropriate committees of Congress 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.—The report required by subsection (a) shall include the following:

(1) An assessment of outreach efforts to members of the Armed Forces with respect to immersion into the job training, employment skills training, apprenticeships, internships, and SkillBridge initiatives of the Department, including recommendations by the Secretary of Defense on ways in which such efforts could be improved.

(2) An assessment of utilization rates of the initiatives referred to in paragraph (1), 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 Assignment Program.

(4) Recommendations for legislative or administrative action to improve awareness, access, and on-the-job training by members of the Armed Forces and veterans who have recently transitioned from service in the Armed Forces to civilian life.

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

(1) the congressional defense committees;

(2) the Committee on Health, Education, Labor, and Pensions and the Committee on Veterans’ Affairs of the Senate; and

(3) Committee on Education and Labor and the Committee on Veterans’ Affairs of the House of Representatives.

SA 685. 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:

SEC. 811. ANALYSIS OF ALTERNATIVES PURSUANT TO MATERIAL DEVELOPMENT INITIATIVES.

(a) TIMELINE.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall update existing guidance on analyses of alternatives conducted pursuant to a materiel development decision for a major defense acquisition program to incorporate the following:

(1) Study completion within nine months.

(2) Study guidance issued by the Director, Cost Assessment and Program Evaluation of a scope designed to provide for reasonable completion of the study within the nine-month period.

(3) Procedures for waiver of the timeline requirements of this subsection on a case-by-case basis if—

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

(B) collection of additional intelligence is required for analysis;

(C) insufficient technical expertise is available to complete the analysis; or

(D) the Secretary determines that there other sufficient reasons for delay of the analysis.

(b) REPORTING.—If an analysis of alternative acquisition strategies cannot be completed within the allotted time, or a waiver is used, the Secretary shall report to the congressional defense committees the following information:

(1) The terms and conditions of any waiver, including the reasons why the study cannot be completed within the allotted time.

(2) For a study estimated to take more than nine months—

(A) an estimate of when the analysis will be completed; and

(B) an estimate of any additional costs to complete the analysis; and

(C) other relevant information pertaining to the analysis and its completion.

Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501); and

(9) the term "Secretary" means the Secretary of Homeland Security.

(b) RESTATEMENT.—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, shall establish and maintain under which the appropriate Federal agencies, as coordinated and facilitated by the Secretary, will coordinate and participate in nonprofit cybersecurity organizations capable of enabling near real-time information sharing of cybersecurity threats among cybersecurity providers in order to counter-attack Federal and non-Federal efforts to prevent or disrupt cybersecurity threats or malicious cyber actors, by as appropriate—

(A) sharing information relating to potential actions by the Federal Government against cybersecurity threats or malicious cyber actors with non-Federal entities;

(B) facilitating joint planning between the appropriate Federal agencies and non-Federal entities relating to cybersecurity threats or malicious cyber actors; and

(C) synchronizing actions of the Federal Government against cybersecurity threats or malicious cyber actors of—

(A) the non-Federal entities with which information is shared under paragraph (1); and

(B) the non-Federal entities with which joint planning is carried out under paragraph (2).

(c) FEDERAL COORDINATION.—The Secretary shall facilitate all Federal coordination, planning, and action relating to the pilot program.

(d) ANNUAL REPORTS TO APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Secretary shall submit to the appropriate congressional committees and leadership 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) 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 responsibilities under 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

(C) 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.

(e) TERMINATION.—The pilot program shall terminate on the date that is 3 years after the date of enactment of this Act.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—
SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “Eastern Mediterranean Security and Energy Partnership Act of 2019”.

SEC. 1292. FINDINGS.

Congress makes the following findings:

(1) The security of partners and allies in the Eastern Mediterranean region is critical to the security of the United States and Europe.

(2) Greece is a valuable member of the North Atlantic Treaty Organization (NATO) and a key pillar of stability in the Eastern Mediterranean.

(3) Israel is a steadfast ally of the United States and has been designated a “major non-NATO ally” and “major strategic partner”.

(4) Cyprus is a key strategic partner and a key pillar of stability in the Eastern Mediterranean.

(5) Israel, Greece, Cyprus, and Israel have participated in critical trilateral summits to improve cooperation on energy and security issues.

(6) Secretary of State Mike Pompeo participated in the trilateral summit among Israel, Greece, and Cyprus on March 20, 2019.

(7) All four countries oppose any action in the Eastern Mediterranean that natural gas field off the Egyptian Sea that could challenge stability, violate international law, or undermine good neighborly relations, and in a joint declaration on March 25, 2019, to “defend against external malign influences in the Eastern Mediterranean and the broader Middle East”.

(8) The recent discovery of potentially large unexploited natural gas off the Cypriot coast could represent a significant positive development for Greece and the region.

(9) Turkish government officials have expressed interest in purchasing the natural gas system from the Russian Federation, which could trigger the imposition of mandatory sanctions under the Countering America’s Adversaries Through Sanctions Act (CAATSA) (Public Law 115–44), to include the purchase by Turkey of an S–400 system from Russia.

(10) United States officials have assisted the Government of the Republic of Cyprus with crafting that nation’s national security strategy.

(11) The United States acknowledges the achievement of the Bina- tional Industrial Research and Development Foundation (BIRD) and the United States-Israel Binational Science Foundation (BSF) and supports additional multiyear funding to ensure the continuity of the programs of the Foundations.

(12) The United States has welcomed Greece’s allocation of its gross domestic product (GDP) to defense in accordance with commitments made at the 2014 NATO Summit in Wales.

(13) Energy exploration in the Eastern Mediterranean region must be safeguarded against threats posed by terrorist and extremest groups, including Hezbollah and any other actor in the region.

(14) The energy exploration in the Republic of Cyprus’s Exclusive Economic Zone and territorial waters—

(15) The United States Government cooperates closely with the Government of the Republic of Cyprus through information sharing agreements.

(16) United States officials have assisted the Government of the Republic of Cyprus with crafting that nation’s national security strategy.

(17) The United States Government provides training to Cypriot officials in areas such as cybersecurity, counterterrorism, and explosive ordnance disposal and stockpile management.

(18) The Republic of Cyprus is a valued member of the Proliferation Security Initiative to combat the trafficking of weapons of mass destruction.

(19) United States officials have assisted in support efforts to counter Russian missile system sales to Turkey.

(20) The United States Government provides training to Cypriot officials in areas such as cybersecurity, counterterrorism, and explosive ordnance disposal and stockpile management.

(21) The Republic of Cyprus is a valued member of the Proliferation Security Initiative to combat the trafficking of weapons of mass destruction.

(22) The Republic of Cyprus continues to work closely with the United Nations and regional partners to promote peace and combat terrorism and violent extremism.

(23) Despite robust economic and security relations between the Republic of Cyprus has been subject to a United States against the Republic of Cyprus on the export of defense articles and services since 1987.

(24) The 1987 arms prohibition was designed to restrict arms sales and transfers to the Republic of Cyprus and the occupied part of Cyprus to avoid hindering reunification efforts.

(25) At least 40,000 Turkish troops are stationed in the occupied part of Cyprus with some weapons procured from the United States through mainland Turkey.

(26) While the United States has, as a matter of policy, avoided the prohibition of defense articles and services to the Republic of Cyprus, the sale of arms to the Republic of Cyprus by the United States has, in the past, sought to obtain defense articles from other countries, including countries, such as Russia, that pose challenges to United States national security around the world.

SEC. 1293. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to continue to actively participate in the trilateral dialogue on energy, maritime security, cybersecurity and protection of critical infrastructure conducted among Israel, Greece, and Cyprus;

(2) to support diplomatic efforts with partners and regional security cooperation among Greece, Cyprus, and Israel and to encourage the private sector to make investments in energy infrastructure in the Eastern Mediterranean region;

(3) to strongly support the completion of the Trans Adriatic and Eastern Mediterranean Pipelines and the development of liquefied natural gas (LNG) terminals across the Eastern Mediterranean as a means of diversifying regional energy needs away from the Russian Federation;

(4) to maintain a robust United States naval presence and investments in the naval facility at Souda Bay, Greece and develop additional security cooperation with the latter to include the recent MQ-9 deployments to the Larissa Air Force Base and United States Army helicopter training in central Greece;

(5) to welcome Greece’s commitment to move forward with the Interconnector Greece–Bulgaria (IGB pipeline) and additional LNG terminals that will help facilitate delivery of non-Russian gas to the Balkans and central Europe;

(6) to support deepened security cooperation with the Republic of Cyprus through the removal of the arms embargo on the country;

(7) to support robust International Maritime Education and Training (IMET) programming with Greece and the Republic of Cyprus;

(8) to leverage relationships within the European Union to encourage investments in Cypriot border and maritime security;

(9) to support efforts to counter Russian Federation Government interdiction and influence in the Eastern Mediterranean through increased security cooperation with Greece, Cyprus, and Israel, to include intelligence, sharing, cyber, and maritime domain awareness;

(10) to support the Republic of Cyprus efforts to regulate its banking industry to ensure that it is not used as a source of instrument money laundering and encourages additional measures toward that end;

(11) to strongly oppose any actions that would trigger mandatory sanctions pursuant to section 231 of the Countering America’s Adversaries Through Sanctions Act (CAATSA) (Public Law 115–44), to include the purchase by Turkey of an S–400 system from the Russian Federation;

(12) to continue robust official strategic engagement with Israel, Greece, and Cyprus; and

(13) to strongly support the active and robust participation of Israel, Cyprus, and Greece in the Combating Terrorism Fellowship Program.

SEC. 1294. UNITED STATES-EASTERN MEDITERRANEAN ENERGY COOPERATION.

(a) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Energy, may enter into cooperative agreements supporting and enhancing dialogue and planning involving international partnerships between the United States and Israel, Greece, and Cyprus.

(b) ANNUAL REPORTS.—If the Secretary of State, in consultation with the Secretary of Energy, enters into agreements authorized
under subsection (a), the Secretary shall submit an annual report to the appropriate congressional committees that describes—

(1) actions taken to implement such agreements,

(2) any projects undertaken pursuant to such agreements.

(c) UNITED STATES-EASTERN MEDITERRANEAN SECURITY CONDITIONS.—The Secretary of Energy, in consultation with the Secretary of State, may establish a joint United States-Eastern Mediterranean Energy Center in the United States for the purpose of sharing the expertise, knowledge, and expertise of institutions of higher education and entities in the private sector, among others, in offshore energy development, clean energy technologies, and water, and technology transfer, and analysis of emerging geopolitical implications, which include opportunities as well as crises and threats from foreign natural resource and energy acquisition.

SEC. 1295. REPEAL OF PROHIBITION ON TRANSFER OF ARTICLES ON THE UNITED NATIONS LIST TO THE REPUBLIC OF CYPRUS.

(a) SENSE OF THE SENATE ON CYPRUS.—It is the sense of the Senate that—

(1) the request is made by or on behalf of the Republic of Cyprus; and

(2) subsection (a) shall not apply to sales or other provision of any defense article or service to Cyprus if the end-user of such defense article or service is the Republic of Cyprus.

(b) LIMITATIONS ON THE TRANSFER OF ARTICLES ON THE UNITED NATIONS LIST TO THE REPUBLIC OF CYPRUS.—

(1) IN GENERAL.—The policy of denial for exports, re-exports, or transfers of defense articles and defense services defined in the United States Munitions List to the Republic of Cyprus if—

(A) the request is made by or on behalf of the Republic of Cyprus; and

(B) the Government of the Republic of Cyprus has made and is continuing to take the steps necessary to deny Russian military vessels access to ports for refueling and servicing;

(2) WAIVER.—The President may waive the limitations of subsection (a) for one fiscal year if the President determines that it is essential to the national security interests of the United States to do so.

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

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

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

There is authorized to be appropriated for fiscal year 2020 $2,000,000 for International Military Education and Training (IMET) assistance for Greece and $2,000,000 for such assistance for Cyprus. The assistance shall be made available for the following purposes:

(1) Training of future leaders.

(2) Fostering a better understanding of the United States.

(3) Establishing a rapport between the United States military and the country’s military to build alliances for the future.

(4) Enhancement of interoperability and capabilities for joint operations.

(5) Focusing on professional military education.

(6) Enabling countries to use their national funds to receive a reduced cost for other Department of Defense education and training.

(7) Provision of English Language Training assistance.

SEC. 1296. LIMITATION ON TRANSFER OF F-35 AIRCRAFT TO TURKEY.

(a) IN GENERAL.—Except as provided under subsection (b), no funds may be obligated or expended—

(1) to transfer, facilitate the transfer, or authorize the transfer of, an F-35 aircraft to the Republic of Turkey;

(2) to transfer intellectual property or technical data necessary for or related to any maintenance or support of the F-35 aircraft; or

(3) to construct a storage facility for, or otherwise facilitate the storage in Turkey of, an F-35 aircraft transferred to Turkey.

(b) EXCEPTION.—The President may waive the limitation under subsection (a) upon a written certification to Congress that the Government of Turkey does not plan or intend to accept delivery of the S-400 air defense system.

(c) TRANSFER DEFINED.—In this section, the term “transfer” includes the physical re-location outside of the continental United States.

(d) APPLICABILITY.—The limitation under subsection (a) does not apply to F-35 aircraft operated by the United States Armed Forces.

SEC. 1299B. REPORT ON RUSSIAN FEDERATION MALIGN INFLUENCE IN THE EASTERN MEDITERRANEAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on the malign influence of the Russian Federation in the Eastern Mediterranean.

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


(3) A description of mixed signals to the United States, Europe, and the region.

(4) A description of the impact that malign influence by the Russian Federation has on U.S. national security interests.


SEC. 1299A. STRATEGY ON UNITED STATES SECURITY AND ENERGY COOPERATION IN THE EASTERN MEDITERRANEAN.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a strategy on enhanced security and energy cooperation with countries in the Eastern Mediterranean region, including Israel, Jordan, and Turkey.

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


(2) An evaluation of possible delivery mechanisms into Europe for natural gas discoveries in the Eastern Mediterranean region.

(3) An evaluation of efforts to protect energy exploration infrastructure in the region, including United States companies.

(4) An assessment of the capacity of Cyprus to host an Energy Crisis Center in the region which could provide basing facilities in support search and rescue efforts in the event of an accident.

(5) An assessment of the timing of natural gas delivery in the region as well as assess for the ultimate destination countries for natural gas delivered in the region.

(6) A plan to work with United States business seeking to invest in Eastern Mediterranean energy exploration, development, and cooperation.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.
(A) A land use plan prepared by the Bureau of Land Management for public land pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and


(2) GREATER SAGE-GROUSE.—The term ‘‘greater sage-grouse’’ means a sage-grouse of the species Centrocercus urophasianus.

(3) STATE MANAGEMENT PLAN.—The term ‘‘State management plan’’ means a State-approved management plan for the protection and recovery of the greater sage-grouse.

(4) PROTECTION AND RECOVERY OF GREATER SAGE-GROUSE.—(1) ENDANGERED SPECIES ACT OF 1973 FINDINGS.—(A) DELAY REQUIRED.—The Secretary of the Interior may not modify or invalidate the finding of the Director of the United States Fish and Wildlife Service announced in the proposed rule entitled ‘‘Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition to List Greater Sage-Grouse (Centrocercus urophasianus) as an Endangered or Threatened Species’’ (80 Fed. Reg. 59865–59866) that is in effect on the date of enactment of this Act and ending on September 30, 2029.

(B) EFFECT ON OTHER LAWS.—The delay required under subparagraph (A) shall remain effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(2) EFFECT ON CONSERVATION STATUS.—The conservation status of the greater sage-grouse shall be considered not to warrant a listing of the greater sage-grouse as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) during the period beginning on the date of enactment of this Act and ending on September 30, 2029.

(3) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—Notwithstanding the final rule of the United States Fish and Wildlife Service entitled ‘‘Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the American Burrowing Beetle’’ (54 Fed. Reg. 29652 (July 13, 1989)), the American burrowing beetle may not be listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 1290C. REPORT ON INTERFERENCE BY OTHER COUNTRIES IN THE EXCLUSIVE ECONOMIC ZONE OF CYPRUS AND AIRSPACE OF GREECE. (a) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Secretary of Energy, shall report to the appropriate congressional committees a report listing incidents of interference in efforts by the Republic of Cyprus to explore and exploit natural resources in its Exclusive Economic Zone and violations of the airspace of the sovereign territory of Greece.

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

(1) A listing of incidents since January 1, 2017, determined by the Secretary of State to interfere in efforts by the Republic of Cyprus to explore and exploit natural resources in its Exclusive Economic Zone.

(2) A listing of incidents since January 1, 2017, determined by the Secretary of State to be violations of the airspace of Greece by its neighbors.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1299D. APPROPRIATE CONGRESSIONAL COMMITTEES. In this subtitle, the term ‘‘appropriate congressional committees’’ means the Committee on Appropriations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 688. Mr. LEE (for himself, Mr. CRAPO, 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 appropriate place, insert the following:

SEC. ___. GREATER SAGE-GROUSE PROTECTION AND RECOVERY. (a) PURPOSES.—The purposes of this section are—

(1) to facilitate implementation of State management plans over a period of multiple, consecutive greater sage-grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the greater sage-grouse.

(b) DEFINITIONS.—In this section: (1) FEDERAL RESOURCE MANAGEMENT PLAN.—The term ‘‘Federal resource management plan’’ means—

(C) DETERMINATION OF INCONSISTENCY.—Any disagreement regarding whether a withdrawal, amendment, or modification of a Federal resource management plan is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(3) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—With regard to any major Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the greater sage-grouse and the habitat of the greater sage-grouse under section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)) shall not have a preclusive effect on the approval or implementation of the major Federal action in that State.

(4) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter through 2029, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report listing in-
(c) Termination and Rentey.—If the State does not meet the conditions required under subsection (d) by the date that is five years after the date of the conveyance authorized under subsection (a), the Secretary of the Air Force may terminate such conveyance and reenter the property.

(d) Consideration and Conditions of Conveyance.—In consideration of and as a condition to the conveyance authorized under subsection (a), the State shall agree to the following:

(1) Not later than two years after the conveyance authorized under subsection (a), the State shall, at no cost to the United States Government—

(A) demolish all improvements and associated infrastructure existing on the property; and

(B) conduct environmental cleanup and remediation of the property, as required by law and approved by the Utah Department of Environmental Quality, for the planned redevelopment and use of the property.

(2) Not later than three years after the completion of the cleanup and remediation under paragraph (1), the State shall, at no cost to the United States Government, shall construct on Hill Air Force Base a new gate for vehicular and pedestrian traffic in and out of Hill Air Force Base in compliance with all applicable construction and security requirements and such other requirements as the Secretary of the Air Force may consider necessary.

(3) That the State shall coordinate the demolition, cleanup, remediation, design, re-development, and construction activities performed by the State in connection with the conveyance under subsection (a) with the Secretary of the Air Force, the Utah Department of Transportation, and the Utah Department of Environmental Quality.

(e) Environmental Obligations.—The State shall not have any obligation with respect to cleanup and remediation of an environmental condition on the property to be conveyed under subsection (a) unless the condition was in existence and known before the date of the conveyance or the State exacerbates the condition which then requires further remediation.

(f) Payment of Costs of Conveyance.—

(1) Payment Required.—The Secretary of the Air Force shall require the State to cover costs incurred by the Secretary, or to reimburse the Secretary for such costs incurred, to carry out the conveyance under subsection (a), including survey costs, costs for environmental compliance, or other administrative costs related to the conveyance. If amounts are collected from the State in advance of the Secretary incurring actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) Treatment of Amounts Received.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account from which the payment is made or to the account set aside under subclause (A) of clause (5) of section 1060(c), to carry out the conveyance under subsection (a) or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(g) Description of Property.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force and the State.

SA 690. Ms. Ernst (for herself, Mr. Paul, Mr. Cramer, and Mr. Braun) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) Definitions.—In this section:

(1) Project.—The term “project” means—

(A) a Federal project, as defined in section 1005 of title 5, United States Code; or

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

(2) Program, project, or activity.—The term “program, project, or activity” means a unit of Federal programs, projects, or activities for which funds are requested or appropriated in a single Acts or agencies.

(b) Consideration and Conditions of Conveyance.—In consideration of and as a condition to the conveyance authorized under subsection (a), the State shall, at no cost to the United States Government—

(1) demolish all improvements and associated infrastructure existing on the property; and

(2) conduct environmental cleanup and remediation of the property, as required by law and approved by the Utah Department of Environmental Quality, for the planned redevelopment and use of the property.

(c) Conveyance.—In consideration of and as a consideration under subsection (a) with the Secretary of the Air Force, the Utah Department of Transportation, and the Utah Department of Environmental Quality, the State shall, at no cost to the United States Government, shall construct on Hill Air Force Base a new gate for vehicular and pedestrian traffic in and out of Hill Air Force Base in compliance with all applicable construction and security requirements and such other requirements as the Secretary of the Air Force may consider necessary.

(d) Payment of Costs of Conveyance.—

(1) Payment Required.—The Secretary of the Air Force shall require the State to cover costs incurred by the Secretary, or to reimburse the Secretary for such costs incurred, to carry out the conveyance under subsection (a), including survey costs, costs for environmental compliance, or other administrative costs related to the conveyance. If amounts are collected from the State in advance of the Secretary incurring actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) Treatment of Amounts Received.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account from which the payment is made or to the account set aside under subclause (A) of clause (5) of section 1060(c), to carry out the conveyance under subsection (a) or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(g) Environmental Obligations.—The State shall not have any obligation with respect to cleanup and remediation of an environmental condition on the property to be conveyed under subsection (a) unless the condition was in existence and known before the date of the conveyance or the State exacerbates the condition which then requires further remediation.

(h) Payment of Costs of Conveyance.—

(1) Payment Required.—The Secretary of the Air Force shall require the State to cover costs incurred by the Secretary, or to reimburse the Secretary for such costs incurred, to carry out the conveyance under subsection (a), including survey costs, costs for environmental compliance, or other administrative costs related to the conveyance. If amounts are collected from the State in advance of the Secretary incurring actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(i) Treatment of Amounts Received.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account from which the payment is made or to the account set aside under subclause (A) of clause (5) of section 1060(c), to carry out the conveyance under subsection (a) or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

SA 691. Mr. Inhofe (for himself and Mr. Reed) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 906. ALLOCATION OF FORMER RESPONSIBILITIES OF THE UNDER SECRETARY OF DEFENSE FOR ACQUISITIONS, TECHNOLOGY, AND LOGISTICS.

(a) Title 10, United States Code.—Title 10, United States Code, is amended as follows:

(1) In section 129(a)(3), by striking “The Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”; and

(2) In section 134(c), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment”; and

(3) In section 198—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “and the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment”;

(ii) in paragraph (2), by striking “and the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment”;

(B) in subsection (c), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment”;

(C) in subsection (b)(2), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment”;

(D) in section 139(d)(6), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment”;

(E) in section 171(a)—

(A) by striking paragraphs (3) and (8); and

(B) by redesigning paragraphs (4), (5), (6), (7), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (8), (11), (12), (13), (14), (15), and (16), respectively;

(F) by inserting after paragraph (2) the following new paragraphs:

“(3) the Under Secretary of Defense for Research and Engineering;” and

“(4) the Under Secretary of Defense for Acquisition and Sustainment.”;
(D) by inserting after paragraph (8), as redesignated by subparagraph (B), the following new paragraphs:

"(9) the Deputy Under Secretary of Defense for Research and Engineering;

"(10) the Deputy Under Secretary of Defense for Acquisition and Sustainment;

"(11) the Deputy Under Secretary of Defense for Research and Engineering;"

(6) In section 181(d)(1)—

(A) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively;

(B) by striking subparagraph (C); and

(C) by inserting after subparagraph (B) the following new subparagraphs:

"(C) The Under Secretary of Defense for Research and Engineering;"

"(D) The Under Secretary of Defense for Acquisition and Sustainment;"

(7) In section 398(b)(2)—

(A) by redesignating subparagraphs (C) through (E) as subparagraphs (D) through (F), respectively;

(B) by striking subparagraph (B); and

(C) by inserting after subparagraph (A) the following new subparagraphs:

"(B) The Under Secretary of Defense for Research and Engineering;"

"(C) The Under Secretary of Defense for Acquisition and Sustainment;"

(8)(A) In section 1702—

(i) by striking the heading and inserting the following:

"1702. Under Secretary of Defense for Acquisition and Sustainment: authorities and responsibilities; and

(ii) in the text, by striking ‘‘the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment, and the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment, the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy, and the Under Secretary of Defense for Acquisition, Technology, and Logistics’’;

(B) by striking the item relating to section 1702 and inserting the following new item:

"1702. Under Secretary of Defense for Acquisition and Sustainment: authorities and responsibilities.’’;

(9) In section 1705, by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(10) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(11) In section 1722a, by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(12) In section 1722b(a), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(13) In section 1723, by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(14) In section 1725(a)(2), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(15) In section 1735(c)(1), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(16) In section 1735(c), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(17) In section 1741(b), by striking ‘‘The Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘The Under Secretary of Defense for Acquisition and Sustainment’’;

(18) In section 1746(a), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(19) In section 1748, by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’;

(20) In section 1755, by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(21) In section 1772, by striking ‘‘the Assistant Secretary for Defense for Research and Engineering’’ and inserting ‘‘the Under Secretary of Defense for Research and Engineering’’;

(22) In section 2275(d), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(23) In section 2279(d), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(24) In section 2279, by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(25) In section 2304, by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(26) In section 2306(b)(7), by striking ‘‘of Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘of Under Secretary of Defense for Acquisition and Sustainment’’;

(27) In section 2311(c), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘The Under Secretary of Defense for Acquisition and Sustainment’’;

(28) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(29) In section 2330, by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’;

(30) In section 2331, by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’;

(31) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(32) In section 2332, by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(33) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(34) In section 2333, by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(35) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(36) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(37) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(38) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(39) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(40) In section 2438(b), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(41) In section 2503(b)—

(A) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(B) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(42) In section 2505(b), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics, acting through the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(43) by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ each place it appears and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(44) In section 2532(b)(2)(A), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’;

(45) In section 2544—

(A) in the heading of subsection (a), by striking ‘‘the Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘the Under Secretary of Defense for Acquisition and Sustainment’’; and
B) by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” each place it appears and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(46) In section 2548, by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” each place it appears and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(47) In section 2902(b):

(A) by striking paragraph (1) and inserting the following paragraph (1):

“1) The official within the Office of the Under Secretary of Defense for Research and Engineering who is responsible for science and technology.”

(B) by redesigning paragraphs (4) through (9) as paragraphs (5) through (10), respectively.

(C) by striking paragraph (3); and

(D) by inserting after paragraph (2) the following new paragraphs:

“(3) The official within the Office of the Under Secretary of Defense for Research and Engineering who is responsible for environmental security.”

In section 1006(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2020 (133 Stat. 1317) amended by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” each place it appears and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(b) NATIONAL DEFENSE AUTHORIZATION ACTS.

(1) PUBLIC LAW 115–26.—Section 338 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1726) is amended as follows:

(A) In section 338(a)(5)(D), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(2) PUBLIC LAW 115–91.—Section 136(a)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1317) is amended by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(3) PUBLIC LAW 114–328.—The National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–261; 132 Stat. 2116) is amended as follows:

(A) In section 829(b)(10 U.S.C. 2306 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(B) In section 856(a)(2)(B) (10 U.S.C. 2377 note), by striking “the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Office of the Under Secretary of Defense for Acquisition and Sustainment”.

(C) In section 111(b)(1) (10 U.S.C. 1761 note), by striking “the Under Secretary of Defense for Acquisition, Technology, Logistics, and Locating” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(D) In section 1675(a) (129 Stat. 1311), by striking “The Under Secretary of Defense for Acquisition, Technology, and Logists” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.


(G) In section 112–41.—The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended as follows:

(A) In subsection (a), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(B) In section 874(b)(1) (10 U.S.C. 2375 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(C) In section 875 (10 U.S.C. 2385 note)—

(i) in subsections (b), (c), (e), and (f), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” each place it appears and inserting “the Under Secretary of Defense for Acquisition and Sustainment”;

(ii) in subsection (d), by striking “The Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “The Under Secretary of Defense for Acquisition and Sustainment”;

(H) In section 880(a)(2)(A) (10 U.S.C. 2302 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”;

(I) In section 1582(a) (130 Stat. 2609), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(J) In section 1582(a) (130 Stat. 2609), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(K) In section 1582(b) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(L) In section 1582(c) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(M) In section 1582(d) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(N) In section 1582(e)(1)(10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(O) In section 1582(f) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(P) In section 1582(g) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(Q) In section 1582(h) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(R) In section 1582(i) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(S) In section 1582(j) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(T) In section 1582(k) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(U) In section 1582(l) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(V) In section 1582(m) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(W) In section 1582(n) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(X) In section 1582(o) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(Y) In section 1582(p) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(Z) In section 1582(q) (10 U.S.C. 2308 note), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering”.

(A) in subsection (b)(2)—

(i) by redesigning subparagraphs (B) through (H) as subparagraphs (C) through (I), respectively;

(ii) by striking subparagraph (A); and

(iii) by inserting before subparagraph (C), as redesignated by clause (i), the following new subparagraphs:

(1) The Office of the Under Secretary of Defense for Acquisition and Sustainment, and

(2) The Office of the Under Secretary of Defense for Research and Engineering.

(B) in subsection (c)(5), in the flush matter following subparagraph (B), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Acquisition and Sustainment”.

(C) in subsection (c)(1), by striking “(B) the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “(B) the Under Secretary of Defense for Acquisition and Sustainment”.
and the participation by members of the armed forces in the North Atlantic Treaty Organization Joint Forces Command (in this section referred to as the ‘Joint Forces Command’), to be established in the United States.

‘(b) USE OF DEPARTMENT OF DEFENSE FACILITIES AND EQUIPMENT.—The Secretary may use facilities and equipment of the Department of Defense to support the Joint Forces Command.

‘(c) AVAILABILITY OF FUNDS.—Amounts appropriated to the Department of Defense for fiscal year 2020 shall be available to carry out the purposes of this section.’.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 16 of title 10, United States Code, is amended by adding at the end the following new item:


SA 693. Mr. ROMNEY (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the authority under section 1790 to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

To the end of division A, add the following:

SEC. 1710. DEFINITION OF ADMINISTRATOR.

In this title, the term ‘Administrator’ means the Administrator of the Environmental Protection Agency.

Subtitle A—PFAS Release Disclosure

SECTION 1711. ADDITIONS TO TOXICS RELEASE INVENTORY

(a) DEFINITION OF TOXICS RELEASE INVENTORY.—In this section, the term ‘toxics release inventory’ means the toxics release inventory under section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(c)).

(b) IMMEDIATE INCLUSION.—

(1) IN GENERAL.—Subject to subsection (e), beginning January 1 of the calendar year following the date of enactment of this Act, the following chemicals shall be deemed to be included in the toxics release inventory under paragraph (1) of section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(c)):


(B) A perfluoralkyl or polyfluoralkyl substance or class of perfluoralkyl or polyfluoralkyl substances that is—

(i) listed as a active chemical substance in the Chemical Abstracts Service No. 54508–86–6, 29687–72–9, and 7569–51–1; or

(ii) designated as an active chemical substance under section 313(f)(1) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(f)(1)).

(C) Perfluorooctane sulfonic acid (commonly referred to as ‘PFOS’) (Chemical Abstracts Service No. 1763–23–1).

(D) The salts associated with the chemical described in subparagraph (A) (Chemical Abstracts Service No. 54508–86–6, 29687–72–9, and 7569–51–1).

(E) A perfluoralkyl or polyfluoralkyl substance or class of perfluoralkyl or polyfluoralkyl substances that is—

(i) listed as a active chemical substance in the February 2019 update to the inventory under section 313(e)(1) of the Toxic Substances Control Act (15 U.S.C. 2607(b)(1)); and

(ii) on the date of enactment of this Act, subject to the provisions of—

(I) section 721.8536 of title 40, Code of Federal Regulations; or


(2) THRESHOLD FOR REPORTING.—

(A) IN GENERAL.—Subject to subparagraph (B), the threshold for reporting under section 313(c)(1) 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(f)(2)).

(d) INCLUSION FOLLOWING DETERMINATION.—

(1) IN GENERAL.—To the extent not already subject to subsection (b), not later than 2 years after the date of enactment of this Act, the Administrator determines whether the substances and classes of substances described in paragraph (2) meet the criteria described in section 313(d)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(d)(2)) for inclusion in the toxics release inventory.

(2) SUBSTANCES DESCRIBED.—The substances and classes of substances described in paragraph (1) are perfluoralkyl and polyfluoralkyl substances and classes of perfluoralkyl and polyfluoralkyl substances, including—

(A) hexafluoropropylene oxide dimer acid (Chemical Abstracts Service No. 13232–13–6);

(B) the compounds associated with the chemical described in subparagraph (A) (Chemical Abstracts Service Nos. 62037–80–3 and 2062–98–8);
Section 1721. NATIONAL PRIMARY DRINKING WATER REGULATIONS

Subtitle B—Drinking Water

Section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2)) is amended by adding at the end the following: "(D) PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this subpart, the Administrator shall promulgate a national primary drinking water regulation for perfluoralkyl and polyfluoroalkyl substances, which shall, at a minimum, include standards for—

(1) perfluorooctanoic acid (commonly referred to as 'PF0A'); and

(2) perfluorooctanesulfonic acid (commonly referred to as 'PFOS').

(2) ALTERNATIVE PROCEDURES.—

(1) IN GENERAL.—Not later than 1 year after the validation by the Administrator of an equally effective quality control and testing procedure to ensure compliance with that national primary drinking water regulation described in clause (ii), or other methods to detect and measure levels in drinking water has been validated by the Administrator; and

(2) a perfluoroalkyl and polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances for which a method to measure levels in drinking water has been validated by the Administrator; and

(b) a perfluoroalkyl and polyfluoroalkyl substance or class of perfluoroalkyl 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(c)), the Administrator may by publication in the Federal Register, make a determination under paragraph (b) that the Administrator determines to regulate under subclause (I), the Administrator—

(aa) the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances has been validated by the Administrator; and

(bb) the date on which the Administrator has received the results of monitoring under section 1445(a)(2)(B) for the perfluoroalkyl or polyfluoroalkyl substances for which a measurement procedure described in that national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(4) PRIMARY DRINKING WATER REGULATIONS.—

(aa) IN GENERAL.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to regulate under subclause (I), the Administrator—

(AA) may publish the proposed national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(bb) may publish the proposed national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(ii) LEVELS DESCRIBED.—The levels referred to in clause (I) are—

(aa) the level of a perfluoroalkyl or polyfluoroalkyl substance; and

(bb) the total levels of perfluoroalkyl and polyfluoroalkyl substances; and

(cc) the total levels of perfluoroalkyl and polyfluoroalkyl substances.

(iii) INCLUSIONS.—The Administrator may include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances in the primary drinking water regulations in any of the following ways:

(A) in subsection (4)(A), using the criteria described in clauses (i) through (iii) of that paragraph, whether to include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances in the national primary drinking water regulation under clause (i) not later than 18 months after the later of—

(aa) the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances has been validated by the Administrator; and

(bb) the date on which the Administrator determines a national primary drinking water regulation for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

/B/ the date on which the Administrator has received the results of monitoring under section 1445(a)(2)(B) for the perfluoroalkyl or polyfluoroalkyl substances for which a measurement procedure described in that national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

/D/ the date on which the Administrator may extend the deadline under subitem (BB) for the national primary drinking water regulation described in subitem (AA) not later than 6 months.

(ii) HEALTH RISK REDUCTION AND COST ANALYSIS.—In meeting the requirements of paragraph (3)(C), the Administrator may rely on the results of testing conducted by the Administrator with respect to 1 or more specific perfluoroalkyl or polyfluoroalkyl substances to extrapolate reasoned conclusions regarding the health risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances of which the specific perfluoroalkyl or polyfluoroalkyl substances is a member.

(vi) REGULATION OF ADDITIONAL SUBSTANCES.—

(1) DETERMINATION.—The Administrator shall make a determination under paragraph (1)(A), using the criteria described in clauses (i) through (iii) of that paragraph, whether to include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances in the national primary drinking water regulation under clause (i) not later than 18 months after the later of—

(a) the date on which the Administrator has received the results of monitoring under section 1445(a)(2)(B) for the perfluoroalkyl or polyfluoroalkyl substances for which a measurement procedure described in that national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(b) the date on which the Administrator has received the results of monitoring under section 1445(a)(2)(B) for the perfluoroalkyl or polyfluoroalkyl substances for which a measurement procedure described in that national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(2) NOTIFICATION.—The Administrator shall publish a health advisory under paragraph (1)(F) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not later than 1 year after the later of—

(a) the date on which the Administrator has received the results of monitoring under section 1445(a)(2)(B) for the perfluoroalkyl or polyfluoroalkyl substances for which a measurement procedure described in that national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(b) the date on which the Administrator has received the results of monitoring under section 1445(a)(2)(B) for the perfluoroalkyl or polyfluoroalkyl substances for which a measurement procedure described in that national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.
testing procedure for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substance, if such a procedure did not exist on the date on which the toxicity value described in item (a)(1) was finalized.

"(II) WAIVER.—The Administrator may waive the requirements of subclause (I) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substance if the Administrator determines that there is a significant likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water.”

SEC. 1722. MONITORING AND DETECTION.

(a) MONITORING PROGRAM FOR UNREGULATED CONTAMINANTS.

(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 section 1445(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) for which a method to measure the level in drinking water has been validated by the Administrator; and

(B) that are not 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)).

(3) EXCEPTION.—The perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances included in the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2)) shall not count towards the limit of 30 unregulated contaminants to be monitored by public water systems under that section.

(b) APPLICABILITY.

(1) IN GENERAL.—The Administrator shall—

(A) require public water systems serving fewer than 3,300 persons to be monitored for the substances described in subparagraph (a)(2); and

(B) subject to paragraph (2) and the availability and accessibility of laboratories, require laboratories serving fewer than 3,300 persons to monitor for the substances described in subparagraph (a)(2).

(2) REQUIREMENT.—If the Administrator determines that there is not sufficient laboratory capacity to carry out the monitoring required under subparagraphs (B) and (C) of paragraph (1), the Administrator may waive the monitoring requirements in those subparagraphs.

(c) FUNDS.—The Administrator shall pay the reasonable cost of such testing and laboratory analysis to—

(A) funds made available under subsection (a)(5) of section 1446 of the Safe Drinking Water Act (42 U.S.C. 300g–1); or

(B) any other funds made available for that purpose.

SEC. 1723. ENFORCEMENT.

Notwithstanding any other provision of law, the Administrator may not impose fi-
(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) each Member of the House of Representatives and the Senators of each State in which the Director carried out the sampling.

SEC. 1734. DATA USAGE.

(a) In General.—The Director shall provide the sampling data collected under section 1732 to—
(1) the Administrator; and
(2) other Federal and State regulatory agencies on request.

(b) Usage.—The sampling data provided under subsection (a) shall be used to inform and enhance assessments of exposure, likely health and environmental impacts, and remediation efforts.

SEC. 1735. COLLABORATION.

In carrying out this subtitle, the Director shall collaborate with—
(1) appropriate Federal and State regulatory agencies;
(2) institutions of higher education;
(3) research institutions; and
(4) other expert stakeholders.

SEC. 1736. AUTHORIZATION OF Appropriations.

There are authorized to be appropriated to the Director to carry out this subtitle:
(1) $5,000,000 for fiscal year 2020; and
(2) $10,000,000 for each of fiscal years 2021 through 2024.

Subtitle D—Safe Drinking Water Assistance

SEC. 1741. Definitions.

In this subtitle:
(1) CONTAMINANT.—The term ‘contaminant’ means any physical, chemical, biological, or radiological substance or matter in water.

(2) CONTAMINANT OF EMERGING CONCERN; EMERGING CONTAMINANT.—The terms ‘contaminant of emerging concern’ and ‘emerging contaminant’ mean a contaminant—
(A) for which the Administrator has not promulgated a national primary drinking water regulation; and
(B) that may have an adverse effect on the health of individuals.

(3) FEDERAL RESEARCH STRATEGY.—The term ‘Federal research strategy’ means the coordinated cross-agency plan for addressing critical research gaps related to detecting, assessing exposure to, and identifying the adverse health 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. 1682 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) understanding the strengths and limitations of the analytical methods described in clause (i);
(iii) troubleshooting the analytical methods described in clause (i);
(iv) providing advice on laboratory certification program elements;
(v) interpreting sample analysis results;
(vi) providing training with respect to proper analytical techniques;
(vii) identifying appropriate technology for the treatment of contaminants; and
(viii) analyzing samples,
(B) implementing, or
(C) facilitating, the use of technologies and techniques.

(ii) the capability and capacity to perform the analysis is available at a Federal facility.

(5) WORKING GROUP.—The term ‘Working Group’ means the Working Group established under section 1742(b)(1).

SEC. 1742. RESEARCH AND COORDINATION PLAN FOR IMPROVED RESPONSE ON EMERGING CONTAMINANTS.

(a) In General.—The Administrator shall—
(1) review Federal efforts—
(A) to identify, monitor, and assist in the development of treatment methods for emerging contaminants; and
(B) to assist States in responding to the human health risks posed by contaminants of emerging concern; and
(2) in collaboration with owners and operators of public water systems, States, and other interested stakeholders, establish a strategic plan for improving the Federal effort referred to in paragraph (1).

(b) INTERAGENCY WORKING GROUP ON EMERGING CONTAMINANTS.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator and the Secretary of Health and Human Services shall jointly establish a Working Group to coordinate the activities of the Federal Government to identify and analyze the public health effects of drinking water contaminants of emerging concern.

(2) MEMBERSHIP.—The Working Group shall include representatives of the following:
(A) The Environmental Protection Agency, appointed by the Administrator.
(B) The following agencies, appointed by the Secretary of Health and Human Services:
(i) The National Institutes of Health.
(ii) The Centers for Disease Control and Prevention.
(iii) The Agency for Toxic Substances and Disease Registry.
(C) The United States Geological Survey, appointed by the Secretary of the Interior.
(D) Any other Federal agency the assistance of which the Administrator determines to be necessary to carry out this subsection, appointed by the head of the respective agency.

(3) EXISTING WORKING GROUP.—The Administrator may expand or modify the duties of an existing working group to perform the duties of the Working Group under this subsection.

(c) NATIONAL EMERGING CONTAMINANT RESEARCH INITIATIVE.

(1) FEDERAL RESEARCH STRATEGY.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy (referred to in this subsection as the ‘Director’) shall coordinate with the heads of the agencies described in subparagraph (B) to establish a research initiative, to be known as the ‘National Emerging Contaminant Research Initiative’, that shall—
(i) use the Federal research strategy to improve the identification, analysis, monitoring, and treatment methods of contaminants of emerging concern; and
(ii) develop any necessary program, policy, or budgetary support for the implementation of the Federal research strategy, including mechanisms for joint agency review of research proposals, for interagency cofunding of research initiatives, and for information sharing across agencies.

(B) RESEARCH ON EMERGING CONTAMINANTS.—In carrying out paragraph (A), the Director shall—
(i) take into consideration consensus conclusions from peer-reviewed, pertinent research on emerging contaminants; and
(ii) in collaboration with the Administrator, identify priority emerging contaminants for research emphasis.

(C) FEDERAL PARTICIPATION.—The agencies referred to in subparagraph (A) include—
(i) the National Science Foundation;
(ii) the National Institutes of Health;
(iii) the Environmental Protection Agency;
(iv) the National Institute of Standards and Technology;
(v) the United States Geological Survey; and
(vi) any other Federal agency that contributes to research in water quality, environmental exposures, and public health, as determined by the Director.

(D) PARTICIPATION FROM ADDITIONAL ENTITIES.—In carrying out subparagraph (A), the Director shall consult with nongovernmental organizations, State and local governments, and science and research institutions determined by the Director to have scientific or material interest in the National Emerging Contaminant Research Initiative.

(2) IMPLEMENTATION OF RESEARCH RECOMMENDATIONS.—

(A) IN GENERAL.—Not later than 1 year after the date on which the Director and heads of the agencies described in paragraph (1)(C) establish the National Emerging Contaminant Research Initiative, the head of each agency described in paragraph (1)(C) shall—
(i) issue a solicitation for research proposals consistent with the Federal research strategy; and
(ii) make grants to applicants that submit research proposals under paragraph (1)(C) to conduct research on contaminants of emerging concern.

(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 to the head of each agency described in paragraph (1)(C) a proposal to conduct research on contaminants of emerging concern.

(3) FEDERAL PARTICIPATION.—The agencies referred to in subparagraph (A) include—
(A) the National Science Foundation;
(B) the National Institutes of Health;
(C) the Environmental Protection Agency;
(D) the National Institute of Standards and Technology;
(E) the United States Geological Survey; and
(F) any other Federal agency that contrib-
(C) Availability of Analytical Resources.—In carrying out the study described in subparagraph (A), the Administrator shall consider—

(i) the suitability 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, based on the findings in the report described in paragraph (2), the Administrator shall develop 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—

(I) the laboratory facilities available to the State;

(II) the availability and applicability of existing analytical methodologies;

(III) the potential size and severity of the emerging contaminant, if known; and

(IV) 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; and

(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 (i); and

(II) shall consider the relative expertise and availability of—

(aa) Federal and non-Federal laboratory capacity available to the State; and

(bb) analytical resources available to the State; and

(cc) other types of technical assistance available to the State.

(C) Database of Available Resources.—The Administrator shall establish and maintain a database of resources available through the program developed under subparagraph (A) to assist States with testing for emerging contaminants that—

(I) are—

(aa) drinking water and wastewater utilities;

(bb) laboratoriest; and

(cc) Federal and State emergency responders;

(dd) State primary agencies; and

(2) public health bodies; and

(ff) water associations; and

(II) searchable; and

(III) accessible through the website of the Administrator; and

(ii) includes a description of—

(I) qualified contract testing laboratory facilities that analyze for emerging contaminants; and

(II) the resources available in Federal laboratory facilities to test for emerging contaminants.

(D) Water Contaminant Information Tool.—The Administrator shall integrate the database established under subparagraph (C) into the Contaminant Information Tool of the Environmental Protection Agency.

(E) Funding.—Of the amounts available to the Administrator under this paragraph, 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 2029, the Administrator shall submit to Congress a report that describes the progress made in carrying out this subtitle.

(G) Effect.—Nothing in this section modifies any obligation of a State, local government, or Indian Tribe with respect to testing or monitoring of, or drinking water.

Subtitle E—Miscellaneous

SEC. 1751. PFAS DATA CALL.

Section 307 of the Toxic Substances Control Act (15 U.S.C. 2607(a)) is amended—

(1) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively;

(2) by striking the period at the end of paragraph (6) and adding at the end the following:

"(7) PFAS DATA.—Not later than January 1, 2022, and at least once every 3 years thereafter this paragraph on the basis of merit criteria identified by the Administrator, including—

(a) the potential toxicity of the substances and materials containing perfluoroalkyl and polyfluoroalkyl substances, or classes of perfluoroalkyl and polyfluoroalkyl substances, should be subject to additional research or regulatory efforts that is based on—

(A) the potential for human exposure to the substances or classes of substances;

(B) the potential toxicity of the substances or classes of substances; and

(C) information available about the substances or classes of substances;

(b) develop new tools to characterize and identify perfluoroalkyl and polyfluoroalkyl substances in the environment, including in drinking water, wastewater, surface water, groundwater, soil, and solid waste; and

(c) develop and implement new tools and materials to communicate with the public about perfluoroalkyl and polyfluoroalkyl substances in the environment; and

(d) evaluate approaches for the remediation of contamination by perfluoroalkyl and polyfluoroalkyl substances in the environment, including cleanup and treatment methods, including those that are based on—

(A) the potential for human exposure to the substances or classes of substances;

(B) the potential toxicity of the substances or classes of substances; and

(C) information available about the substances or classes of substances; and

(3) by inserting at the end of subsection (a) the following:

"(b) FUNDING.—There is authorized to be appropriated to the Administrator to carry out the activities described in paragraph (a) not more than $15,000,000 for each of fiscal years 2020 through 2023.

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. 2607(a)) as amended by adding at the end the following:

"(7) PFAS DATA.—Not later than January 1, 2022, and at least once every 3 years thereafter in accordance with this subsection 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 paragraphs (1) through (6), respectively.

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—

(1) aqueous film-forming foam; (2) soil and biomass; (3) textiles treated with perfluoroalkyl and polyfluoroalkyl substances; and (4) spent filters, membranes, and other waste from volatilization.

(b) Considerations; Inclusions.—The interim guidance under subsection (a) shall—

(1) take into the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) in the proposed rule entitled "Long-Chain Perfluoroalkyl Carboxylate and Perfluoroalkyl Sulfonate Chemical Substances: Significant New Use Rule" (80 Federal Register (January 21, 2015)).

SEC. 1754. PFAS RESEARCH AND DEVELOPMENT.

The Administrator, acting through the Assistant Administrator for the Office of Research and Development, shall—

(A) further examine the effects of perfluoroalkyl and polyfluoroalkyl substances on human health and the environment; and

(B) make publicly available information relating to the findings under paragraph (A);

(2) develop a process for prioritizing which perfluoroalkyl and polyfluoroalkyl substances, or classes of perfluoroalkyl and polyfluoroalkyl substances, should be subject to research and development efforts that is based on—

(A) the potential for human exposure to the substances or classes of substances;

(B) the potential toxicity of the substances or classes of substances; and

(C) information available about the substances or classes of substances;

(3) develop new tools to characterize and identify perfluoroalkyl and polyfluoroalkyl substances in the environment, including in drinking water, wastewater, surface water, groundwater, soil, and solid waste; and

 wc
June 18, 2019

Congressional Record — Senate S3707

Sec. 865. Consideration of subcontracting to minority institutions.

(a) In General.—Chapter 141 of title 10, United States Code, is amended by adding at the end the following new section:

"2410t. Consideration of subcontracting to minority institutions."

"(a) Consideration of Subcontracting to Minority Institutions.—The Secretary of Defense shall revise the Federal Acquisition Regulation to require that the system used by the Federal Government to monitor or record contractor past performance for a grant or contract awarded to an institution of higher education includes incentives for the award of a sub-grant or subcontract to minority institutions.

"(b) Minority Institution Defined.—In this section, the term ‘minority institution’ means—"

"(1) a part B institution (as that term is defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2))); or

"(2) any other institution of higher education (as that term is defined in section 101 of such Act (20 U.S.C. 1001)) at which not less than 50 percent of the total student enrollment consists of students from ethnic groups that are underrepresented in the fields of science and engineering."

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2410t. Consideration of subcontracting to minority institutions."

SA 696. Ms. WARREN 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 VIII, add the following:

Sec. 866. Requirements for Commercial E-Portal.

Section 866(d) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 41 U.S.C. 1901 note) is amended by adding at the end the following:

"(c) In any contract awarded to a commercial portal provider for the sale of products to customers of the portal provider outside of the program as a condition of participating in the portal, 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. Requirements for Commercial E-Portal.

Section 866(d) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 41 U.S.C. 1901 note) is amended by adding at the end the following: "In any contract awarded to a commercial portal provider for the sale of products to customers of the portal provider outside of the program as a condition of participating in the program, 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. Requirements for Commercial E-Portal.

Section 866(d) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 41 U.S.C. 1901 note) is amended by adding at the end the following: "In any contract awarded to a commercial portal provider for the sale of products to customers of the portal provider outside of the program as a condition of participating in the program, 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:
GILLIBRAND, Mr. VAN HOLLEN, and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1086. INCREASE OF MAXIMUM AGE FOR CHILDREN ELIGIBLE FOR MEDICAL CARE PROVIDED ON OR AFTER THE DATE OF THE AMENDMENT.

Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense may be obligated or expended to arm Trident II D5 submarines fielded on Ohio class ballistic missile submarines with the W7-2 low-yield warhead.

SA 698. Mr. BROWN (for himself, Mrs. MURRAY, Mr. CASEY, Mr. MANCHIN, Ms. Baldwin, Mrs. GILLIBRAND, Mr. TESTER, Mr. MURPHY, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1609. PROHIBITION ON DEPLOYMENT OF LOW-YIELD SUBMARINE- LAUNCHED BALLISTIC MISSILE.

Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense may be obligated or expended to arm Trident II D5 submarines fielded on Ohio class ballistic missile submarines with the W7-2 low-yield warhead.

SA 700. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1208. REPORT ON USE OF ENCRYPTION BY DEFENSE, NUCLEAR, AND DEFENSE NATIONAL SECURITY SYSTEMS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth aggregate statistics on the number of national security systems (as defined in section 11103 of title 40, United States Code) operated by the Department of Defense that do not encrypt at rest all data stored on such systems.

SA 701. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 16. CONGRESSIONAL COMMISSION ON PREVENTING, COUNTERING, AND RESPONDING TO NUCLEAR AND RADIOLOGICAL TERRORISM.

(a) ESTABLISHMENT.—There is hereby established a commission, to be known as the “Congressional Commission on Preventing, Countering, and Responding to Nuclear and Radio- logical Terrorism” (referred to in this Act as the “Commission”), which shall develop a comprehensive strategy to prevent, counter, and respond to nuclear and radiological terrorism.

(b) COMPOSITION.—

(1) MEMBERSHIP.—The Commission shall be composed of 12 members, of whom—

(A) shall be appointed by the majority leader of the Senate;

(B) shall be appointed by the minority leader of the Senate;

(C) shall be appointed by the Speaker of the House of Representatives;

(D) shall be appointed by the minority leader of the House of Representatives;

(E) shall be appointed by the chairman of the Committee on Armed Services of the Senate;

(F) shall be appointed by the ranking minority member of the Committee on Armed Services of the Senate;

(G) shall be appointed by the chairman of the Committee on Armed Services of the House of Representatives;

(H) shall be appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives;

(I) shall be appointed by the chairman of the Committee on Homeland Security and Governmental Affairs of the Senate;

(J) shall be appointed by the ranking minority member of the Committee on Homeland Security and Governmental Affairs of the Senate;

(K) shall be appointed by the chairman of the Committee on Homeland Security of the House of Representatives; and

(L) shall be appointed by the ranking minority member of the Committee on Homeland Security of the House of Representatives.

(2) CHAIRMAN; VICE CHAIRMAN.—

(A) CHAIRMAN.—The chair of the Committee on Homeland Security and Governmental Affairs of the Senate and the chair of the Committee on Homeland Security of the House of Representatives shall jointly designate 1 member of the Commission to serve as Chair of the Commission.

(B) VICE CHAIRMAN.—The ranking member of the Committee on Armed Services of the Senate and the ranking member of the Committee on Armed Services of the House of Representatives shall jointly designate 1 member of the Commission to serve as Vice Chair of the Commission.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(c) DUTIES.—

(1) REVIEW.—After conducting a review of the United States’ current strategy, outlined in the National Strategy for Countering Weapons of Mass Destruction Terrorism, to prevent, counter, and respond to nuclear and radiological terrorism, the Commission shall develop a comprehensive strategy that—

(A) identifies national and international nuclear and radiological terrorism risks and critical emerging threats;

(B) prevents state and nonstate actors from acquiring the technologies, materials, and critical expertise needed to mount nuclear or radiological attacks;

(C) counters efforts by state and nonstate actors to mount such attacks;

(D) responds to nuclear and radiological terrorism incidents to attribute their origin and help manage their consequences;

(E) provides the projected resources to implement and sustain the strategy;

(F) delineates indicators for assessing progress toward implementing the strategy;

(G) makes recommendations for improvements to the National Strategy for Countering Weapons of Mass Destruction Terrorism;

(H) determines whether a Nuclear Nonproliferation Council is needed to oversee and coordinate nuclear nonproliferation, nuclear counterproliferation, nuclear security, and nuclear arms control activities and programs of the United States Government; and

(I) if the Commission determines that such council is needed, provides recommendations regarding—

(i) appropriate council membership;

(ii) frequency of meetings;

(iii) responsibilities of the council;

(iv) coordination within the United States Government; and

(v) congressional reporting requirements.

(2) ASSESSMENT AND RECOMMENDATIONS.—

(A) ASSESSMENT.—The Commission shall assess the benefits and risks associated with the current United States strategy in relation to nuclear terrorism.
SEC. 3116. MODIFICATION TO CERTAIN REQUIREMENTS RELATING TO PLUTONIUM PIT PRODUCTION CAPACITY.

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

(1) rebuiding a robust plutonium pit production infrastructure with a capacity of up to 80 pits per year is critical to maintaining the viability of the nuclear stockpile;

(2) that effort will require cooperation from experts across the nuclear security enterprise;

(3) any further delay to achieving a plutonium sustainment capability to support the planned stockpile life extension programs will result in a less capable gap to our deterrent posture.

(b) MODIFICATION TO REQUIREMENTS.—Section 4219(b) of the Atomic Energy Defense Act (50 U.S.C. 2238b) is amended—

(1) in subsection (a), by striking paragraph (5) and inserting the following:

"(5) during 2030, produces not less than 80 war reserve plutonium pits;";

(2) by striking subsection (b); and

(3) by redesignating subsections (c) and (d) as sections (b) and (c), respectively.

(c) C ONSIDERATION.—Not later than December 1, 2020, the Commission shall submit a report to the Senate under subparagraph (A) that—

(1) outlines how the Federal Government will—

(A) the President;

(B) the Secretary of Defense;

(C) the Secretary of Energy;

(D) the Secretary of State;

(E) the Secretary of Homeland Security;

(F) the Director of National Intelligence;

(G) the Committee on Armed Services of the Senate; and

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

The report required under paragraph (1) shall outline how the Federal Government will—

(A) encourage and incentivize other countries, such as the International Atomic Energy Agency and INTERPOL, to make nuclear and radiological security a priority;

(B) improve cooperation, with a focus on developing and deploying technologies to detect and prevent illicit transfers of weapons of mass destruction-related materials, equipment, and technology, and appropriate information integration among Federal entities and Federal, State, and tribal governments; and

(C) improve cooperation, with a focus on developing and deploying technologies to detect and prevent illicit transfers of weapons of mass destruction-related materials, equipment, and technology, between the United States and other countries and international organizations, while focusing on cooperation with China, India, Pakistan, and Russia.

(f) TERMINATION.—The Commission shall terminate on the date on which the report is submitted under subsection (e)(1).

SA 703. MRS. CÁPTITO (for herself, Mr. CARPER, Mr. BARRASSO, Mr. SULLIVAN, Mrs. SHAHEEN, Mr. GARDNER, Mrs. GILLIBRAND, and Mr. TOOMEY) submitted an amendment intended to be proposed by Mr. S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of 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 water contamination by perfluorinated compound, the Secretary of Defense may, to expend those funds, enter into a grant agreement, cooperative agreement, or contract with—

(A) the local water authority with jurisdiction over the contamination site, including—

(i) a public water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f));

(ii) a publicly owned treatment works (as defined in section 721.9582 of title 40, Code of Federal Regulations) on the date of enactment of this Act; or

(B) the State, local, or Tribal government.

At the end of division A, add the following:

TITLE XVII—PFAS RELEASE DISCLOSURE, DETECTION, AND SAFE DRINKING WATER ASSISTANCE

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 TOXICS RELEASE INVENTORY.

(a) DEFINITION OF TOXICS RELEASE INVENTORY.—In this subsection, the term ‘‘toxics release inventory’’ means the toxics release inventory under section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(c)).

(b) IMMEDIATE INCLUSION.—(1) In general.—Subject to subsection (e), beginning January 1 of the calendar 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) Perfluorooctane sulfonic acid (commonly referred to as ‘‘PFOS’’) (Chemical Abstracts Service No. 3625-26-1).

(C) Perfluorooctane sulfonic acid ethyl ester (commonly referred to as ‘‘PFOSA’’) (Chemical Abstracts Service No. 7163-23-1).

(2) The salts associated with the chemical described in subparagraph (A) (Chemical Abstracts Service No. 3825-26-1).

(3) The salts associated with the chemical described in subparagraph (B) (Chemical Abstracts Service No. 2657-72-5).

(4) Any further delay to achieving a plutonium sustainment capability to support the planned stockpile life extension programs will result in a less capable gap to our deterrent posture.

(5) In subsection (c), as redesignated by paragraph (2), by striking ‘‘2027 (or, if the authority under subsection (b) is exercised, 2029)’’ and inserting ‘‘2017’’; and

(6) in subsection (d), as redesignated by paragraph (2), by striking ‘‘subsection (c)’’ and inserting ‘‘subsection (b)’’.

SA 703. MRS. CÁPTITO (for herself, Mr. CARPER, Mr. BARRASSO, Mr. SULLIVAN, Mrs. SHAHEEN, Mr. GARDNER, Mrs. GILLIBRAND, and Mr. TOOMEY) submitted an amendment intended to be proposed by Mr. S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of 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 contamination by perfluorinated compound, the Secretary of Defense may, to expend those funds, enter into a grant agreement, cooperative agreement, or contract with—

(A) the local water authority with jurisdiction over the contamination site, including—

(i) a public water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f));

(ii) a publicly owned treatment works (as defined in section 721.9582 of title 40, Code of Federal Regulations) on the date of enactment of this Act; or

(B) the State, local, or Tribal government.

At the end of division A, add the following:

TITLE XVII—PFAS RELEASE DISCLOSURE, DETECTION, AND SAFE DRINKING WATER ASSISTANCE

SEC. 1701. DEFINITION OF ADMINISTRATOR.

In this title, the term ‘‘Administrator’’ means the Administrator of the Environmental Protection Agency.

Subtitle A—PFAS Release Disclosure

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(2) The salts associated with the chemical described in subparagraph (A) (Chemical Abstracts Service No. 3825-26-1).

(3) The salts associated with the chemical described in subparagraph (B) (Chemical Abstracts Service No. 2657-72-5).
order issued under subsection (e) of that section.

(D) ADDITION AS ACTIVE CHEMICAL SUBSTANCE.—The date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that is on a list of substances covered by a significant new use rule under subsection (b) of section 4 of the Toxic Substances Control Act (15 U.S.C. 2604), except a significant new use rule promulgated in connection with an order issued under subsection (e) of that section is—

(i) added to the inventory under subsection (b)(1) of section 8 of the Toxic Substances Control Act (15 U.S.C. 2607) and designated as an active chemical substance under subsection (b)(6)(A) of that section; or

(ii) designated as an active chemical substance on the inventory in accordance with subsection (b)(5)(B) of that section.

(2) THRESHOLD FOR REPORTING.—

(A) IN GENERAL.—Subject to subparagraph (B), the threshold for reporting under section 313(f)(1) of the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11023(f)(1)) the substances and classes of substances included in the toxics release inventory pursuant to paragraph (1) is less than—

(1)(i) the date described in subparagraph (A) of this section;

(ii) the date on which the perfluoroalkyl or polyfluoroalkyl substance was added to the toxics release inventory; or

(iii) the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances was determined to be warranted under subsection (b)(1), as defined by the Administrator; and

(B) REVISIONS.—Not later than 5 years after the date of enactment of this Act, the Administrator—

(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(f)(2)).

(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, as applicable, on the toxics release inventory described in paragraph (a) of section 1445 of title 31 or, pursuant to subsection (b)(1) of that section, the Administrator shall—

(A) review the claim of protection from disclosure; and

(B) require that person to reassert and substantiate or resubstantiate that claim in accordance with section 1445(c)(2)(B)(i).

(4) CONFIDENTIAL BUSINESS INFORMATION.—

(D) INCLUSION FOLLOWING DETERMINATION.—

(1) IN GENERAL.—Prior to including on the toxics release inventory pursuant to subsection (b)(1), (c)(1), or (d)(3) any perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances, the Administrator shall determine whether the substances and classes of substances described in paragraph (2) meet the criteria described in section 313(d)(2) of the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11023(d)(2)) for inclusion in the toxics release inventory.

(2) 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.

(A) Hexafluoropropylene oxide dimer acid (Chemical Abstracts Service No. 13252-13-6); the compounds associated with the chemical described in subparagraph (A) (Chemical Abstracts Service Nos. 62937-80-3 and 2062-98-8); the perfluoro-(2-pentafluoroethoxyethyl)acetic acid ammonium salt (Chemical Abstracts Service No. 900020-52-0); the 2,3,3,3-tetrafluoro-2-(1,1,2,3,3,3-hexafluoro)-2-(trifluoromethoxy)propionylfluorine (Fluorotri) (Chemical Abstracts Service No. 2479-75-6); the 2,3,3,3-tetrafluoro-2-(1,1,2,3,3,3-hexafluoro)-2-(trifluoromethoxy)propionic acid (Chemical Abstracts Service No. 919914-4-1); the salts associated with the chemical described in subparagraph (F) (Chemical Abstracts Service Nos. 95045-44-8, 106721-65-2, and NOSCAS 892452); the 1-octanelsulfonic acid 3,3,4,4,5,5,6,6,7,7,8,8-tridecafluoropotassium salt (Chemical Abstracts Service No. 59587-38-1); and the perfluorobutanesulfonic acid (Chemical Abstracts Service No. 375-73-5); and

(J) 1-Butanesulfonic acid, 1,1,2,2,3,3,3,4,4-nonafluoropotassium salt (Chemical Abstracts Service No. 29420-49-3); the component associated with the chemical described in subparagraph (J) (Chemical Abstracts Service No. 45287-15-3); the heptafiuorobutyric acid (Chemical Abstracts Service No. 375-22-4); the 3H-perfluoro-3-[(3-methoxy-propoxy)hexafluoro]-2-(trifluoromethoxy)propanoylcarboxylic acid (Chemical Abstracts Service No. 3707-24-4); and

(N) each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances for which a methodology to measure levels in drinking water has been validated by the Administrator; and

(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 subparagraph (A) of this section, the Administrator shall, not later than 2 years after the date of enactment of this Act, the Administrator assigns designation as an active chemical substance under section 313(f)(1) of the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11023(f)(1)) the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is added to or amended to the toxics release inventory pursuant to section 1445(a)(2)(B)(i).

(4) MONITORING.—When establishing monitoring requirements for public water systems as part of a national primary drinking water regulation for perfluoroalkyl or polyfluoroalkyl substances, the Administrator shall tailor the monitoring requirements for public water systems to the chemical risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances to ensure that the health risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances are measured in a manner that does not disclose the protected information.

(5) HEALTH RISK REDUCTION AND COST ANALYSIS.—In meeting the requirements of paragraph (4)(C), the Administrator may rely on information provided by the Administrator under subsection (b)(3) with respect to 1 or more specific perfluoroalkyl or polyfluoroalkyl substances or classes of perfluoroalkyl or polyfluoroalkyl substances to extrapolate reasoned conclusions regarding the health risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances of which the specific perfluoroalkyl or polyfluoroalkyl substances are a part.

(E) REGULATION OF ADDITIONAL SUBSTANCES.—

(I) DETERMINATION.—The Administrator shall make a determination under paragraph (1)(A), using the criteria described in clauses (i) through (iii) of that paragraph, whether to include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances in the national primary drinking water regulation under clause (i) not later than 18 months after the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is listed on the list of contaminants for consideration of regulation under paragraph (1)(B)(i); and

(ii) the list of contaminants for consideration of regulation under paragraph (1)(B)(ii); and

(aa) the total levels of perfluoroalkyl or polyfluoroalkyl substances; the total levels of perfluoroalkyl and polyfluoroalkyl substances; and

(bb) the list of contaminants to be monitored under section 1445(a)(2)(B)(i).
“(AA) the Administrator has received the results of monitoring under section 1445(a)(2)(B) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substance; or

“(BB) the Administrator has received finished water data or finished water monitoring for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances from a Federal or State agency that the Administrator determines to be sufficient to make a determination under paragraph (1)(A).

(II) PRIMARY DRINKING WATER REGULATIONS.—

“(aa) IN GENERAL.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to regulate under subclause (I), the Administrator—

“(AA) not later than 18 months after the date on which the Administrator makes the determination, shall propose a national primary drinking water regulation for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

“(BB) may publish the proposed national primary drinking water regulation described in subitem (aa) concurrently with the publication under clause (I) of the proposed national primary drinking water regulation for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances included in the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300j–4).

(3) EXCEPTION.—The perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances included in the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300j–4) under paragraph (1) shall not count towards the limit of 30 unregulated contaminants to be monitored by public water systems under that section.

(b) APPLICABILITY.—

(1) IN GENERAL.—The Administrator shall—

(A) require public water systems serving more than 10,000 persons to monitor for the substances described in subitem (aa); and

(B) subject to subitem (aa) and the availability of appropriations, require public water systems serving fewer than 10,000 persons to monitor for the substances described in subsection (aa); and

(2) REQUIREMENT.—If the Administrator determines that there is not sufficient laborator­
y capacity to carry out the monitoring required under subparagraphs (B) and (C) of paragraph (1), the Administrator may waive the monitoring requirements in those subparagraphs.

(3) FUNDING.—The Administrator shall pay the reasonable cost of such testing and lab­
oratory analysis as is necessary to carry out the monitoring required under paragraph (1).

(2) DEADLINE.—

“(AA) IN GENERAL.—Not later than 1 year after the date on which the Administrator publishes a proposed national primary drinking water regulation described in subitem (aa) concurrently with the publication under item (aa) and subject to subitem (BB), the Adminis­

trator shall take final action on the proposed national primary drinking water regulation.

“(BB) the Administrator, on publication of notice in the Federal Register, may extend the deadline under subitem (AA) by not more than 6 months.

(vii) LIFETIME DRINKING WATER HEALTH ADVISORY.—

“(I) IN GENERAL.—Subject to subclause (II), the Administrator shall publish a health ad­

visory paragraph (1)(F) for a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not later than 1 year after the later of—

“(aa) the date on which the Administrator finalizes a toxicity value for the perfluoro­

alkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

“(bb) the date on which the Administrator validates an effective quality control and testing procedure for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances, if such a procedure did not exist on the date on which the toxicity value described in item (aa) was finalized.

(II) WAIVER.—The Administrator may waive the requirements of subclause (I) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances for which the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water.”

SEC. 1722. MONITORING AND DETECTION.

(a) MONITORING PROGRAM FOR UNREGULATED CONTAMINANTS.—

(1) IN GENERAL.—The Administrator shall include each substance described in para­

graph (2) in the fifth publication of the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300j–

4(a)(2)(B)(i)).

(2) SUBSTANCES DESCRIBED.—The substances referred to in paragraph (1) are perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances for which the Administrator determines to be sufficient to make a determination under paragraph (1)(A).

(3) EXCEPTION.—The perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances that the Administrator determines to be necessary to make a determination under paragraph (1)(A) for which a method to measure the level in drinking water has been validated by the Administrator; and

(4) CLASSES.—The Administrator may waive the requirements of subclause (I) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances for which a method to measure the level in drinking water has been validated by the Administrator.

(b) REQUIREMENTS.—

(1) SMALL AND DISADVANTAGED COMMUNITIES.—Not less than 25 percent of the amounts made available to carry out this section shall be used to provide grants to—

“(A) public water systems serving dis­

advantaged communities (as defined in section 1452(b)(3)(A)); or

“(B) public water systems serving fewer than 25,000 persons.

(2) PRIORITIES.—In selecting recipients of grants under subsection (a), the Adminis­

trator shall use the priorities described in section 1452(b)(3)(A).

(3) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2020 through 2024, to remain available until expended.

Subtitle C—PFAS Detection

SEC. 1731. DEFINITIONS.

In this subtitle:

(1) DIRECTOR.—The term "Director" means the Director of the United States Geological Survey.

(2) PERFLUORINATED COMPOUND.—

(A) IN GENERAL.—The term "perfluorinated compound" means a perfluoroalkyl sub­

stance or a polyfluoroalkyl substance that is manmade with at least 1 fully fluorinated carbon atom.

(B) DEFINITIONS.—In this definition:

(i) FULLY FLUORINATED CARBON ATOM.—The term "fully fluorinated carbon atom" means a carbon atom on which all the hydrogen substituents have been replaced by fluorine.

(ii) NONFLUORINATED CARBON ATOM.—The term "nonfluorinated carbon atom" means a carbon atom on which no hydrogen substituents have been replaced by fluorine.

(iii) PARTIALLY FLUORINATED CARBON ATOM.—The term "partially fluorinated carbon atom" means a carbon atom on which some, but not all, of the hydrogen substituents have been replaced by fluorine.

(iv) PERFLUOROALKYL SUBSTANCE.—The term "perfluoroalkyl substance" means a manmade chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated 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.

SEC. 1732. PERFORMANCE STANDARD FOR THE DETECTION OF PERFLUORINATED COMPOUNDS.

(a) IN GENERAL.—The Director shall establish a performance standard for the detection of perfluorinated compounds.

(b) EMPHASIS.—

(1) IN GENERAL.—In developing the performance standard under subsection (a), the Director shall emphasize the ability to detect any of the following compounds present in the environment as possible using analytical methods that—

(A) achieve limits of quantitation (as defined in the document of the United States Geological Survey entitled "Analytical Methods for Chemical Analysis of Geologic and Other Materials, U.S. Geological Survey", and dated 2002); and

(B) are as sensitive as is feasible and practic­

able.

(2) REQUIREMENT.—In developing the performance standard under subsection (a), the Director may—

(A) develop quality assurance and quality control measures to ensure accurate sam­

pling and testing; and

(B) develop a training program with re­

spect 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. 1733. NATIONWIDE SAMPLING.
(a) 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, reservoirs, and soil using the performance standard developed under section 1732(a).
(b) Requirements.—In carrying out the sampling under subsection (a), the Director 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; and
(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;
(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) each Member of the House of Representatives that represents a district in which the Director carried out the sampling.

SEC. 1734. DATA USAGE.
(a) In general.—The Director shall provide the sampling data collected under section 1733 to—
(1) the Administrator; and
(2) other Federal and State regulatory agencies on request.
(b) Use.—The sampling data provided under subsection (a) shall be used to inform and enhance assessments of exposure, likely health and environmental impacts, and remediation priorities.

SEC. 1735. COLLABORATION.
In carrying out this subtitle, the Director shall collaborate with—
(1) appropriate Federal and State regulators;
(2) institutions of higher education;
(3) research institutions; and
(4) other expert stakeholders.

SEC. 1736. AUTHORIZATION OF APPROPRIATIONS.
There are authorized to be appropriated to the Director to carry out this subtitle—
(1) $5,000,000 for fiscal year 2020; and
(2) $10,000,000 for each of fiscal years 2021 through 2024.

Subtitle D—Safe Drinking Water Assistance
SEC. 1741. DEFINITIONS.
In this section—
(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 “con-
(C) ELIGIBLE ENTITIES.—Any entity or group of 2 or more entities may submit to the head of each agency described in paragraph (1)(C) a research proposal in response to the entity’s applicable proposals described in subparagraph (A)(i), 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 1 year after the date of enactment of this Act, the Administrator shall conduct a study on actions that the Administrator can take to increase technical assistance and support for States with respect to emerging contaminants in drinking water samples.

(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 to States, including identifying opportunities for States to improve communication with various audiences about the risks associated with emerging contaminants; and

(ii) means to facilitate access to qualified contract testing laboratory facilities that conduct analyses for emerging contaminants; and

(iii) 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, based on the findings in the report described in paragraph (2), the Administrator shall develop 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—

(I) the laboratory facilities available to the State;

(II) the availability and applicability of existing analytical methodologies;

(III) the potency and severity of the emerging contaminant; and

(IV) 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 populations in financially distressed communities;

(II) may—

(aa) waive the application process in an emergency declaration; 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 (i); 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; and

(cc) other types of technical assistance available to the State.

(C) DATABASE OF AVAILABLE RESOURCES.—The Administrator shall establish and maintain a database of resources available through the program developed under subparagraph (A) to assist States with testing for emerging contaminants that—

(I) is—

(a) available to States and stakeholder groups determined by the Administrator to have scientific or material interest in emerging contaminants, including—

(aa) drinking water and wastewater utilities;

(bb) laboratories;

(cc) Federal and State emergency responders;

(dd) State primary agencies;

(ee) public health agencies; and

(ff) water or wastewater treatment plants;

(bb) searchable; and

(III) accessible through the website of the Administrator; and

(II) includes a description of—

(I) qualified contract testing laboratory facilities that conduct analyses for emerging contaminants; and

(II) the resources available in Federal laboratory facilities to test for emerging contaminants.

(D) WATER CONTAMINANT INFORMATION TOOL.—The Administrator shall integrate the database established under subparagraph (C) into the Water Contaminant Information Tool of the Environmental Protection Agency.

(4) 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.

(e) REPORT.—Not less frequently than once every 2 years until 2029, the Administrator shall submit to Congress a report that describes the progress made in carrying out this title.

(f) EFFECT.—Nothing in this section modifies any obligation of a State, local government, or entity with respect to treatment methods for, or testing or monitoring of, drinking water.

Subtitle E—Miscellaneous

SEC. 1751. PFAS DATA CALL.

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 in accordance with this subsection 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.) entitled "Long-Chain Perfluoroalkyl Carboxylate and Perfluoralkyl Sulfonate Chemical Substances; Significant New Use Rule" (80 Fed. Reg. 2885 (January 21, 2015)).

SEC. 1753. PFAS DESTRUCTION AND DISPOSAL GUIDANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall publish interim guidance on the destruction and disposal of perfluoroalkyl and polyfluoroalkyl substances, including—

(1) aqueous film-forming foam;

(2) soil and biosolids;

(3) textiles treated with perfluoroalkyl and polyfluoroalkyl substances; and

(4) spent filters, membranes, and other waste from water treatment.

(b) CONSIDERATIONS; INCLUSIONS.—The interim guidance under subsection (a) shall—

(1) take into consideration—

(A) the potential for releases of perfluoroalkyl and polyfluoroalkyl substances during destruction or disposal, including through volatilization, air dispersion, or leachate; and

(B) potentially vulnerable populations living near likely destruction or disposal sites; and

(2) provide guidance on testing and monitoring air, effluent, and soil near potential destruction or disposal sites for releases described in paragraph (1)(A).

REVISIONS.—The Administrator shall publish revisions to the interim guidance under subsection (a) as the Administrator determines to be appropriate, but not less frequently than once every 3 years.

SEC. 1754. PFAS RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Administrator, acting through the Assistant Administrator for the Office of Research and Development, shall—

(1)(A) further examine the effects of perfluoroalkyl and polyfluoroalkyl substances on human health and the environment; and

(B) make publicly available information relating to the findings under subparagraph (A);

(2) develop a process for prioritizing which perfluoroalkyl and polyfluoroalkyl substances or classes of perfluoroalkyl and polyfluoroalkyl substances should be subject to additional research or regulatory efforts that is based on—

(A) the potential for human exposure to the substances or classes of substances;

(B) the potential toxicity of the substances or classes of substances; and

(C) information available about the substances or classes of substances;

(3) develop new tools to characterize and identify perfluoroalkyl and polyfluoroalkyl substances in the environment, including in drinking water, wastewater, surface water, groundwater, solids, and the 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 commercialize perfluoroalkyl and polyfluoroalkyl substances.

(b) FUNDING.—There is authorized to be appropriated to the Administrator to carry out this section $15,000,000 for each of fiscal years 2020 through 2024.
SA 704. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**Subtitle —Congressional Approval of National Emergencies**

**SEC. 01. SHORT TITLE.**

This subtitle may be cited as the “Reforming Emergency Powers to Uphold the Balances and Limitations Inherent in the Constitution Act” or the “REPUBLIC Act”.

**SEC. 02. CONGRESSIONAL APPROVAL OF NATIONAL EMERGENCY DECLARATIONS.**

(a) In General.—Section 201 of the National Emergencies Act (50 U.S.C. 1621) is amended to read as follows:

**SEC. 201. DECLARATION AND CONGRESSIONAL APPROVAL OF NATIONAL EMERGENCIES.**

“(a) In General.—With respect to Acts of Congress authorizing the exercise, during the period of a national emergency, of any special or extraordinary power, the President is authorized to declare such national emergency and proclamation shall immediately be transmitted to Congress and published in the Federal Register.

“(b) Specification of Powers and Authorities.—The President shall specify, in the proclamation declaring a national emergency under subsection (a) or in one or more contemporaneous or subsequent Executive orders published in the Federal Register and transmitted to Congress, the provisions of law made available for use in the event of an emergency pursuant to which the President proposes that the President, or another official, will exercise emergency powers or authorities.

“(c) Determination After 72 Hours Unless Approved by Congress.—

“(1) In General.—Except as provided in paragraph (2), a national emergency declared under subsection (a) or to the exercise of emergency powers and authorities pursuant to provisions of law described in subsection (b), shall terminate at the time specified in paragraph (b).

“(2) Approval by Congress Required.—A national emergency declared under subsection (a), and the exercise of any emergency power or authority pursuant to a provision of law described in subsection (b), may continue after the time specified in paragraph (b) if, before that time, there is enactment into law of a joint resolution of approval or to the exercise of emergency powers and authorities pursuant to provisions of law described in subsection (b).

“(3) Time Specified.—The time specified in this paragraph is—

“A: except as provided in subparagraph (B), 72 hour after the President declares the national emergency; or

“B: if Congress is unable to convene during the 72-hour period described in subparagraph (A), then 72 hours after Congress convenes after the declaration of the emergency.

“(d) Termination After 90 Days Unless Renewed With Congressional Approval.—A national emergency declared under subsection (a) with respect to which a joint resolution of approval is enacted under subsection (f), and the exercise of any emergency power or authority pursuant to that emergency, shall terminate on the date that is 90 days after the President declares the emergency (as determined previously under subsection (d)), unless, before the termination of the emergency—

“(1) the President publishes in the Federal Register a transmittal to Congress an Executive order—

“(A) renewing the emergency; and

“(B) specifying the provisions of law made available for use in the event of an emergency pursuant to which the President proposes that the President, or another official, will exercise emergency powers or authorities; and

“(2) there is enacted a joint resolution of approval with respect to—

“A: the renewal of the emergency; and

“B: the exercise of that power or authority.

“(e) Prohibition on Subsequent Actions If Emergencies Not Approved.—

“(1) Subsequent Declarations.—If a joint resolution of approval is not enacted pursuant to subsection (f) with respect to a national emergency declared under subsection (b) or proposed to be renewed under subsection (d), the President may not, during the remainder of the term of office of that President, declare a subsequent national emergency under subsection (a) with respect to the same circumstances.

“(2) Exercise of Authorities.—If a joint resolution of approval is not enacted pursuant to subsection (f) with respect to a power or authority proposed by the President under subsection (b) to be exercised with respect to a national emergency, the President may not, during the remainder of the term of office of that President, exercise that power or authority with respect to that emergency.

“(f) Joint Resolutions of Approval Defined.—For purposes of this section, the term ‘joint resolution of approval’ means a joint resolution that contains after its resolving clause—

“A: a provision approving—

“(i) a proclamation of a national emergency made under subsection (a);

“(ii) an Executive order issued under subsection (b) specifying the provisions of law pursuant to which the President proposes to exercise emergency powers or authorities; or

“(iii) an Executive order issued under subsection (d) renewing a national emergency; and

“(B) a provision approving a list of all or some of the provisions of law specified by the President under subsection (b) and included in the proclamation or Executive order, as the case may be.

“(g) Introduction.—After the President transmits to Congress a proclamation described in clause (i) of paragraph (1)(A) or an Executive order described in clause (ii) or (iii) of paragraph (1)(A), a joint resolution of approval may be introduced in either House of Congress by any Member of that House.

“(h) Committee Referral.—A joint resolution of approval shall be referred in each House of Congress to the committee or committees having jurisdiction over the emergency powers and authorities invoked by the proclamation or Executive order that is the subject of the joint resolution.

“(i) Consideration in Senate.—

“(A) Reporting and Discharge.—If the committee to which a joint resolution of approval has been referred has not reported it at the end of 2 calendar days after its introduction, that committee shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar.

“(B) Proceeding to Consideration.—Notwithstanding Rule XXII of the Standing Rules of the Senate, when the committee to which a joint resolution of approval is referred has not reported it at the end of 2 calendar days after its introduction, that committee shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar.

“(C) Amendments.—No amendments shall be in order with respect to a joint resolution of approval, except for amendments that strike provisions from the list of provisions of law required by paragraph (1)(B) or otherwise narrow the scope of emergency powers and authorities authorized to be exercised pursuant to such provisions of law.

“(D) Motion to Reconsider Final Vote.—A motion to reconsider the final passage of a joint resolution of approval shall not be in order.

“(E) Appeals.—Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

“(F) Consideration in House of Representatives.—In the House of Representatives, if any committee to which a joint resolution of approval has been referred has not reported it to the House at the end of 2 calendar days after its introduction, that committee shall be automatically discharged from further consideration of the joint resolution and the resolution shall be placed on the appropriate calendar. It shall not be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and the opponent. It shall not be in order to reconsider the vote on passage.

“(G) Receipt of Resolution from Other House.—If, before passing a joint resolution of approval, one House receives a joint resolution of approval from the other House, then—

“(A) the joint resolution of the other House shall not be referred to a committee and shall be deemed to have been discharged from committee on the day it is received; and

“(B) the procedures set forth in paragraph (4) or (5), as applicable, shall apply in the receiving House to the joint resolution received from the other House to the same extent as such procedures apply to a joint resolution of the receiving House.

“(H) Effect of Later-Enacted Laws.—No law enacted after the date of the enactment of this Act shall supersede this title unless it does so in specific terms, referring to this title, and declaring that the new law supersedes the provisions of this title.

“(i) Conforming Amendments.—The National Emergencies Act (50 U.S.C. 1601 et seq.) is amended in section 202—

“(A) in subsection (a)—

“(i) in the matter preceding paragraph (1), by inserting ‘declared by the President in accordance with this title’ and inserting ‘in effect under section 201’; and
(ii) in the flush text, by striking “declared by the President” and inserting “in effect on the date of enactment of this Act”;

(B) in subsection (c), by striking paragraph (5) and inserting the following:

“(5) The term ‘allotment’ means a parcel of land—

(A) located within the exterior boundaries of the Reservation; or

(B) held in trust by the United States—

(i) for the benefit of an individual, individuals, or an Indian Tribe other than the Navajo Nation; or

(ii) in part for the benefit of the Navajo Nation as of the enforceability date.

(3) ALLOTTEE.—The term “allottee” means an individual or Indian Tribe with a beneficial interest in an allotment held in trust by the United States.

(4) ENFORCEABILITY DATE.—The term “enforceability date” means the date on which the treaty provision that grants or confirms the right to the water described in subparagraph (3) is fully effective.

(b) R EPEAL OF AUTHORITY OF THE ARMED FORCES TO DETAIN COVERED PERSONS PERSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.—Section 202 of the National Defense Authorization Act for Fiscal Year 2020.

(3) This section shall not be construed to authorize the imprisonment or detention of any person who is apprehended in the United States.

(b) REPEAL OF AUTHORITY OF THE ARMED FORCES TO DETAIN COVERED PERSONS PERSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.—Section 202 of the National Defense Authorization Act for Fiscal Year 2020.

(3) Section 202 of the National Defense Authorization Act for Fiscal Year 2020 shall—

(a) LIMITATION ON DETENTION.—Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) No person shall be imprisoned or otherwise deprived of liberty or property except consistent with the Constitution.”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a person apprehended in the United States.

(2) P ower to suspend the rights of habeas corpus and other rights and privileges, as authorized by the Constitution, to any person apprehended in any part of the United States, for the benefit of the United States, for the benefit of the Navajo Nation; and

(3) In the case of an Indian Tribe other than the Navajo Nation, the State, and the United States.

(4) IN GENERAL.—In the case of a national emergency declared under section 201 of the National Emergencies Act (50 U.S.C. 1701 et seq.) shall—

(1) the amendments made by this subtitle shall not apply; and

(2) the provisions of the National Emergency Declara-

(c) IN THE case of a national emergency declared under section 201 of the National Emergencies Act (50 U.S.C. 1701 et seq.) shall—

(1) continue in effect on and after such date of enactment; and

(2) terminate in accordance with the provi-

SA 706. Mr. ROMNEY (for himself, Ms. McSALLY, and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 10. NAVAJO NATION WATER RIGHTS SET-

A. Purpose.—The purpose of this section are—

(1) to achieve a fair, equitable, and final settlement of all claims to water rights in the State of Utah for—

(A) the Navajo Nation; and

(B) the United States, for the benefit of the Nation;

(2) to authorize, ratify, and confirm the Agreement entered into by the Nation and the State, to the extent that the Agreement is consistent with this section; and

(3) to authorize and direct the Secretary—

(A) to execute the Agreement; and

(B) to take any actions necessary to carry out the agreement in accordance with this section; and

(4) to authorize funds necessary for the im-

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(A) to execute the Agreement; and

(B) to take any actions necessary to carry out the agreement in accordance with this section; and

(4) to authorize funds necessary for the im-

NUMBERS — SENATE
the Navajo Nation as of the enforceability date.

(14) SECRETARY.—The term “Secretary” means the Secretary of the United States Department of the Interior or a duly authorized representative thereof.

(15) STATE.—The term “State” means the State of Utah and all officers, agents, departments, and subdivisions thereof.

(16) UNITED STATES.—The term “United States” means the United States of America and all departments, agencies, bureaus, offices, and agents thereof.

(17) UNITED STATES ACTING IN ITS TRUST CAPACITY.—The term “United States acting in its trust capacity” means the United States acting in behalf of the Navajo Nation or for the benefit of allottees.

(c) RATIFICATION OF AGREEMENT.—(1) APPROVAL BY CONGRESS.—Except to the extent that any provision of the agreement conflicts with this section, Congress approves, ratifies, and confirms the agreement (including any amendments to the agreement that are executed to make the agreement consistent with this section).

(2) EXECUTION BY SECRETARY.—The Secretary is authorized and directed to promptly execute the agreement to the extent that the agreement does not conflict with this section, including—

(A) any exhibits to the agreement requiring the signature of the Secretary; and

(B) any amendments to the agreement necessary to make the agreement consistent with this section.

(3) ENVIRONMENTAL COMPLIANCE.—(A) In general.—In implementing the agreement and this section, the Secretary shall comply with all applicable provisions of—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(iii) all other applicable environmental laws and regulations.

(B) EXECUTION OF AGREEMENT.—Execution of the agreement by the Secretary as provided for in this section shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) NAVAJO WATER RIGHTS.—(1) CONFIRMATION OF NAVAJO WATER RIGHTS.—(A) Quantification.—The Navajo Nation shall have the right to use water from water sources located within Utah and adjacent to or encompassed within the boundaries of the Reservation. In depletions not to exceed 81,500 acre-feet annually as described in this section and as subsequently reflected in the hydrographic survey report referenced in subsection (f)(2);

(B) reasonable domestic and stock water uses on an allotment; and

(C) any allotment water rights that may be decreed in the general stream adjudication or other applicable forum to the use and benefit of the Nation in accordance with the agreement and this section; and

(B) shall not be subject to forfeiture or abandonment.

(3) AUTHORITY OF THE NATION.—(A) In general.—The Nation shall have the authority to allocate, distribute, and lease the Navajo water rights for any use on the Reservation in accordance with the agreement, this section, and applicable Tribal and Federal law.

(B) OFF-RESERVATION USE.—The Nation may allocate, distribute, and lease the Navajo water rights for off-Reservation use in accordance with the agreement, subject to the approval of the Secretary.

(C) ALLOTMENT WATER RIGHTS.—The Nation shall not object in the general stream adjudication or other applicable forum to the quantification of reasonable domestic and stock water uses on an allotment, and shall administer any water use on the Reservation in accordance with applicable Federal law, including recognition of—

(i) any water use existing on an allotment as of the date of enactment of this Act and as subsequently reflected in the hydrographic survey report referenced in subsection (f)(2);

(ii) reasonable domestic and stock water uses on an allotment; and

(iii) any allotment water rights decreed in the general stream adjudication or other appropriate forum.

(4) EFFECT.—Except as otherwise expressly provided in this section, nothing in this section—

(A) authorizes any action by the Nation against the United States under Federal, State, Tribal, or local law; or

(B) alters or affects the status of any action brought pursuant to section 1491(a) of title 25, United States Code.

(e) NAVAJO TRUST ACCOUNTS.—(1) ESTABLISHMENT.—The Secretary shall establish a trust fund, to be known as the “Navajo Water Development Trust Fund”, to be managed, invested, and distributed in a manner that is consistent with the investment authority of the Secretary under—

(i) the first section of the Act of June 24, 1938 (25 U.S.C. 162a); and

(ii) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(2) PROVISIONS.—(A) Money.—The amounts held in the Trust Fund are authorized to be appropriated to be used in accordance with the uses described in paragraph (8).

(B) AVAILABILITY OF AMOUNTS.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, shall be made available to the Nation by the Secretary beginning on the enforceability date and subject to the uses and restrictions set forth in this subsection.

(f) WITHDRAWALS.—(1) AUTHORIZED WITHDRAWALS.—(A) Under the American Indian Trust Fund Management Reform Act of 1994.—The Nation may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a withdrawal plan submitted by the Nation in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this subparagraph shall require that the Nation shall spend all amounts withdrawn from the Trust Fund and any investment earnings accrued through the investments under the Tribal management plan in accordance with this section.

(2) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the Tribal management plan to ensure that amounts withdrawn by the Nation from the Trust Fund under this subparagraph are used in accordance with this section.

(g) WITHDRAWALS UNDER EXPENDITURE PLAN.—The Nation may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(h) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan submitted by the Nation, the Nation shall—

(i) PROJECTS.—(A) The Navajo Water Development Projects Account

(B) The Navajo OM&R Account

(C) DEPOSITS.—The Secretary shall deposit in the Trust Fund the following amounts:

(i) the first section of the Act of June 24, 1938 (25 U.S.C. 162a); and

(ii) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(3) APPROPRIATIONS.—(A) General.—The Secretary shall allocate, except and deposit of the funds into the Trust Fund Accounts, the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in a manner that is consistent with the investment authority of the Secretary under—

(i) the first section of the Act of June 24, 1938 (25 U.S.C. 162a); and

(ii) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(4) INCLUSION.—(A) The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this
$198,300,000, which funds shall be retained to be appropriated to the Secretary—

(7) EFFECT OF TITLE.—Nothing in this section gives the Nation the right to judicial review of a determination by the Secretary regarding whether to approve a Tribal management plan or an expenditure plan except under subsection II of chapter 5, and chapter 7, of title 5, United States Code known as the “Administrative Procedure Act”.

(8) Uses.—Amounts from the Trust Fund shall be used by the Nation for the following purposes:

(A) The Navajo Water Development Projects Account shall be used to plan, design, and construct the Navajo water development projects and for the conduct of related activities, including to comply with Federal environmental laws.

(B) The Navajo OM&R Account shall be used for the operation, maintenance, and replacement of the Navajo water development projects.

(9) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amount from the Trust Fund by the Nation under paragraph (8).

(10) No per capita distributions.—No portion of the Trust Fund shall be distributed on a per capita basis to any member of the Nation.

(11) EXPENDITURE REPORTS.—The Navajo Nation shall submit to the Secretary annually an expenditure report describing the accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan as described in this section.

(12) Authorization of Appropriations.—

(A) Authorizations.—There are authorized to be appropriated from time to time:

(1) $8,000,000 to the Secretary to proceed to acquire any water rights necessary to effectuate the agreement and any other water rights which the Nation may have against the United States relating in any manner to water, water rights, land, or other resources under the agreement and this section, including any investment earnings on funds contributed by the State pursuant to subsection (f)(3) but not expended shall be retained by the Secretary.

(B) any funds that have been appropriated pursuant to subsection (f) but not expended, including any investment earnings on funds contributed by the State pursuant to subsection (f) but not expended, shall be retained by the Secretary.

(C) the court has entered a final or interlocutory decree that—

(i) confirms the Nation’s water rights consistent with the agreement and this section; and

(ii) with respect to the Nation’s water rights, is final and nonappealable.

(D) the expiration date set forth in paragraph (2) may be extended if the Nation demonstrates to the Secretary that the Nation’s water rights within Utah that first accrued up to and including the enforceability date.

(E) any funds appropriated pursuant to subsection (f) but not expended, including any investment earnings on funds contributed by the State pursuant to subsection (f) but not expended, shall be retained by the Secretary.

(2) EXPEDIENT DUTIES.—If all the conditions precedent described in paragraph (1) have not been fulfilled to allow the Secretary’s statement of findings to be published in the Federal Register, the Secretary shall notify the Nation of the reasons for such failure to fulfill the conditions precedent described in paragraph (1) and shall notify the Nation that it may file a suit in the United States District Court for the District of Utah.

(3) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS BY THE NAVAJO NATION AND THE UNITED STATES.—Notwithstanding the waivables and releases authorized in this section, and any expenditures or investments of federal funds, the Nation and the United States acting in its trust capacity for the Nation, retain—

(A) all claims for injuries to and the enforcement of the agreement and the final or interlocutory decree entered in the general stream adjudication, through such legal and equitable remedies as may be available in the decree court or the Federal District Court for the District of Utah;

(B) all rights to use and protect water rights acquired after the enforceability date; and

(C) all claims relating to the quality of water, including any claims under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300 f et seq.), and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the regulations implementing those Acts, and the common law;

(D) all claims for water rights, and claims for injury to water rights, in states other than the State of Utah;

(E) all claims, including environmental claims under any laws (including regulations and common law) relating to human health, safety, or the environment; and

(F) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to the agreement and this section.

(4) EFFECT.—Nothing in the agreement or this section—

Disposal Act (42 U.S.C. 6901 et seq.), and the regulations implementing those laws;
(B) affects the ability of the United States to take actions in its capacity as trustee for any other allottees; and (C) confers jurisdiction on any State court to—
(i) interpret Federal law regarding health, safety, or the environment or determine the duties of the United States or other parties pursuant to such Federal law; and (ii) conduct judicial review of Federal agency action;
(D) modifies, conflicts with, preempts, or otherwise affects—
(1) the Boulder Canyon Project Act (43 U.S.C. 617 et seq.);
(ii) the Boulder Canyon Project Adjustment Act (43 U.S.C. 618 et seq.);
(iii) the Act of April 11, 1906 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620 et seq.);
(iv) the Colorado River Basin Project Act (43 U.S.C. 1901 et seq.);
(v) the Treaty between the United States of America and Mexico respecting utilization of waters of the Colorado and Tijuana Rivers and of their tributaries, signed at Washington February 3, 1944 (59 Stat. 1219);
(vi) the Colorado River Compact of 1922, as approved by the Presidential Proclamation of June 26, 1950 (75 Stat. 370); and
(vii) the Upper Colorado River Compact as consented to by the Act of April 6, 1949 (60 Stat. 31, chapter 48).
(E) tolls or delays—
(A) in general.—Each applicable period of limitation and time-based equitable defense relating to a claim waived by the Navajo Nation described in this subsection shall be tolled for the period beginning on the date of enactment of this Act and ending on the enforced period.
(B) effect.—Nothing in this paragraph revokes any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.
(C) limitation.—Nothing in this subsection precludes the tolling of any period of limitations or any time-based equitable defense under any other applicable law.
(i) MISCELLANEOUS PROVISIONS.—
(1) PRECEDENT.—Nothing in this section establishes precedent for the quantification or litigation of Federal reserved water rights or any other Indian water claims of any other tribe or individual in any other judicial or administrative proceeding.
(2) OTHER INDIAN TRIBES.—Nothing in the agreement or this section shall be construed in any way to quantify or otherwise adversely affect the water rights, claims, or entitlements to water of any Indian Tribe, band, or community, other than the Navajo Nation.
(j) RELATION TO ALLOTTEES.—
(1) NO EFFECT ON CLAIMS OF ALLOTTEES.—Nothing in this section or the agreement shall affect the rights or claims of allottees, or the United States, acting in its capacity as trustee for or on behalf of allottees, for water rights or damages related to lands allotted by the United States to allottees, except as provided in subsection (d)(1)(B).
(2) RELATIONSHIP OF DECREE TO ALLOTTEES.—Allottees, or the United States, acting in its capacity as trustee for allottees, are not bound by any decree entered in the general stream adjudication confirming the Navajo water rights and shall not be bound by the Secretary of the United States from making claims to water rights in the general stream adjudication. Allottees, or the United States, acting in its capacity as trustee for allottees, may make claims to water rights which may be adjudicated as individual water rights in the general stream adjudication.
(k) ANTIDEFICIENCY.—The United States shall not be liable for any failure to carry out any obligation or activity authorized by this section (including any obligation or activity under subsection (a)) if adequate appropriations are not provided expressly by Congress to carry out the purposes of this section.
SA 707. Mrs. HYDE-SMITH (for herself, Ms. CANTWELL, and Mr. DAINES) 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; as follows:
At the appropriate place, add the following:
SEC. 1006. DESIGNATING THE WEEK OF SEPTEMBER 29 THROUGH OCTOBER 5, 2019, AS “GOLD STAR FAMILIES REMEMBRANCE WEEK.”
(a) FINDINGS.—Congress makes the following findings:
(1) The last Sunday in September—
(A) is designated as “Gold Star Mother’s Day” under section 111 of title 36, United States Code; and
(B) was first designated as “Gold Star Mother’s Day” under the Joint Resolution entitled “Joint Resolution designating the last Sunday in September as Gold Star Mother’s Day, and for other purposes”, approved June 23, 1936 (49 Stat. 1866).
(2) There is no date dedicated to families affected by the loss of a loved one who died in service to the United States.
(3) A gold star symbolizes a family member who died in the line of duty while serving in the Armed Forces.
(4) The members and veterans of the Armed Forces, through their service, bear the burden of protecting the freedom of the people of the United States.
(5) The selfless example of the service of the members and veterans of the Armed Forces, as well as the sacrifices made by the families of those individuals, inspires all individuals in the United States to sacrifice and work diligently for the good of the United States.
(b) DESIGNATING THE WEEK OF SEPTEMBER 29 THROUGH OCTOBER 5, 2019, AS “GOLD STAR FAMILIES REMEMBRANCE WEEK.”—Congress—
(1) designates the week of September 29 through October 5, 2019, as “Gold Star Families Remembrance Week”;
(2) honors the sacrifices made by the families of the Armed Forces who have made the ultimate sacrifice in order to defend freedom and protect the United States and by the families of veterans of the Armed Forces; and
(3) encourages the people of the United States to observe Gold Star Families Remembrance Week on the Memorial Day following Memorial Day.
SEC. 1086. LAND CONVEYANCE, HILL AIR FORCE BASE, OGDEN, UTAH.
(a) CONVEYANCE REQUIRED.—The Secretary of the Air Force may convey, for no moneys to the State of Utah or a designated entity of the State of Utah referred to as the “State” and to the parties consider to be appropriate, for the purpose of permitting the State to construct a new interchange for Interstate 15, the State does not meet the conditions required under subsection (d) before the date of the conveyance authorized by subsection (a) or any later date as the Secretary of the Air Force and the State may agree is reasonably necessary due to unforeseen circumstances, the Secretary of the Air Force may waive such conveyance and reenter the property.
(b) CONSIDERATION AND CONDITIONS OF CONVEYANCE.—In consideration and as a condition to the conveyance authorized by subsection (a), the State shall agree to the following:
(1) Not later than two years after the conveyance, the State shall, at no cost to the United States Government—
(A) demolish all improvements and associated infrastructure existing on the property; and (B) conduct environmental cleanup and remediation of the property, as required by law approved by the United States Department of Environmental Quality, for the planned redevelopment and use of the property.
(2) Not later than three years after the completion of the cleanup and remediation under paragraph (1)(B), the State, at no cost to the United States Government, shall construct on Hill Air Force Base a new gate for vehicular and pedestrian traffic in and out of Hill Air Force Base in compliance with all applicable construction and security requirements and such other requirements as the Secretary of the Air Force may consider necessary.
(3) That the State shall coordinate the demolition, cleanup, remediation, design, reconstruction, and other activities performed pursuant to the conveyance under subsection (a) with the Secretary of the Air Force, the Utah Department of Transportation, and the Utah Department of Environmental Quality.
(e) ENVIRONMENTAL OBLIGATIONS.—The State shall not have any obligation with respect to environmental condition on the property to be conveyed under subsection (a) unless the condition was in existence and known before the date of the conveyance authorized by subsection (a) or that other condition which then requires further remediation.
PAYMENT OF COSTS OF CONVEYANCE.—

PAYMENT REQUIRED.—The Secretary of the Air Force shall require the State to cover costs to be incurred by the Secretary, or to the Secretary for such costs incurred, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and other administrative costs unrelated to the conveyance. If amounts are collected from the State in advance of the Secretary incurring actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions, limitations, as amounts in such fund or account.

DESCRIPTION OF PROPERTY.—The exact acreage and description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force and the State.

SA 709. 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 VIII, add the following:

SEC. 811. PROHIBITION ON THE USE OF A REVERSE AUCTION FOR THE AWARD OF A CONTRACT FOR DESIGN AND CONSTRUCTION SERVICES.

(a) Prohibited.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended to prohibit the use of reverse auctions for construction contracts for design and construction services.

(b) DEFINITIONS.—In this section—

(1) the term "design and construction services" means—

(A) site planning and landscape design;

(B) architectural and engineering services (as defined in section 1102 of title 40, United States Code);

(C) interior design;

(D) performance of substantial construction work, or purchase of materials and equipment necessary to carry out contract work, including construction contracts for design and construction services;

(E) delivery and supply of construction materials to construction sites; or

(F) construction or substantial alteration of public buildings or public works; and

(2) the term "reverse auction" means, with respect to any procurement by an executive agency—

(A) a real-time auction conducted through an electronic medium among 2 or more offerors who compete by submitting bids for a supply contract, or a delivery order, task order, or purchase order under the contract, with the ability to submit revised lower bids at any time before the closing of the auction; or

(B) the award of the contract, delivery order, task order, or purchase order to the offeror, in whole or in part, based on the price obtained through the auction process.

SA 710. 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 H of title X, add the following:

SEC. 108. PENSACOLO DAM AND RESERVOIR, GRAND RIVER, OKLAHOMA.

(a) FINDINGS.—Congress finds that—

(1) since the Pensacola Dam and Reservoir became a federal project, the jurisdiction of the Commission has consistently been limited to areas within the project boundary; and

(2) the jurisdiction of the Army has held exclusive jurisdiction over flood control operations, including areas inside and outside the project boundary.

(b) PURPOSE.—The purpose of this section is to clarify Federal authorities and responsibilities relating to the Pensacola Dam and Reservoir.

(c) DEFINITIONS.—In this section:

(1) COMMISSION.—The term "Commission" means the Federal Energy Regulatory Commission.

(2) CONSERVATION POOL.—The term "conservation pool" means all land and water of Grand Lake O' the Cherokees, Oklahoma, subject to flood control operations of the Secretary pursuant to section 7 of the Act of December 22, 1944 (58 Stat. 980, chapter 665; 33 U.S.C. 709).

(3) FLOOD POOL.—The term "flood pool" means all land and water of Grand Lake O’ the Cherokees, Oklahoma, subject to flood control operations of the Secretary pursuant to section 7 of the Act of December 22, 1944 (58 Stat. 980, chapter 665; 33 U.S.C. 709).

(4) PROJECT.—The term "project" means the Pensacola Hydroelectric Project (FERC No. 1494).

(5) PROJECT BOUNDARY.—The term "project boundary" means the area—

(A) designated as within the project boundary in the maps under Exhibit G approved in the Commission Order Issuing New License, dated April 21, 1992; and

(B) which generally encompasses, to the extent of the interests of the projectlicensee—

(i) the Pensacola Dam and powerhouse;

(ii) Grand Lake O’ the Cherokees, Oklahoma;

(iii) the shoreline areas of the conservation pool below approximately elevation 750 feet (Pensacola Datum); and

(iv) facilities appurtenant to hydropower operations and areas of maintenance under the Commission license.

(6) SECRETARY.—The term "Secretary" means the Secretary of the Army.

(7) CONSERVATION POOL MANAGEMENT.—

(1) FEDERAL LAND.—Notwithstanding section 3(2) of the Federal Power Act (16 U.S.C. 796(2)), Federal land within the project boundary, including any right, title, or interest in or to land held by the United States for any purpose, shall not be considered to be Federal land.

(A) a reservation for purposes of section 4(e) of that Act (16 U.S.C. 796(e));

(B) land or other property of the United States for purposes of recommitting the United States for the use, occupancy, or enjoyment of the land under section 10(e)(1) of that Act (16 U.S.C. 796(e)(1)); or

(C) land of the United States for purposes of section 24 of that Act (16 U.S.C. 818).

(2) LICENSE CONDITIONS.—Notwithstanding any other provision of law, the Commission shall include in the license for the project any condition or other requirement relating to—

(A) surface elevations of the conservation pool or flood pool;

(B) land or water outside the project boundary;
(3) Project Scope.—
(A) Licensing Jurisdiction.—The licensing jurisdiction of the Commission for the project shall not extend to any land or water outside the project boundary.

(B) Outside Infrastructure.—Any land, water, or physical infrastructure or other improvement outside the project boundary shall not be considered to be part of the project.

(C) Boundary Amendment.—
(i) General.—The Commission shall amend the project boundary only as requested by the project licensee.

(ii) Denial of Request.—The Commission may deny a request to amend a project boundary under clause (i) if the Commission determines that the request is inconsistent with the requirements of part I of the Federal Power Act (16 U.S.C. 792 et seq.).

(e) Pool Flowage Management.—
(1) Exclusive Jurisdiction.—Notwithstanding any other provision of law, the Secretary shall have exclusive jurisdiction and responsibility for management of the flood pool for flood control operations at Grand Lake O’ the Cherokees.

(2) Property Acquisition.—If a feasibility study or other investigation determines that flood control operations at or associated with Pensacola Dam, including any backwater areas, etc., in the inundation or damage to, land outside the project boundary to which the United States does not hold flowage rights or holds insufficient flowage rights, the project licensee shall not have any obligation to obtain or enhance those flowage rights.

(f) Savings Provision.—Nothing in this section affects with respect to the project—
(1) any authority or obligation of the Secretary or the Chief of Engineers pursuant to section 2 of the Act of June 28, 1938 (commonly known as the Flood Control Act of 1938) (33 U.S.C. 701c-1);

(2) any authority of the Secretary or the Chief of Engineers pursuant to section 7 of the Act of December 22, 1944 (commonly known as the Flood Control Act of 1944) (33 U.S.C. 709);

(3) any obligation of the United States to obtain flowage or other property rights pursuant to the Act of July 31, 1946 (60 Stat. 743, chapter 710);

(4) any obligation of the United States to acquire flowage or other property rights for additional reservoir storage pursuant to Executive Order 6893 (12 Fed. Reg. 2477; relating to the Grand River Dam Project);

(5) any authority of the Secretary to acquire real property interest pursuant to section 560 of the Water Resources Development Act of 1996 (Public Law 104–303; 110 Stat. 3783);

(6) any obligation of the Secretary to conduct and pay the cost of a feasibility study pursuant to section 449 of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2641);

(7) the National Flood Insurance Program established under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), including any policy issued under that Act; or

(8) any disaster assistance made available under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or other Federal disaster assistance program.

SA 712. Mr. SANDERS (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of 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. 342. REPORT ON FLUORINATED AQUEOUS FILM FORMING FOAM.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on—
(1) the location and amount of the stockpiled fluorinated aqueous film forming foam in the possession of the Department of Defense that contains perfluorooctanoic acid (PFOA) or perfluorooctane sulfonate (PFOS); and
(2) the amount of such foam that has been destroyed during the 10-year period ending on the date of the enactment of this Act and the method and location of destruction.

SA 713. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military construction, and for defense activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1061. REPORT ON DEATHS OF MEMBERS OF THE ARMED FORCES IN TRAINING.

Not later than 180 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, conducted by the Secretary for purposes of the report, on recent deaths of members of the Armed Forces in training. The report shall include the following:

(1) A description of recent deaths of members of the Armed Forces in training.

(2) An assessment whether trends are emerging in the circumstances surrounding such deaths, and a description of any such trends.

(3) A description and assessment of recent deaths and injuries resulting from vehicle rollovers, and recommendations for actions to prevent or minimize such deaths and injuries.

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

SA 714. 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:

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:
SEC. 101. AUTHORIZATION OF APPROPRIATIONS.  

Funds are hereby authorized to be appropriated for fiscal year 2020 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:  

(1) The Office of the Director of National Intelligence.  

(2) The Central Intelligence Agency.  

(3) The Defense Intelligence Agency.  

(4) The National Security Agency.  

(5) The National Reconnaissance Office.  

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.  

(7) The Coast Guard.  

(8) The Department of State.  

(9) The Department of Energy.  


(11) The Department of Justice.  


(13) The Drug Enforcement Administration.  

(14) The National Reconnaissance Office.  

(15) The National Geospatial-Intelligence Agency.  


SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.  

(a) SPECIFICATIONS OF AMOUNTS.—The amounts of this division shall be appropriated under section 101 for the conduct of the intelligence and intelligence-related activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the Classified Schedule of Authorizations prepared to accompany this division.  

(b) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations, the Appropriations Committee, and the Committee on Intelligence of the House of Representatives, and to the President.  

(c) LIMITS ON DELIVERY.—Subject to paragraphs (a) and (b) of this section, it shall be the duty of the Director of National Intelligence to deliver to the President, the Committee on Appropriations of the House of Representatives, and the Senate Committee on Appropriations:  

(1) the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.  

(2) the report required by section 101(a) of this Act, and the report required by section 101(b) of this Act, shall be made available to the Committees of Appropriation referred to in subsection (a).  

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.  

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2020 the sum of $536,000,000.  

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2020 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).  

TITLe II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM  

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.  

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2020.  

TITLe III—INTELLIGENCE COMMUNITY MATTERS  

Subtitle A—General Intelligence Community Matters  

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.  

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.  

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.  

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.  

SEC. 303. IMPROVING THE ONBOARDING METHODOLOGY FOR CERTAIN INTELLIGENCE PERSONNEL.  

(a) DEFINITIONS.—In this section:  

(A) the term ‘appropriate committees of Congress’ means—  

(i) the Select Committee on Intelligence and the Committee on Armed Services of the Senate; and  

(ii) the Permanent Select Committee on Intelligence and the Committee on Armed Services of the House of Representatives;  

(B) the term ‘covered elements of the intelligence community’ means the elements of the intelligence community that are within the following:  

(i) the Department of Energy.  

(ii) the Department of Homeland Security.  

(iii) the Department of the Army.  

(iv) the Department of State.  

(v) the Department of the Navy.  

(vi) the Department of the Air Force.  

(B) The Department of Energy.  

(C) The Department of Homeland Security.  

(D) The Department of the Navy.  

(E) The Department of the Air Force.  

(b) IN GENERAL.—The Secretary of Defense and the Director of National Intelligence shall, consistent with Department of Defense Instruction 1400.25, as in effect on the day before the date of the enactment of this Act, develop policies, processes, and procedures to facilitate the rotation of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community.  

(c) AGREEMENT.—Under policies developed by the Director pursuant to subsection (b), 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 such private-sector organization, or from such private-sector organization to such element under this section.  

(d) AGREEMENT.—The head of an element of the intelligence community exercising the authority of the element under this section shall not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report on the onboarding process in covered elements of the intelligence community.  

(e) AGREEMENT.—The head of an element of the intelligence community exercising the authority of the element under this section shall not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report on the extent to which the rotation of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community, including for tracking personnel as they pass through each phase of the onboarding process and  

(f) AGREEMENT.—The head of an element of the intelligence community shall not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report on the extent to which the rotation of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community, including for tracking personnel as they pass through each phase of the onboarding process; and  

(g) AGREEMENT.—The head of an element of the intelligence community may waive, in whole or in part, collection of a debt described in paragraph (2) based on a determination that collection would be against equity and good conscience and not in the best interests of such element.
of the United States, after taking into account any indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee.

(d) TERMINATION.—A detail under this section may be for any time and for any reason as determined by the head of the element of the intelligence community concerned or the private-sector organization concerned.

(e) DURATION.—(1) IN GENERAL.—A detail under this section shall be for a period of not less than 3 months and not more than 2 years, renewable up to a total of 3 years.

(2) LONGER PERIODS.—A detail under this section may be for a period in excess of 2 years, but not more than 3 years, if the head of the element making the detail determines that such detail is necessary to meet critical mission or program requirements.

(3) LIMITATION.—No employee of an element of the intelligence community may be detailed under this section for more than a total of 5 years, inclusive of all such details.

(f) STATUS OF FEDERAL EMPLOYEES DETAINED TO PRIVATE-SECTOR ORGANIZATIONS.—(1) In GENERAL.—An employee of an element of the intelligence community who is detailed to a private-sector organization under this section shall be considered, during the period of such detail, to be on a regular work assignment in the element for all purposes.

(2) REQUIREMENTS.—In establishing a temporary detail of an employee of an element of the intelligence community to a private-sector organization, the head of the element shall—

(A) certify that the temporary detail of such employee shall not have an adverse or negligible impact on mission or program requirements;

(B) ensure that the employee's job performance, organizational capabilities associated with the employee, and the case of an element of the intelligence community in the Department of Defense, the normal duties and functions of such employees are not, as a result of and during the course of such temporary detail, performed or augmented by contractor personnel in violation of the provisions of section 2661 of title 10, United States Code;

(g) TERMS AND CONDITIONS FOR PRIVATE-SECTOR EMPLOYEES.—An employee of a private-sector organization who is detailed to an element of the intelligence community under this section shall—

(1) receive pay and benefits from the element of the intelligence community the employee is detailed to;

(2) not receive pay or benefits from the element, except as provided in paragraph (2); and

(3) be deemed to be an employee of the purposes as follows:

(A) to the recruitment or hiring of the intelligence community, or to the training of employees;

(B) to the making of detailed or temporary employees available for salaries and benefits of its employees;

(C) to the making of available to the intelligence community to use appropriated funds to reimburse small business concerns for the salaries and benefits of its employees; and

(D) to the making of available to the intelligence community to use appropriated funds to reimburse small business concerns for the salaries and benefits of its employees.

(h) INCLUSION OF SECURITY RISK IN PROGRAM MANAGEMENT PLANS REQUIRED FOR MAJOR SYSTEMS IN NATIONAL INTELLIGENCE PROGRAM:

Sec. 302(a)(4) of the National Security Act of 1947 (50 U.S.C. 3024(q)(1)(A)) is amended by inserting “security risks,” after “schedule,”.

SEC. 307. PAID PARENTAL LEAVE.

(a) PURPOSE.—The purpose of this section is to—

(1) help the intelligence community recruit and retain a dynamic, multi-talented, and diverse workforce capable of meeting the security goals of the United States; and

(2) establish best practices and processes for other elements of the Federal Government seeking to pursue similar policies.

(b) AUTHORIZATION OF PAID PARENTAL LEAVE FOR INTELLIGENCE COMMUNITY EMPLOYEES.—

(1) IN GENERAL.—Title III of the National Security Act of 1947 (50 U.S.C. 3071 et seq.) is amended by inserting after section 304 the following:

SEC. 305. PAID PARENTAL LEAVE.

(a) PAID PARENTAL LEAVE.—Notwithstanding any other provision of law—

(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 is not consistent with the treatment of employees who are using leave under paragraph (C) or (D) of section 6301(a)(1) of title 5, United States Code.

(b) RULES RELATING TO PAID LEAVE.—Notwithstanding any other provision of law—

(1) an employee may not 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 available for salaries or expenses for positions within the employing element;

(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) 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.

(D) if not used by the employee before the end of the 12-month period described in subsection (a), may not be available for any subsequent use and may not be converted into a cash payment;
"(D) 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 of a foster child for any individual employee; or

"(E) may not be granted—

"(i) in excess of a lifetime aggregate total of 30 administrative workweeks based on placement of a foster child for an individual employee; or

"(ii) in connection with temporary foster care placements expected to last less than 1 year.

"(F) may not be granted for a child being placed for foster care or adoption if such leave was previously granted to the same employee to care for the same child with the employee for foster care in the past;

"(G) shall be used in increments of hours (or fractions thereof), with 12 administrative workweeks equal to 480 hours for employees with a regular full-time work schedule and converted to a proportional number of hours for employees with part-time, seasonal, or uncommon tours of duty; 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 publish such revision in the Federal Register implementing 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 or operational expenses associated with the implementation of subsections (a) through (c).

"(e) DIRECTIVE.—Not later than 90 days after the date of enactment of this section, the Director of National Intelligence submits the implementation plan under subsection (d), the Director of National Intelligence shall issue a written directive to implement which directive shall take effect on the date of issuance.

"(f) ANNUAL REPORT.—The Director of National Intelligence shall submit to the congressional intelligence committees an annual report that—

"(1) details the number of employees of each element of the intelligence community who accepted paid parental leave under subsection (a) during the year covered by the report; and

"(2) includes updates on major implementation challenges or costs associated with paid parental leave.

"(g) DEFINITION OF SON OR DAUGHTER.—For purposes of this section, the term 'son or daughter' has such meaning as the term in section 6381 of title 5, United States Code.

"(2) CEREMONIAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 304 the following:

"Sec. 305. Paid parental leave.

"(c) APPLICABILITY.—Section 305 of the National Security Act of 1947, as added by subsection (b), shall apply with respect to leave taken in connection with the birth or placement of a son or daughter that occurs on or after the date on which the Director of National Intelligence issues the written directive under subsection (e) of such section 305.

"Subtitle B—Office of the Director of National Intelligence

"SEC. 311. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES AND RIGHT TO APPEAL.

(a) EXCLUSIVITY OF PROCEDURES.—Section 801 of the National Security Act of 1947 (50 U.S.C. 3261) is amended by adding at the end the following:

"(c) EXCLUSIVITY.—Except as provided in subsection (b) and subject to sections 801A and 801B, a process established pursuant to subsection (a) shall be the exclusive procedures by which decisions about eligibility for access to classified information are governed.

"(d) TRANSPARENCY.—Such section is further amended by adding at the end the following:

"(1) "Publication.—

"(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the President shall—

"(A) publish the procedures established pursuant to subsection (a); and

"(B) submit to Congress a certification that the procedures currently in effect that govern access to classified information as described in subsection (a)—

"(1) are published in the Federal Register; and

"(ii) comply with the requirements of subsection (a).

"(2) UPDATES.—Whenever the President makes a revision to a procedure established pursuant to subsection (a), the President shall publish such revision in the Federal Register no later than 30 days before the date on which the revision becomes effective.

"(e) CONSISTENCY.—

"(1) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3261 et seq.) is amended by inserting after section 801 the following:

"SEC. 801A. DECISIONS RELATING TO ACCESS TO ACCESS TO CLASSIFIED INFORMATION.

(a) DEFINITIONS.—In this section:

"(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

"(2) CLASSIFIED INFORMATION.—The term 'classified information' includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

"(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to subsection (b) and subject to sections 801A and 801B, the procedures established pursuant to subsection (b) and subject to sections 801A and 801B, the procedures established pursuant to subsection (b) and subject to sections 801A and 801B.

"(4) does not violate section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1));

"(2) CEREMONIAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 801 the following:

"Sec. 801A. Decisions relating to access to classified information.

"(d) RIGHT TO APPEAL.—

"(1) IN GENERAL.—Such title, as amended by subsection (c), is further amended by inserting after section 801A the following:

"SEC. 801B. RIGHT TO APPEAL.

(a) DEFINITIONS.—In this section:

"(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

"(2) COVERED PERSON.—The term 'covered person' means a person, other than the President and Vice President, currently or formerly employed in, detailed to, assigned to, or issued an authorized conditional offer of employment for a position that requires access to classified information by an agency, including the following:

"(A) A member of the Armed Forces.

"(B) A civilian.

"(C) An expert or consultant with a contractual or personnel obligation to an agency.

"(D) Any other category of person who acts for or on behalf of an agency as determined by the head of the agency.

"(5) 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 subsection (a).

"(6) NEED FOR ACCESS.—The term 'need for access' has such meaning as the President may define in the procedures established pursuant to subsection (a).

"(5) SECURITY EXECUTIVE AGENT.—The term 'Security Executive Agent' means the officer serving as the Security Executive Agent pursuant to section 803.

"(7) AGENCY REVIEW.—

"(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Poland Intelligence Authorization Act for Fiscal Year 2020, each head of an agency shall, consistent with the interest of national security, establish and publish in the Federal Register a process by which a covered person to whom eligibility for access to classified information was denied or revoked by the agency can appeal that denial or revocation within the agency.

"(2) ELEMENTS.—The process required by paragraph (1) shall include the following:

"(A) A request from the 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 a written or on behalf of the agency determines is consistent with the interests of national security; and
(a) section 552 of title 5, United States Code (commonly known as the ‘Freedom of Information Act’); and

(bb) section 522a 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.

(2) The head of an agency shall establish, by the date of enactment of this Act, the Security Executive Agent for Fiscal Year 2020, the Security Executive Agent may consider for access to classified information to the extent consistent with the interests of national security.

(b) The panel is consistent with the interests of national security.

(c) The panel shall ensure that, under this subsection, a covered person appealing a decision of an agency under this subsection has an opportunity to retain counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

(d) Except as provided in clause (ii), each decision of the panel established under paragraph (1) shall be final but subject to appeal pursuant to clause (iii) of this subsection.

(2) The head of an agency that establishes a panel under subparagraph (A) shall ensure that, under this subsection, a covered person appealing a decision of the agency under this subsection has an opportunity to retain counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

(3) A written decision of the panel shall be final but subject to appeal pursuant to subsection (b).

(A) REQUIREMENTS.—In order to ensure that the ability to review classified information is essential to the resolution of an appeal under this subsection, the head of the agency shall ensure that the counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

(B) An appeal filed under clause (i) shall be final but subject to appeal pursuant to subsection (b).

(C) The panel shall ensure that, under this subsection, a covered person appealing a decision of an agency under this subsection has an opportunity to retain counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

(D) A written decision of the panel shall be final but subject to appeal pursuant to subsection (b).

(E) A written appeal filed under this paragraph for access to classified information shall be filed in such form, in such manner, and containing such information as the Security Executive Agent may require, including—

(i) a description of—

(aa) any alleged violations of section 801a(b) relating to the denial or revocation of access to classified information; and

(bb) any allegations of how the decision may have been the result of the agency failing to properly conduct a review under subsection (b); and

(ii) supporting materials and information for the allegations described under clause (i).

(B) The panel established under paragraph (1) shall be final.

(C) The panel may consider for access to classified information to the extent consistent with the interests of national security.
"(F) NOTICE OF DECISIONS.—For each decision of the panel established under paragraph (1) regarding a covered person, the Security Executive Agent shall provide the covered person a written notice of the decision that includes a detailed description 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 counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

"(ii) EXTENT OF ACCESS.—Counsel or another representative who is cleared for access under this subparagraph may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

"(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)(A) 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 documents 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 to understand how the clearance process works, each publication under subparagraph (A) shall be—

"(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104-231);

"(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

"(iii) made available on a website that is searchable by members of the public.

"(d) PERIOD OF TIME FOR THE RIGHT TO APPEAL.—

"(1) IN GENERAL.—Except as provided in paragraph (2), any covered person who has been the subject of a decision made by the head of an agency denying or revoking the eligibility for access to classified information that the head makes, shall have the right to appeal under this section until the conclusion of the appeal process under this section.

"(2) WAIVER OF RIGHTS.—

"(A) PERSONS.—Any covered person may voluntarily waive their right to appeal under this section and such waiver shall be conclusive.

"(B) AGENCIES.—The head of an agency may not revoke, delay, or condition a determination under this section which permits the covered person’s right to appeal under this section for any reason.

"(e) VIOLATION OF PROCEDURES FOR NATIONAL SECURITY INTEREST.—

"(1) IN GENERAL.—If the head of an agency determines that a procedure established under this paragraph (1) was not available to a covered person in an exceptional case without damaging a national security interest of the United States by revealing classified information, such procedure shall not be made available to such covered person.

"(f) FINALITY.—A determination under paragraph (1) shall be final and conclusive and may not be reviewed by any other official or by any court.

"(3) REPORTING.—

"(A) CASE-BY-CASE.—

"(i) In general.—In each case in which the head of an agency determines under paragraph (1) that a procedure established under this section was not available to a covered person, the head shall, not later than 30 days after the date on which the head makes such determination, submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

"(ii) F ORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

"(4) ANNUAL REPORTS.—

"(A) CASE-BY-CASE.—

"(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (2) during the previous fiscal year.

"(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

"(I) The number of cases and reasons for determinations made under paragraph (2), disaggregated by agency.

"(II) Such other matters as the Security Executive Agent considers appropriate.

"(B) AGENCIES.—The head of an agency determines that a procedure established under this section cannot be made available to such covered person.

"(i) IN GENERAL.—For each final decision under paragraph (1) during the previous fiscal year, the head shall, not later than 30 days after the date of the enactment of this Act for denial and revocation procedures provided to individuals by Executive Order 10865 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry), or successor order, include in the report a statement of the reasons for the determination.

"(ii) F ORM.—A report submitted under paragraph (1) may be submitted in classified form as necessary.

"(B) PRESERVATION OF ROLES AND RESPONSIBILITIES UNDER EXECUTIVE ORDER 10865 AND THE ELECTRONIC FREEDOM OF INFORMATION ACT.—Nothing in this section shall be construed to diminish or otherwise affect the roles and responsibilities of the Department of Defense under Department of Defense Directive 5220.6, or successor directive.

"(i) RULE OF CONSTRUCTION RELATING TO CERTAIN OTHER PROVISIONS OF LAW.—This section and the processes and procedures established under this section shall not be construed, applied to paragraphs (6) and (7) of section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3314).

"(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002, as amended by subsection (c), is further amended by inserting ‘‘Sec. 801B. Right to appeal.’’ before ‘‘Sec. 801C. limitation’’.

"SEC. 312. LIMITATION ON TRANSFER OF NATIONAL INTELLIGENCE UNIVERSITY.

(a) LIMITATION.—Neither the Secretary of Defense nor the Director of National Intelligence may commence any activity to transfer the National Intelligence University out of the Defense Intelligence Agency until the Secretary and the Director jointly certify that the National Intelligence University has positively adjudicated its warning from the Middle States Commission on Higher Education and had its regional accreditation fully restored.

(2) The National Intelligence University will serve as the exclusive means by which advanced intelligence education is provided to members of the Department of Defense.

(3) Military personnel will receive joint professional military education from a National Intelligence University located at a non-Department of Defense agency.

(4) The Department of Education will allow the Office of the Director of National Intelligence to grant advanced educational degrees from a National Intelligence University.

(5) A governance model jointly led by the Director and the Secretary of Defense is in
place for the National Intelligence University.  

SEC. 221. DEFINITIONS.  

In this subchapter—  

(1) WHISTLEBLOWER.—The term "whistleblower" means a person who makes a whistle-blower disclosure under this subchapter.  

(2) WHISTLEBLOWER DISCLOSURE.—The term "whistleblower disclosure" means a disclosure that is protected under section 1104 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3314(j)(1)).

SEC. 222. INSPECTOR GENERAL EXTERNAL REVIEW PANEL.  

(a) AUTHORITY TO CONVENE EXTERNAL REVIEW PANELS.—  

(1) APPOINTMENT.—The Inspector General of the Intelligence Community shall, upon receipt of a request for an external review under section 1104 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3314(j)(1)), convene an external review panel to review that claim.  

(b) MEMBERS.—The Inspector General of the Intelligence Community shall, upon receipt of a request for an external review under section 1104 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3314(j)(1)), convene an external review panel to review that claim.

SEC. 313. IMPROVING VISIBILITY INTO THE SECURITY CLEARANCE PROCESS.  

(a) DEFINITIONS.—In this section—  

(1) SECURITY EXECUTIVE AGENT.—The term "Security Executive Agent" means the person serving as the Security Executive Agent pursuant to section 803 of the National Security Act of 1947, as added by section 605 of division B.  

(b) POLICY.—Before commencing any activity to transfer the National Intelligence University out of the Defense Intelligence Agency by human read of Defense and Intelligence Programs, the Director of National Intelligence shall jointly submit to the appropriate committees of Congress an estimate of the direct and indirect costs of operating the National Intelligence University and the costs of transferring the National Intelligence University to another agency.  

(3) CONTENTS.—The estimate submitted under paragraph (2) shall include all indirect costs, including with respect to human resources, security, facilities, and information technology.

SEC. 314. MAKING CERTAIN POLICIES AND EXECUTION PLANS RELATING TO PERSONNEL CLEARANCES AVAILABLE TO INDUSTRY PARTNERS.  

(a) DEFINITIONS.—In this section—  

(1) SECURITY EXECUTIVE AGENT.—The term "Security Executive Agent" means the person serving as the Security Executive Agent pursuant to section 803 of the National Security Act of 1947, as added by section 605 of division B.  

(b) POLICY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall issue a policy that requires the head of each Federal agency to create, not later than December 31, 2023, an electronic portal that can be used by human resources personnel and applicants for security clearances to view information about the status of an application for a security clearance and the average time required for each phase of the security clearance process.

SEC. 322. INSPECTOR GENERAL EXTERNAL REVIEW PANEL.  

(a) AUTHORITY TO CONVENE EXTERNAL REVIEW PANELS.—  

(1) APPOINTMENT.—The Inspector General of the Intelligence Community shall, upon receipt of a request for an external review under section 1104 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3314(j)(1)), convene an external review panel to review that claim.  

(2) MEMBERS.—The Inspector General of the Intelligence Community shall, upon receipt of a request for an external review under section 1104 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3314(j)(1)), convene an external review panel to review that claim.

(b) POLICY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall issue a policy that requires the head of each Federal agency to create, not later than December 31, 2023, an electronic portal that can be used by human resources personnel and applicants for security clearances to view information about the status of an application for a security clearance and the average time required for each phase of the security clearance process.
(A) The determinations and recommendations made by the external review panels convened under this section.

(B) The responses of the heads of agencies that received recommendations from the external review panels.

(2) Table of Contents Amendment.—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following new item:

"Sec. 1105. Inspector General external review panel."

(b) Recommendation on Addressing Whistleblower Complaints Against Inspectors General.—

(1) 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 congressional intelligence committees a recommendation on how to ensure that—

(A) a whistleblower in the intelligence community who has a complaint against an inspector general in the intelligence community and who alleges a reprisal, has available the agency adjudication and appellate review process provided under section 104 of the National Security Act of 1947 (50 U.S.C. 3234); and

(B) any such whistleblower who has exhausted the applicable review process may request an external review panel and receive one, at the discretion of the Inspector General of the Intelligence Community.

(2) The recommendation submitted pursuant to paragraph (1) shall include the following:

(A) A discussion of whether and to what degree section 1105 of the National Security Act of 1947, as added by subsection (a)(1), provides appropriate authorities and mechanisms to provide an external review panel as described in paragraph (1) of this subsection 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. 223. HARMONIZATION OF WHISTLEBLOWER PROCESSES AND PROCEDURES.

(a) In General.—Not later than 270 days after the date of enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General Forum, shall recommend harmonization applicable to all inspectors general of elements of the intelligence community, regarding the harmonization of instructions, policies, and directives relating to processes, procedures, and timelines for claims and appeals relating to allegations of personnel actions prohibited under section 104 of the National Security Act of 1947 (50 U.S.C. 3234), and to—

(1) The extent to which the Intelligence Community’s security agreements apply to intelligence community personnel who have left the intelligence community.

(b) Policy and Protection.—In developing recommendations under subsection (a), the Inspector General of the Intelligence Community shall take reasonable steps to harmonize and streamline the processes and procedures for the protection of whistleblowers.

SEC. 234. INTELLIGENCE COMMUNITY OVERSIGHT OF AGENCY WHISTLEBLOWER ATTORNEYS.

(a) Feasibility Study.—

(1) In General.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Intelligence Community Inspectors General Forum, shall complete a feasibility study on establishing a central clearinghouse for whistleblower complaints and developing clearance procedures to provide whistleblowers with access to cleared attorneys.

(b) Oversight System Required.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall establish a system whereby the Inspector General is provided, in near real time, with—

(1) All information relating to complaints by whistleblowers relating to the programs and activities under the jurisdiction of the Director of National Intelligence.

(2) Any inspector general actions relating to such complaints.

(c) Privacy Protections.—

(1) Policies and Procedures Required.—Before establishing the system required by subsection (b), the Inspector General of the Intelligence Community shall establish policies and procedures to protect the privacy of whistleblowers and protect against further dissemination of whistleblower information without consent of the whistleblower.

(2) Public Protection.—The system established under subsection (b) shall provide whistleblowers the option of prohibiting distribution of their complaints to the Inspector General of the Intelligence Community.

(3) Review.—The system shall be subject to review by the congressional intelligence committees.

SEC. 235. REPORT ON CLEARED WHISTLEBLOWER ATTORNEYS.

(a) Report Required.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on access to cleared attorneys by whistleblowers in the intelligence community.

(b) Contents.—The report submitted pursuant to subsection (a) shall include the following:

(1) The number of whistleblowers in the intelligence community who sought to retain a cleared attorney and at what stage they sought such an attorney.

(2) For the 3-year period preceding the report, the following:

(A) The number of cleared attorneys.

(B) The scope and clearance levels of such limited security agreements.

(C) The number of whistleblowers represented by cleared counsel.

(3) Recommendations for legislative or administrative action that will improve access to cleared attorneys.

SEC. 402. COMPREHENSIVE ECONOMIC ASSESSMENT OF INVESTMENT IN KEY UNITED STATES TECHNOLOGIES BY COMPANIES OR ORGANIZATIONS LINKED TO CHINA.

(a) Assessment Required.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the National Counterintelligence and Security Center, the Director of the Federal Bureau of Investigation, the Director of the National Geospatial-Intelligence Agency, and the Secretaries of Commerce, Defense, and Homeland Security, shall conduct an economic assessment of investment made by companies or organizations linked to China, including the implications of these investments for the national security of the United States.

(b) Form of Assessment.—The assessment submitted pursuant to subsection (a) shall be submitted in unclassified form, but may include a classified annex.
SEC. 403. ANALYSIS OF AND PERIODIC BRIEFINGS ON MAJOR INITIATIVES OF 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, in coordination with the heads of such elements of the intelligence community as the Director considers appropriate—

(A) complete a comprehensive analysis of the major initiatives of the intelligence community in artificial intelligence and machine learning—

(B) submit to the congressional intelligence committees a report on the findings of the Director with respect to the analysis conducted pursuant to subparagraph (A).

(2) ELEMENTS.—The analysis conducted under paragraph (1)(A) shall include analyses of how the initiatives described in such paragraph—

(A) correspond with the strategy of the intelligence community entitled “Augmenting Intelligence Using Machines”;

(B) prevent, deter, or avoid unnecessary duplication;

(C) are coordinated with the efforts of the Defense Department on artificial intelligence, cybersecurity, and machine learning at the Joint Artificial Intelligence Center (JAIC) and Project Maven; and

(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, not less frequently than twice each year thereafter until the date that is 2 years after the date of the enactment of this Act, and not less frequently than once each year thereafter until the date that is 7 years after the date of the enactment of this Act, the Director and the Chief Information Officer of the Department of Defense shall jointly provide to the congressional intelligence committees and congressional defense committees (as defined in section 101 of title 10, United States Code) briefings with updates on activities relating to, and the progress of, their respective artificial intelligence and machine learning initiatives, particularly the Augmenting Intelligence Using Machines initiative and the Joint Artificial Intelligence Center.

SEC. 404. ENCOURAGING COOPERATIVE ACTIONS TO DETECT AND COUNTER FOREIGN INFLUENCE OPERATIONS.

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

(1) The Russian Federation, through military intelligence units, also known as the “GRU”, and Kremlin-linked troll organizations often referred to as the “Internet Research Agency”, deploy 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 societal tensions, undermining trust in governmental institutions within the United States, its allies and partners in the West, and generally sowing division, fear, and confusion.

(3) These information warfare operations are a part of Russian military operations within the United States and that of the allies and partners of the United States. As Director of National Intelligence Dan Coats stated, “These actions, if they continue, they are aggressive 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 increasingly adopt similar tactics of deploying information warfare operations against the West.

(6) Technological advances, including artificial intelligence, make it more difficult in the future to detect fraudulent accounts, deceptive material posted on social media, and malign behavior on social media platforms.

(7) Because these information warfare operations are deployed within and across private social media companies that own these platforms have a responsibility to detect and remove foreign adversary 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 Senate Intelligence Committee and the House Intelligence Committee, thereby demonstrating that it is possible to discern both broad patterns of cross-platform information warfare operations and clandestine malign 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 distrust 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 analyses by the social media companies and trusted third-party experts in a transparent manner will serve to demonstrate that the social media companies are detecting and removing foreign malign activities from their platforms while protecting the privacy of the people of the United States and will build public understanding of the scale and scope of these foreign influence activities.

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

(1) the 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 information warfare operations within and across their platforms in order to detect and counter foreign information warfare operations that threaten the national security of the United States and its allies and partners;

(2) these analytic efforts should be organized around the highest standards of ethics, confidentiality, and privacy protection of the people of the United States;

(3) these analytic efforts should be undertaken as soon as possible to facilitate countering ongoing Kremlin, Kremlin-linked, and other foreign information warfare operations and to aid in preparations for the United States presidential and congressional elections in 2020 and beyond;

(4) the structure and operations of social media companies make them well positioned to address foreign adversary threat networks within and across their platforms, and these efforts could be conducted without direct Government involvement, direction, or regulation; and

(5) if the social media industry fails to take sufficient action to address foreign adversary threat networks operating within or across their platforms, Congress would have the authority to consider additional or alternative approaches to ensuring that this threat is effectively mitigated.

(c) AUTHORITY TO FACILITATE ESTABLISHMENT OF SOCIAL MEDIA DATA ANALYSIS CENTER.

(1) AUTHORITY.—The Director of National Intelligence, in coordination with the Secretary of Defense, may facilitate, by grant or contract or under an existing authority of the Director, the establishment of a Social Media Data Analysis Center with the functions described in paragraph (2) at an independent, nonprofit organization.

(2) FUNCTIONS.—The functions described in this paragraph are the following:

(A) Acting as a coordinating and sponsoring authority for cooperative social media data analysis of foreign threat networks involving social media companies and third-party experts and government research institutions, data journalists, federally funded research and development centers, and academic researchers;

(B) Facilitating analysis within and across the individual social media platforms for the purpose of detecting, exposing, and countering clandestine foreign influence operations and related unlawful activities that fund or subsidize such operations;

(C) Developing processes to share information from government entities on foreign influence operations with the social media companies to inform threat analysis, and working with the Office of the Director of National Intelligence as appropriate;

(D) Determining and making public criteria for identifying which companies, organizations, or researchers qualify for inclusion in the activity and inviting entities that fit the criteria to join.

(E) Determining jointly with the social media companies and third-party experts, indicators necessary to detect foreign threat networks from their platforms and business operations will be made available for access and analysis.

(F) Developing and making public the criteria and standards that must be met for companies, other organizations, and individual researchers to access and analyze data relating to foreign adversary threat network within and across social media platforms and publish or otherwise use the results;

(G) Developing and making public the ethical standards for investigation of foreign threat networks and use of analytic results and for protection of the privacy of the customers and users of the social media platforms and of the proprietary information of the social media companies,

(H) Developing technical, contractual, and procedural controls to prevent misuse of data, including any necessary auditing procedures, compliance checks, 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.
SEC. 405. OVERSIGHT OF FOREIGN INFLUENCE IN ACADEMIA.

(a) DEFINITIONS.—In this section:

(1) COVERED HIGHER EDUCATION.—The term ‘covered institution of higher education’ means an institution described in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002) that receives funds in any amount and for any purpose.

(2) SENSITIVE RESEARCH SUBJECT.—The term ‘sensitive research subject’ means a subject of research that is carried out at a covered institution of higher education that receives funds that were appropriated for—

(A) the National Intelligence Program;

(B) any Federal agency the Director of National Intelligence deems appropriate.

(b) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act and not less frequently than once each year thereafter, the Director of National Intelligence, in consultation with such elements of the intelligence community as the Director considers appropriate and consistent with the privacy protections afforded to United States persons, shall submit to congressional intelligence committees a report on risks to sensitive research subjects posed by foreign entities in order to provide Congress and covered institutions of higher education with information on these risks and to help ensure academic freedom.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) A list of sensitive research subjects that could affect national security.

(2) A list of foreign entities, including government or government-like organizations, for-profit organizations, and any subsidiary or affiliate of such an entity, that the Director determines pose a counterintelligence, espionage, or economic espionage threat, or other national security threats with respect to sensitive research subjects.

(3) A list of any known or suspected attempts by foreign entities to exert pressure on covered institutions of higher education, including attempts to limit freedom of speech, to create disinformation or misinformation, or to influence professors, researchers, or students.

(4) Recommendations for collaboration between covered institutions of higher education and the intelligence community to mitigate threats to sensitive research subjects associated with foreign influence in academia, including any necessary legislative or administrative measures.

(d) CONGRESSIONAL NOTIFICATIONS REQUIRED.—Not later than 30 days after the date on which the Director identifies a change to either list described in paragraph (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 a report on—

(1) the threat to United States national security posed by the global and regional adoption of fifth-generation (5G) wireless network technology built by foreign companies; and

(2) the effect of possible efforts to mitigate the threat.

(b) CONTENTS.—The report required by subsection (a) shall include:

(1) The 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 security.

(3) The effect of possible mitigation efforts, including:

(A) United States Government policy promoting or funding free, open-source implementation of fifth-generation wireless network technology.

(B) United States Government policy promoting or funding free, open-source implementation of fifth-generation wireless network technology developed by companies of the United States or companies of allies of the United States.

(C) The 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, except that the Director 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 enactment of this Act and not less frequently than once each year thereafter, the Comptroller General of the United States shall submit to the congressional intelligence committees a report on cybersecurity and surveillance threats to Congress.

(b) STATISTICS.—Each report submitted under subsection (a) shall include statistics on cyber attacks and other incidents of espionage or surveillance targeted against Senators or the immediate families or staff of the Senators, in which the nonpublic communications and other private information of such targeted individuals were lost, stolen, or otherwise subject to unauthorized access by criminals or a foreign government.

(c) CONSULTATION.—In preparing a report to be submitted under subsection (a), the Comptroller General may consult with the Director of National Intelligence, the Secretary of Homeland Security, and the Sergeant at Arms and Doorkeeper of the Senate.

SEC. 408. DIRECTOR OF NATIONAL INTELLIGENCE ASSESSMENTS OF FOREIGN INTERFERENCE IN ELECTIONS.

(a) ASSESSMENTS.—Not later than 45 days after the conclusion of a United States election, the Director of National Intelligence, in consultation with the heads of such other executive departments and agencies as the Director considers appropriate, shall—

(1) conduct an assessment of any information indicating that a foreign government, or any person acting as an agent of or on behalf of a foreign government, has acted with the intent or purpose of interfering in that election; and

(2) transmit the findings of the Director with respect to the assessment conducted under paragraph (1), along with such supporting information as the Director considers appropriate, to the following:

(A) The President.

(B) The Secretary of State.

(C) The Secretary of the Treasury.

(D) The Secretary of Defense.

(E) The Attorney General.

(F) The Secretary of Homeland Security.

(G) Congress.

(h) ELEMENTS.—An assessment conducted under subsection (a)(1), with respect to an
act described in such subsection, shall identify, to the maximum extent ascertainable, the following:

(1) The nature of any foreign interference and any methods employed to execute the act.
(2) The persons involved.
(3) The foreign government or governments that authorized, directed, sponsored, or supported the act.

(c) PUBLICATION.—In a case in which the Director conducts an assessment under subsection (a)(1) with respect to an election, the Director shall, as soon as practicable after the date of the conclusion of such election and not later than 60 days after the date of such conclusion, make available to the public, to the greatest extent possible consistent with the protection of sources and methods, the findings transmitted under subsection (a)(2).

SEC. 409. STUDY ON FEASIBILITY AND ADVISABILITY OF ESTABLISHING GEOSPATIAL-INTELLIGENCE MUSEUM AND LEARNING CENTER.

(a) STUDY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Geospatial-Intelligence Agency shall complete a study on the feasibility and advisability of establishing a Geospatial-Intelligence Museum and learning center.

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

(1) Examining the benefits, opportunities, and challenges of establishing the museum and learning center as described in such subsection.

(2) Developing recommendations concerning such establishment.

(3) Identifying and reviewing lessons learned from the establishment of the Cyber Center for Education and Innovation—Home of the National Cryptologic Museum under section 788(a) of title 10, United States Code.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees and the congressional defense committees (as defined in section 101 of title 10, United States Code) a report on the findings of the Director with respect to the study completed under subsection (a).

SEC. 410. REPORT ON DEATH OF JAMAL KHASHOGGI.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on the death of Jamal Khashoggi, consistent with protecting sources and methods. Such report shall include identification of those who carried out, participated in, ordered, or were otherwise complicit in or responsible for the death of Jamal Khashoggi.

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

DIVISION —INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS 2018 AND 2019

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 —INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS 2018 AND 2019

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Intelligence Community Management.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.
Sec. 302. Increase in employee compensation and benefits authorized by law.
Sec. 303. Modification of special pay authority for science, technology, engineering, or mathematics positions and addition of special pay authority for cyber positions.
Sec. 304. Modification of appointment of Chief Information Officer of the Intelligence Community.
Sec. 305. Director of National Intelligence review of placement of positions within the intelligence community on the Executive Schedule.
Sec. 306. Supply Chain and Counterintelligence Risk Management Task Force.
Sec. 307. Consideration of adversarial telecommunications and cybersecurity infrastructure when sharing intelligence with foreign governments and entities.
Sec. 308. Cyber protection support for the personnel of the intelligence community in positions highly vulnerable to cyber attack.
Sec. 309. Modification of authority relating to management of supply-chain risk.
Sec. 310. Limitations on determinations regarding certain security clearances.
Sec. 311. Joint Intelligence Community Council.
Sec. 312. Intelligence community information technology environment.
Sec. 313. Report on development of secure mobile voice solution for intelligence community.
Sec. 314. Policy on minimum insider threat standards.
Sec. 315. Supply Chain of Intelligence community policies.
Sec. 316. 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.
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TITLE V—ELECTION MATTERS

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TITLE VI—SECURITY CLEARANCES

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.
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Sec. 609. Reports on reciprocity for security clearances inside of departments.
Sec. 610. Intelligence community reports on security clearances.

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Sec. 611. Periodic report on positions in the intelligence community that can be conducted without access to classified information, United States set forth in subsection (a) hereby authorized.

Sec. 612. Information sharing program for positions of trust and security clearances.

Sec. 613. Report on protections for confidentiality of whistleblowers.

Sec. 706. Report on outreach strategy and national security implications of unauthorized disclosure of classified information.

Sec. 711. Technical correction to Inspector General report on travel of foreign diplomats.

Sec. 712. Reports on authorities of the Chief Intelligence Officer of the Department of Homeland Security.

Sec. 713. Report on cyber exchange program.

Sec. 714. Review of intelligence community whistleblower matters.

Sec. 715. Report on role of Director of National Intelligence.


Sec. 717. Biennial report on foreign investment.

Sec. 718. Modification of certain reporting requirement on travel of foreign diplomats.

Sec. 719. Senate and House reports on investigations of unauthorized disclosures of classified information.

Sec. 720. Congressional notification of designation of covered intelligence community personnel 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 how to address the emerging infectious disease and pandemics.

Sec. 724. Annual report on memoranda of understanding between elements of intelligence community and other entities of the United States government regarding significant operational activities or policy.

Sec. 725. Study on the feasibility of encrypting unclassified wireline and wireless telephone calls.

Sec. 726. Modification of requirement for annual report on hiring and retention of intelligence community personnel.

Sec. 727. Reports on intelligence community loan repayment and related programs.

Sec. 728. Repeal of certain reporting requirements.


Sec. 730. Briefing on Federal Bureau of Investigation offering permanent residence to sources and co-operators.

Sec. 731. Intelligence assessment of North Korea nuclear sources.


Subtitle C—Other Matters

Sec. 741. Public Interest Declassification Board.

Sec. 742. Securing energy infrastructure.

Sec. 743. Bug bounty programs.

Sec. 744. Modification of authorities relating to the National Intelligence University.


Sec. 746. Technical amendments related to the Department of Energy.

Sec. 747. Sense of Congress on notification of certain disclosures of classified information.

Sec. 748. Sense of Congress on consideration of intelligence community personnel when considering whether or not to provide visas to foreign individuals to be accredited to a United States intelligence agency mission in the United States.

Sec. 749. Sense of Congress on WikiLeaks.

SEC. 2. DEFINITIONS. In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMIT- TIES.—The term “congressional intelligence committees” has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given such term in 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 conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(b) Authorization for Fiscal Year 2020. (1) IN GENERAL.—Section 221 of the Central Intelligence Agency Retirement and Disability Act (50 U.S.C. 3306(a)) is amended—

(2) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given such term in such section.

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2019.

SEC. 202. COMPUTATION OF ANNUITIES FOR EMPLOYEES OF THE CENTRAL INTELLIGENCE AGENCY.

(a) Computation of Annuities.—

(1) In General.—Section 221 of the Central Intelligence Agency Retirement and Disability Act (50 U.S.C. 3301) is amended—

(2) The Department of State.

(9) The Department of the Treasury.
Section 301. Restriction on conduct of intelligence and related 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.

Section 302. Increase in employee compensation and benefits authorized by law.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for personnel may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation and benefits authorized by law.

Section 303. Modification of special pay authority for science, technology, engineering, or mathematics.

(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 for 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 of pay (1) shall be basic pay, or for other or similar purposes as those specified in section 5305 of title 5, United States Code; and

(3) Repeal.—Subsections (a) and (b) of section 104 of title 3, United States Code, are repealed.

Section 304. Modification of appointment of chief information officer of the intelligence community.

(a) Chief information officer.—The Director of the National Intelligence Community, in coordination with the Director of National Intelligence, in consultation with the Under Secretary of Defense for Intelligence, may determine—

(1) the standards under which such review shall be conducted;

(2) the rate of basic pay payable for level II of the Executive Schedule under subsection (f)(1) of title 5, United States Code, if the Director certifies to the Secretary of Defense, by name, individuals that have advanced skills and competencies and that perform critical functions that execute the mission and other missions of the intelligence community;

(3) the rate of basic pay payable for the Vice President of the United States under subsection (g) of title 3, United States Code, if the Director certifies to the Secretary of Defense, by name, individuals that have advanced skills and competencies and that perform critical functions that execute the mission and other missions of the intelligence community.

(b) Exceptions.—If the Director certifies to the Secretary of Defense, by name, individuals that have advanced skills and competencies and that perform critical functions that execute the mission and other missions of the intelligence community, the basic pay payable for level II of the Executive Schedule under subsection (f)(1) of title 5, United States Code, shall not exceed the rate of basic pay established under the Office of Personnel Management, shall not exceed the rate of basic pay established under the Office of Personnel Management, shall be determined—

(1) by redesignating subsections (a) and (b) of section 221(b) as subsection (c) and (d), respectively; and

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

(‘‘b’’ PART-TIME EMPLOYED ANNUITANTS.—The Director shall have the authority to recognize a part-time employment basis in accordance with section 8344(h)(1) of title 5, United States Code.’’).

(c) Effective date.—The amendments made by subsection (a) and subsection (b) shall take effect as if enacted on October 28, 2009, and shall apply to computations for participants, respectively, as of such date.

Title III—General Intelligence Community Matters

Section 313A. Modification of special pay authority for positions that perform critical functions.

A pay authority established by the Director for positions that perform critical functions—

(1) by redesignating subsections (b) and (c) of section 402 of title 5, United States Code, as subsections (a) and (b), respectively; and

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

(‘‘b’’ PART-TIME EMPLOYED ANNUITANTS.—The Director shall have the authority to recognize a part-time employment basis in accordance with section 8344(h)(1) of title 5, United States Code.’’).

Title IV—Special Rates of Pay Authority for Cyber Positions

Section 315. Increase in employee compensation and benefits authorized by law.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for personnel may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation and benefits authorized by law.

Section 316. Modification of special pay authority for positions that perform critical functions.

(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 for 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 of pay (1) shall be basic pay, or for other or similar purposes as those specified in section 5305 of title 5, United States Code; and

(3) Repeal.—Subsections (a) and (b) of section 104 of title 3, United States Code, are repealed.

Section 317. Modification of appointment of chief information officer of the intelligence community.

(a) Chief information officer.—The Director of the National Intelligence Community, in coordination with the Director of the Office of Personnel Management, shall conduct a review of positions within the intelligence community regarding the placement of such positions on the Executive Schedule under subchapter II of chapter 53 of title 5, United States Code. In carrying out such review, the Director of National Intelligence, in consultation with the Director of the Office of Personnel Management, 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) In general.—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 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 standards by which the review was conducted 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 and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on Armed Services, the Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives.

(b) REQUIREMENT TO ESTABLISH.—The Director of National Intelligence shall establish a Supply Chain and Counterintelligence Risk Management Task Force to standardize intelligence sharing agreement with a foreign entity entering into the agreement.

SEC. 308. CYBER PROTECTION SUPPORT FOR THE PERSONNEL OF THE INTELLIGENCE COMMUNITY IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) DEFINITIONS.—In this section:

(1) PERSONAL ACCOUNTS.—The term "personal accounts" means accounts for online services and telecommunication, including telephone, residential Internet access, e-mail, text and multimedia messaging, cloud computing, social media, health care, and financial services, related to the activities of the intelligence community outside of the scope of their employment with elements of the intelligence community.

(2) PERSONAL TECHNOLOGY DEVICES.—The term "personal technology devices" means technology devices 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 the personal accounts of personal technology devices and personal accounts of the personnel described in paragraph (2).

(2) AT-RISK PERSONNEL.—The personnel described in paragraph (1) are personnel of the intelligence community—

(A) who the Director determines to be highly vulnerable to cyber attacks and hostile information collection activities because of the positions occupied by such personnel in the intelligence community; and

(B) whose personal technology devices or personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(c) NATURE OF CYBER PROTECTION SUPPORT.—Subject to the availability of resources, the cyber protection support provided to personnel under subsection (b) may include training, technical assistance, and other services relating to cyber attacks and hostile information collection activities.

(d) LIMITATIONS.—Nothing in this section shall be construed to—

(1) encourage personnel of the intelligence community to use personal technology devices and personal accounts in an official capacity; or

(2) authorize cyber protection support for senior intelligence community personnel using personal devices, networks, and personal accounts in an official capacity.

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the 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 determinations described in paragraphs (2) and (3); and

(2) guidance for the use of cyber protection support for 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 (b) of section 309 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112-87; 50 U.S.C. 3329 note) is amended by inserting "the date that is 180 days after the date of enactment of this Act".

(b) REPEAL OF SUNSET.—Such section is amended by striking subsection (g).
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—

(A) 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.

(B) Ensuring measurable performance goals exist for such environment.

(C) Documenting standards and practices of such environment.

(D) Acting as an arbiter among elements of the intelligence community related to any disagreements arising out of the implementation or execution of such environment.

(E) Delegating responsibilities to the elements of the intelligence community and carrying such responsibilities as are necessary for the effective implementation of such environment.

(2) CORE SERVICE PROVIDERS.—Providers of core service responsibilities for—

(A) providing core services, in coordination with the Director of National Intelligence; and

(B) providing the Director with information requested and required to fulfill the responsibilities of the Director under paragraph (1).

(3) USE OF CORE SERVICES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each element of the intelligence community shall use core services when such services are available.

(B) EXCEPTION.—The Director of National Intelligence may provide for a written exception to the requirement under subparagraph (A) if the Director determines there is a compelling financial or mission need for such exception.

(c) MANAGEMENT ACCOUNTABILITY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall designate and maintain one or more accountable executives of the intelligence community information technology environment, including—

(1) management, financial control, and integration of such environment;

(2) overseeing the performance of each core service, including establishing measurable service requirements and schedules;

(3) to the degree feasible, ensuring testing of each core service element, including testing by the intended users, to evaluate performance against measurable service requirements and to ensure the capability meets user needs, and

(4) coordinate transition or restructuring efforts of such environment, including phase-out of legacy systems.

(d) SECURITY PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall develop and maintain a security plan for the intelligence community information technology environment.

(e) LONG-TERM ROADMAP.—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 long-term roadmap that shall include each of the following:

(1) A description of the minimum required and desired core service requirements, including—

(A) key performance parameters; and

(B) an assessment of current, measured performance.

(2) Implementation milestones for the intelligence community information technology environment, including each of the following:

(A) A schedule for expected deliveries of core service capabilities during each of the following phases:

(i) Concept refinement and technology maturity demonstration.

(ii) Development, integration, and demonstration.

(iii) Production, deployment, and sustainment.

(iv) System retirement.

(B) Dependencies of such core service capabilities.

(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.

(3) 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 each year thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a business plan that includes each of the following:

(1) 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) A uniform approach by which each element of the intelligence community shall identify the cost of legacy information technology or alternative capabilities where services of the intelligence community information technology environment will also be available.

(3) A uniform effort by which each element of the intelligence community shall identify the cost of transitioning to new, existing, and retiring services of the intelligence community information technology environment as well as services of such environment that have changed designations as a core service.

(g) QUARTERLY PRESENTATIONS.—Beginning on or after 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the congressional intelligence committees quarterly updates regarding ongoing implementation of the intelligence community information technology environment as compared to the requirements of this Act and the long-term roadmap required by subsection (d).

(h) ADDITIONAL NOTIFICATIONS.—The Director of National Intelligence shall provide timely notification to the congressional intelligence committees regarding any policy changes related to or affecting the intelligence community information technology environment, new initiatives or strategies required to or impacting such environment, and changes or deficiencies in the execution of the security plan required by subsection (d), the long-term roadmap required by subsection (e), and the business plan required by subsection (f).

(i) SUNSET.—The section shall have no effect on or after September 30, 2024.

SEC. 313. REPORT ON DEVELOPMENT OF SECURE MOBILE VOICE SOLUTION FOR INTELLIGENCE COMMUNITY.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency and the Director of the National Security Agency, shall submit to the congressional intelligence committees a report on the feasibility, desirability, cost, and requirements associated with the implementation of a secure mobile voice solution for the intelligence community.

(b) CONTENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) The benefits and disadvantages of a secure mobile voice solution.

(2) Whether the intelligence community could leverage commercially available technology that operates on commercial mobile networks in a secure manner and identifying the accompanying security risks to such networks.

(3) A description of any policies or community guidance that would be necessary to govern the potential solution, such as a process for determining the 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 a policy for 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, or any successor electronic distribution mechanism, by which the Director of National Intelligence submits to the congressional intelligence committees information.

(2) POLICY.—The term ‘‘policy’’, with respect to the intelligence community, includes—

(A) directives, policies, guidance, and policy memoranda of the intelligence community;
(B) executive correspondence of the Director of National Intelligence; and
(C) any equivalent successor policy instrument.

SECTION 3. 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 using the electronic repository all nonpublicly available policies issued by the Director of National Intelligence for the intelligence community that are in effect as of the date of the submission.

(2) CONTINUOUS UPDATES.—Not later than 15 days after the date on which the Director of National Intelligence, modifies, 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.

SECTION 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 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 ELE-

SECTION 401. AUTHORITY FOR PROTECTION OF CUR-

On the Authority for Protection of Currently and Former Employees of the Office of the Director of National Intelligence

Section 401(a) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3906(a)(4)) is amended by striking “such personnel of the Office of the Director of National Intelligence may designate” and inserting “current and former personnel of the Office of the Director of National Intelligence and their immediate families as the Director of National Intelligence may designate”.

SECTION 402. DESIGNATION OF THE PROGRAM MANAGER—INFORMATION SHARING ENVIRONMENT.—

(a) INFORMATION SHARING ENVIRONMENT.—Section 101(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(c)(1)) 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(c)(1)) is amended by striking “The individual designated as the program manager shall serve as program manager until removed from service or replaced by the President (at the President’s sole discretion)” and inserting “Beginning on the date of the enactment of the Department of Energy Organization Act and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019, each individual designated as the program manager shall be appointed by the Director of National Intelligence.”.

SECTION 403. TECHNICAL MODIFICATION TO THE EX-

On the Technical Modification to the Existing Office of Intelligence and Counterintelligence

Section 5315 of title 5, United States Code, is amended by adding at the end the following:

“(e) Director of the National Counterintelligence and Security Center.”.

SECTION 404. CHIEF FINANCIAL OFFICER OF THE IN-

On the Chief Financial Officer of the Intelligence Community

Section 302(a) of the National Security Act of 1947 (50 U.S.C. 302(a)) is amended by adding at the end the following new sentence: “The Chief Financial Officer shall report directly to the Director of National Intelligence.”.

SECTION 405. CHIEF INFORMATION OFFICER OF THE INTE-

On the Chief Information Officer of the Intelligence Community

Section 1050(a) of the National Security Act of 1947 (50 U.S.C. 3050(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.”.

SECTION 411. CENTRAL INTELLIGENCE AGENCY SUB-

On the Central Intelligence Agency Subsistence for Personnel Assigned to Overseas Locations

Subsection (a) of section 5 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3906) is amended—

(1) in paragraph (1), by striking “(6 U.S.C. 403-4a),” and inserting “(50 U.S.C. 403-4a),”;

and

(2) in paragraph (6), by striking “and” at the end;

and

(3) in paragraph (7), by striking the period at the end and inserting “; and”;

and

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

“(c) 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.”.

SECTION 412. EXPANSION OF SECURITY PROTECTIVE SERVICE JURISDICTION OF THE CENTRAL INTELLIGENCE AGENCY.

Subsection (a) of section 35 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(a)) is amended—

(1) in the subsection heading, by striking “POLICE” and inserting “POLICE OFFICERS;”;

and

(2) in paragraph (1)—

(A) in subparagraph (B), by striking “500 feet;” and inserting “500 yards;”;

(B) in subparagraph (D), by striking “500 feet;” and inserting “500 yards.”;

and

(3) by adding at the end the following new item:

“(b) REPEAL OF FOREIGN LANGUAGE PROFICIENCY REQUIREMENTS FOR CERTAIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGENCY.—

(1) REPEAL OF FOREIGN LANGUAGE PROFICIENCY REQUIREMENT.—Section 101A of the National Security Act of 1947 (50 U.S.C. 3006) is amended by striking subsection (g)

(2) CONFORMING REPEAL.—Section 611 of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108-487) is amended by striking subsection (c).

SECTION 413. REPEAL OF FOREIGN LANGUAGE PROFICIENCY REQUIREMENT FOR CERTAIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGENCY.

(a) REPEAL.—Section 1051 of the National Security Act of 1947 (50 U.S.C. 3051) is amended by striking “Director of National Intelligence.”

(b) CONFORMING REPEAL.—Section 611 of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108-487) is amended by striking subsection (c).

SECTION 421. CONSOLIDATION OF DEPARTMENT OF ENERGY INTELLIGENCE, EXECUTIVE COMMITTEE AND BUDGET REPORTING REQUIREMENT.

Section 215 of the Department of Energy Organization Act (42 U.S.C. 714a) is amended by striking the item relating to sections 215 and 216 and inserting the following new item:

“215. Office of Intelligence and Counterintelligence.”.

SECTION 422. REPEAL OF DEPARTMENT OF ENERGY INTELLIGENCE, EXECUTIVE COMMITTEE AND BUDGET REPORTING REQUIREMENT.

Section 214 of the Department of Energy Organization Act (42 U.S.C. 714a) is amended—

(1) by striking “(a) DUTY OF SECRETARY.—”;

and

(2) by striking subsections (b) and (c).

SECTION 431. PLAN FOR DESIGNATION OF COUNTERINTELLIGENCE COMPONENT OF DEFENSE SERVICE AS AN ELEMENT OF INTELLIGENCE COMMUNITY.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and Under Secretary of Defense for Intelligence, in coordination with the Director of the National Counterintelligence and Security Center, 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 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, 2019. Such plan shall—

(1) address the implications of such designation on the authorities, governance, personnel, resources, information technology, collection, analytic products, information sharing, and business processes of the Defense Security Service and the intelligence community;

and

(2) not address the personnel security functions of the Defense Security Service.

SECTION 432. NOTICE NOT REQUIRED FOR PRIVATE ENTITIES.

Section 5355 of title 44, United States Code, is amended—

SEC. 103G(a) of the National Security Act of 1947 (50 U.S.C. 3003).
(b) MATTERS FOR INCLUSION.—The framework required under subsection (a) shall include—
(1) a lexicon providing for consistent definitions of relevant terms used by both the intelligence community and the Department of Defense, including each of the following:
(A) Defense 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 maintaining separate designations for the intelligence community and the Department of Defense for intelligence functional or enterprise management constructs.
(3) a repeatable process for evaluating the addition, transfer, or elimination of defense intelligence missions, roles, and functions, currently or to be performed in the future by the Defense Intelligence Agency, which includes each of the following:
(A) A justification for the addition, transfer, or elimination of a mission, role, or function.
(B) The identification of which, if any, element of the Federal Government performs the considered mission, role, or function.
(C) In the case of any new mission, role, or function:
(i) an assessment of the most appropriate agency or element to perform such mission, role, or function, taking into account the resource profiles, scope of responsibilities, primary customers, and existing infrastructure necessary to support such mission, role, or function; and
(ii) a determination of the appropriate resource profile and an identification of the proposed resources needed and the proposed source of such resources over the future-years defense program, to be provided in writing to any elements of the intelligence community and the Department of Defense affected by the assumption, transfer, or elimination of any mission, role, or function.
(D) In the case of any mission, role, or function:
(i) a determination of whether, as assumed, transferred, or eliminated, an assessment, which shall be completed jointly by the heads of each element affected by such assumption, transfer, or elimination, of the resources that would be assumed by the intelligence community and the Department if such mission, role, or function is assumed, transferred, or eliminated.
(E) A description of how determinations are made regarding the funding of programs and the Intelligence Community Integration Program and the Military Intelligence Program, including—
(i) which programs or activities are funded under each such Program;
(ii) which programs or activities should be jointly funded under both such Programs and how determinations are made with respect to such funding allocations for such programs and activities; and
(iii) the thresholds and process for changing a program or activity from being funded under one such Program to being funded under the other such Program.
SEC. 434. ESTABLISHMENT OF ADVISORY BOARD FOR NATIONAL RECONNAISSANCE OFFICE.
(a) ESTABLISHMENT.—Section 106A of the National Security Act of 1947 (50 U.S.C. 3041a) is amended by adding at the end the following new subsection:
(4) ADVISORY BOARD.—
(1) Establishment.—There is established in the National Reconnaissance Office an advisory board (in this section referred to as the ''Board'') to—
(A) study matters relating to the mission of the National Reconnaissance Office, including with respect to promoting innovation, competition, and resilience in space, overhead reconnaissance, acquisition, and other matters; and
(B) advise and report directly to the Director with respect to such matters.
(2) Members.—The Board shall be composed of 5 members appointed by the Director from among individuals with demonstrated academic, government, business, or other expertise relevant to the mission and functions of the National Reconnaissance Office.
(3) Notification.—Not later than 30 days after the date on which the Director appoints a member to the Board, the Director shall notify the congressional intelligence committees and the Committee on Foreign Affairs of the House of Representatives of such appointment.
(4) Meetings.—The Board shall meet at least quarterly, but may meet more frequently, at the call of the Director.
(b) DUTIES.—The Board shall—
(1) study matters relating to the mission of the National Reconnaissance Office, including with respect to promoting innovation, competition, and resilience in space, overhead reconnaissance, acquisition, and other matters; and
(2) advise and report directly to the Director with respect to such matters.
(c) Travel Expenses.—Each member shall be entitled to 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.
(d) Authorization.—The Board shall—
(1) keep its advisors reimbursed at a rate of not more than $150 per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.
(2) approve the payment of per diem in lieu of subsistence or other per diem costs to its members; and
(3) authorize the payment of per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code, to any member who is a covered employee of the National Reconnaissance Office.
(e) Authorization.—The Board shall keep its advisors reimbursed at a rate of not more than $150 per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.
(f) 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.
(g) Authorization.—The Board shall keep its advisors reimbursed at a rate of not more than $150 per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.
on cyber attacks and attempted cyber attacks by foreign governments on United States election infrastructure in States and localities in connection with the 2016 Presidential election. Such report shall include a description and analysis of the threats and risks, including any deficiencies in those authorities.

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

SEC. 502. REVIEW OF INTELLIGENCE COMMUNITY POSTURE TO COLLECT AGAINST AND ANALYZE RUSSIAN EFFORTS TO INFLUENCE THE PRESIDENTIAL ELECTION

(a) REVIEW REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) complete an after action review of the posture of the 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 applicable authorities necessary to collect on such efforts and any deficiencies in those authorities.

(c) FORM OF REPORT.—The report required by subsection (a)(2) shall be submitted to the congressional intelligence committees in a classified form.

SEC. 503. ASSESSMENT OF FOREIGN INTELLIGENCE THREATS TO FEDERAL ELECTIONS

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the following:

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(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; and

(D) the minority leader of the House of Representatives.

(3) SECURITY VULNERABILITY.—The term "security vulnerability" has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(b) IN GENERAL.—The Director of National Intelligence, in coordination with the Director of the National Security Agency, the Director of the National Intelligence, the Director of the Central Intelligence Agency, the Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the heads of other relevant elements of the intelligence community, shall—

(1) commence not later than 1 year before any regularly scheduled Federal election occurring after December 31, 2018, submit a report on such security vulnerabilities and an assessment of foreign intelligence threats to the election to—

(A) congressional leadership; and

(B) the appropriate congressional committees.

(2) not later than 180 days before any regularly scheduled Federal election occurring after December 31, 2018, and complete not later than 180 days before such election, an assessment of security vulnerabilities of State election systems; and

(3) Technical security measures, including, at a minimum, the specific means by which such security vulnerabilities were exploited, and the means by which such security vulnerabilities could be exploited in the future.

(c) UPDATE.—Not later than 90 days before any regularly scheduled Federal election occurring after December 31, 2018, the Director of National Intelligence shall—

(1) update the assessment of foreign intelligence threats to that election; and

(2) submit the updated assessment to—

(A) congressional leadership; and

(B) the appropriate congressional committees.

SEC. 504. STRATEGY FOR COUNTERING RUSSIAN INFLUENCE CAMPAIGNS DIRECTED AT FOREIGN ELECTIONS

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional intelligence committees;

(2) The Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) The Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(b) COMMITTEE ON FOREIGN RELATIONS OF THE SENATE.—The Committee on Foreign Relations of the Senate.

(c) REQUIREMENT FOR A STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall joint the appropriate congressional committees on the strategy developed under subsection (a) of this section for countering Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, are being conducted, or are likely to be conducted, and the specific goal of each such campaign.

(d) STRATEGY.—The strategy required by subsection (c) shall include the following:

(1) A whole-of-government approach to protecting United States electoral systems and processes in the United States, including Federal, State, and local election systems, voter registration databases, voting tabulation equipment, and equipment and systems for the secure transmission of election results.

(2) ELEMENTS OF THE STRATEGY.—The strategy required by subsection (c) shall include the following elements:

(A) A whole-of-government approach to protecting United States electoral systems and processes in the United States, including Federal, State, and local election systems, voter registration databases, voting tabulation equipment, and equipment and systems for the secure transmission of election results.

(B) Technical security measures, including, at a minimum, the specific means by which such security vulnerabilities were exploited, and the means by which such security vulnerabilities could be exploited in the future.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted to the appropriate congressional committees in a classified form, but if so submitted, shall contain an unclassified summary.
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 information on 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 best practices that election campaigns for Federal offices can employ in countering such threats. (C) An identification of any publicly available resources, including United States Government resources, for countering such threats.

(2) SCHEDULE FOR SUBMITTAL.—A report under this subsection shall be made available as follows: (A) In the case of a report regarding an election held for the office of Senator or Member of the House of Representatives during 2018, not later than the date that is 60 days after the date of the enactment of this Act. (B) In the case of a report regarding an election for a Federal office during any subsequent year, not later than the date that is 1 year before the date of 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.

(4) TREATMENT OF CAMPAIGNS SUBJECT TO HEIGHTENED 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 protection of sources and methods, may 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, or any territory or possession of the United States.

(b) SECURITY CLEARANCES.—(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall support the Under Secretary of Homeland Security for Intelligence and Analysis, and any other official of the Department of Homeland Security designated by the Secretary of Homeland Security, in sponsoring a security clearance up to the top secret level for each eligible chief election official of a State or the District of Columbia, and any other eligible designee of such election official as the time that such election official assumes such position.

(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 designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate counterintelligence matters relating to election security.

(2) ADDITIONAL RESPONSIBILITIES.—The person designated under subsection (a) shall perform such additional responsibilities as the Director determines necessary to counter intelligence matters relating to election security.

(d) DESIGNATION OF COUNTERINTELLIGENCE OFFICER TO LEAD ELECTION SECURITY MATTERS.

(a) IN GENERAL.—The Director of National Intelligence shall designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate counterintelligence matters relating to election security.

(b) ADDITIONAL RESPONSIBILITIES.—The person designated under subsection (a) shall perform such additional responsibilities as the Director determines necessary to counter intelligence matters relating to election security.

(c) CRITICAL INFRASTRUCTURE RELATED TO ELECTIONS.

(1) That on or after the date of the enactment of this Act, a significant foreign cyber intrusion or active measures campaign intended 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 group, or other entity.

(1) IN GENERAL.—Not later than 14 days after making a determination under subsection (b), 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.
TITLE VI—SECURITY CLEARANCES

SEC. 601. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means:

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Armed Services of the House of Representatives;

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

(G) the Committee on Homeland Security of the House of Representatives; and

(H) the Committee on Oversight and Reform of the House of Representatives.

(2) APPROPRIATE INDUSTRY PARTNERS.—The term ‘‘appropriate industry partner’’ means a contractor, licensee, or grantee (as defined in section 101(a) of Executive Order 12896 (50 U.S.C. 3161 note; relating to National Industrial Security Program)) that is participating in the National Industrial Security Program established by such Executive Order.

(3) CONTINUOUS VETTING.—The term ‘‘continuous vetting’’ has the meaning given such term in Executive Order 13847 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information).

(4) COUNCIL.—The term ‘‘Council’’ means the Security, Suitability, and Credentialing Performance Accountability Council established pursuant to such Executive Order, or any successor entity.

(5) SECURITY EXECUTIVE AGENT.—The term ‘‘Security Executive Agent’’ means the officer serving as the Security Executive Agent pursuant to section 803 of the National Security Act of 1947, as added by section 605.

(6) SUITABILITY AND CREDENTIALING EXECUTIVE AGENT.—The term ‘‘Suitability and Credentialing Executive Agent’’ means the Director of the Office of Personnel Management acting as the Suitability and Credentialing Executive Agent in accordance with Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information) of any successor entity.

SEC. 602. REPORTS AND PLANS RELATING TO SECURITY CLEARANCES AND BACKGROUND INVESTIGATIONS.

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

(1) ensuring the trustworthiness and security of the workforce, facilities, and information that the Federal Government is of the highest priority to national security and public safety;

(2) the President and Congress should prioritize the modernization of the personnel security framework to improve its efficiency, effectiveness, and accountability;

(3) the current system for security clearance, suitability, and credentialing lacks efficiencies and capabilities to meet the current threat environment, recruit and retain a trusted workforce, and capitalize on modern technologies; and

(4) changes to policies or processes to improve this system should be vetted through the appropriate standardization, accountability, and reciprocity in security clearances across the Federal Government.

(b) ACCOUNTABILITY PLANS AND REPORTS.—

(1) PLANS.—Not later than 90 days after the date of the enactment of this Act, the Council shall submit to the appropriate congressional committees and make available to appropriate industry partners the following:

(A) A plan, with milestones, to reduce the background investigation inventory to 100,000 an other steady-state level, by the end of year 2020. Such plan shall include notes of any required changes in investigative and adjudicative standards or resources.

(B) A plan to conduct the consolidation of background investigations with the most effective and efficient manner between the National Background Investigation Bureau and the Defense 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 to appropriate industry partners a report on the future of personnel security to reflect changes in threats, technology, and personnel security.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) A risk framework for granting and renewing access to classified information.

(ii) A discussion of the use of technologies to prevent, detect, and monitor threats.

(iii) A discussion of efforts to address reciprocity and portability.

(iv) A discussion of the characteristics of effective insider threat programs.

(v) An analysis of how to integrate data from continuous evaluation, insider threat programs, and human resources data.

(vi) Recommendations on interagency governance.

(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 of the Council 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 requests 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, or any additional 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 members of the Council, 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 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 any such information currently collected is unnecessary to support the adjudicative guidelines.

(2) An assessment of whether such Questionnaire, 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) reducing the time required for investigations with continuous evaluation techniques in all appropriate circumstances.

(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:

(i) A policy and implementation plan for the issuance of interim security clearances.

(ii) 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 contractor will be performing;

(B) standardization in the forms that agencies issue to initiate the process for a security clearance;

(C) digitization of background investigation-related forms;

(D) the polygraph;

(E) the application of the adjudicative guidelines under Security Executive Agent Directive 4 (known as the ‘‘National Security Adjudicative Guidelines’’);

(F) reciprocal recognition of clearances across agencies and departments of the United States, regardless of status of periodic investigations;

(G) tracking of clearance files as individuals move from employment with an agency or department of the United States to employment in the private sector;

(H) collection of timelines for movement of contractors across agencies and departments;

(I) reporting on security incidents and job performance, consistent with section 552a of title 5, United States Code (commonly known as the ‘‘Privacy Act of 1974’’), that may affect the ability to hold a security clearance;

(J) any recommended changes to the Federal Acquisition Regulations (FAR) necessary to ensure that information affecting contractor clearances or suitability is appropriately and expeditiously shared between and among agencies and contractors; and

(K) portability of contractor security clearances between or among contracts at the same agency and between or among contracts at different agencies that require the same level of access.
SEC. 605. SECURITY EXECUTIVE AGENT.

(a) In General.—The Director of National Intelligence, or such other officer of the United States as the President may designate, shall 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 direct the oversight of investigations, reinvestigations, adjudications, and, as applicable, polygraphs for eligibility for access to classified information or eligibility to hold a sensitive position made by any Federal agency.

(2) To review the national security background investigation and adjudication programs of Federal agencies to determine whether such programs are being implemented in accordance with this section.

(3) To develop and issue uniform and consistent policies and procedures to ensure the effective, efficient, timely, and secure completion of investigations, polygraphs, and adjudications relating to determinations of eligibility for access to classified information or eligibility to hold a sensitive position.

(4) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to conduct investigations of persons who are proposed for access to classified information or for eligibility to hold a sensitive position, as applicable.

(5) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to determine eligibility for 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).

(6) To ensure reciprocal recognition of eligibility for access to classified information or eligibility to hold a sensitive position among Federal agencies to the extent that such programs are being implemented in accordance with this section.

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 shall submit to each congressional committee the report required by section 804 of such Act (50 U.S.C. 3002) and make available to appropriate industry partners a report describing the requirements, feasibility, and advisability of implementing a clearance in person concept as described in subsection (c).

SEC. 607. REPORT ON CLEARANCE IN PERSON CONCEPT.

(a) Sense of Congress.—It is the sense of Congress that to reflect the greater mobility of the modern workforce, alternative methodologies merit analysis to allow greater flexibility for individuals moving in and out of positions that require access to classified information, while still preserving security.

(b) Report Required.—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 the report required by subsection (c).
(4) the costs and savings associated with implementation;
(5) the risks of such implementation, including security and counterintelligence risks;
(6) an appropriate funding model; and
(7) fairness to small companies and independent contractors.

SEC. 608. BUDGET REQUEST DOCUMENTATION ON FUNDING FOR BACKGROUND INVESTIGATIONS.

(a) In General.—Part of the fiscal year 2020 budget request submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the President shall include exhibits that describe the resources expended by each agency during the prior fiscal year for processing background investigations and continuous evaluation programs, disaggregated by tier and whether the individual was a Government employee or contractor.

(b) CONTENTS.—Each exhibit submitted under subsection (a) shall include details on—
(1) the costs of background investigations or reinvestigations;
(2) the costs associated with background investigations for Government or contract personnel;
(3) costs associated with continuous evaluation periodic background investigations for which a background investigation or reinvestigation was conducted, other than costs associated with adjudication;
(4) the average person cost for each type of background investigation; and
(5) a summary of transfers and reprogrammings 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.—The head of each Federal department or agency shall submit an annual report to the Security Executive Agent that—
(1) identifies the number of individuals whose security clearances take more than 2 weeks to be reciprocally recognized after such individuals move to another part of such department or agency; and
(2) any other relevant security or human resources information gathered during the employment or tenancy period of such individual.

(c) ANNUAL REPORT.—Not less frequently than once each year, the Security Executive Agent shall submit to the appropriate congressional committees and make available to industry partners an annual report that summarizes the information received pursuant to subsection (b) during the period covered by such report.

SEC. 610. INTELLIGENCE COMMUNITY REPORTS ON SECURITY CLEARANCES.

Section 506h of the National Security Act of 1947 (50 U.S.C. 3044) is amended—
(1) in subsection (a)(1)—
(A) in subparagraph (A)(i), by adding ‘‘and at the end;’’
(B) in subparagraph (B)(ii), by striking ‘‘; and’’ and inserting a period; and
(C) by striking subparagraph (C);
(2) by redesignating subsection (b) as subsection (c);
(3) in inserting after subsection (a) the following:
‘‘(b) INTELLIGENCE COMMUNITY REPORTS.—(1)(A) Not later than March 1 of each year, 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 of the House of Representatives, and the Committee on Oversight and Reform of the House of Representatives regarding the security clearances processed by each element of the intelligence community during the preceding fiscal year.

(B) The Director shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of the report submitted under subparagraph (A) as the Director determines address elements of the intelligence community that are within the Department of Defense.

(C) Each report submitted under this paragraph shall separately identify security clearances for Government employees and contractor employees sponsored by each such element.

(2) Each report submitted under paragraph (1) shall include, for each element of the intelligence community for the fiscal year covered by the report, the following:
(A) The number of initial security clearance background investigations sponsored for new applicants.

(B) The number of security clearance periodic reinvestigations sponsored for existing employees.

(C) The number of initial security clearance background investigations for new applicants that were adjudicated favorably and granted access to classified information; and

(i) the total number of such adjudications that were adjudicated favorably and resulted in a denial or revocation of a security clearance;

(ii) The total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

(D) The total number of security clearance periodic background investigations that were adjudicated favorably and reported to the Security Executive Agent;

(i) the total number of such adjudications that were adjudicated favorably and resulted in a denial or revocation of a security clearance;

(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

(E) The total number of pending security clearance background investigations, including initial applicant investigations and periodic reinvestigations that were not adjudicated as of the last day of such year and that remained pending, categorized as follows:

(i) For 180 days or shorter.

(ii) For longer than 180 days, but shorter than 12 months.

(iii) For 12 months or longer, but shorter than 18 months.

(iv) For 18 months or longer, but shorter than 24 months.

(v) For 24 months or longer.

(P) For any failure in the adjudication determinations completed or pending during the preceding 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 resulted in a denial or revocation of a security clearance;

(H) The percentage of security clearance investigations that resulted in incomplete information regarding the security clearance investigations that did not result in enough information to make a decision on potentially adverse information.

(3) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.

SEC. 611. 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 Director of National Intelligence shall establish a program to share between and among agencies of the Federal Government and industry partners of the Federal Government relevant background information regarding the security clearances processed by or on behalf of the Federal Government.

(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 gathered during the employment or tenancy 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) INFORMATION AND RECORDS.—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.

(iii) INTELLIGENCE COMMUNITY.—

(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 the appropriate congressional committees and make available to appropriate industry partners a plan for the implementation of the Program.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) 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.

(C) Russian nationals subject to sanctions under any provision of law imposing sanctions with respect to Russia;

(D) Russian oligarchs or organized criminals.

(3) The nature of any intelligence to be expected to be taken to mitigate such concerns.

(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 the real property in Maryland, and 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 by the Government of Russia in the 2016 election in the United States legal and financial system, including examples of such engagement and coordination.

(b) LIMITATION.—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 sharing 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).

(c) ELEMENTS.—If the Director submits a report under paragraph (a) 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 the intelligence to be shared pursuant to the agreement;

(3) The expected value to national security resulting from the implementation of the agreement;

(4) Such counterintelligence concerns associated with the agreement as the Director may have and such measures as the Director expects to be taken to mitigate such concerns.

(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.
(2) CONGRESSIONAL LEADERSHIP.—The term “congressional leadership” includes the following:
   (A) The majority leader of the Senate.
   (B) The Speaker of the House of Representatives.
   (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 the Committee on Appropriations of the appropriate congressional committees, and of other relevant committees of jurisdiction, each time the Director of National Intelligence determines that 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 activity to prevent it, or to protect against the broad range of threats from the efforts of adversaries described in subsection (b), with focus on producing information that enables the Director to justify business decisions related to national security concerns.

(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.

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

SEC. 706. REPORT ON OUTREACH STRATEGY ADRESSED TO THREATS FROM UNITED STATES ADVERSARIES TO THE UNITED STATES TECHNOLOGY SECURITIES INDUSTRY.

(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, academic, 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—
   (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;
   (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.
   (4) Strategies to assist affected elements of the communities described in subparagraph (1) to the Director of National Intelligence to determine the most effective outreach strategy to protect against the broad range of threats from the efforts of adversaries described in subsection (b), with focus on producing information that enables the Director to justify business decisions related to national security concerns.

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—
      (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) ARMS OR RELATED MATERIAL.—The term “arms or related material” means—
      (A) nuclear, biological, chemical, or radiological weapons or materials or components of such weapons;
      (B) ballistic or cruise missile weapons or materials or components of such weapons;
      (C) destabilizing numbers and types of advanced conventional weapons;
      (D) defense articles or defense services, as those terms are defined in paragraphs (3) and (4), respectively, of section 7 of the Arms Export Control Act (22 U.S.C. 2794);
      (E) defense information, as that term is defined in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2354a); and
      (F) items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)),
   (3) ANNUAL REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act and each year thereafter, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on Iranian support of proxies in Syria and the threat posed to Israel, other United States regional allies, and other specified interests of the United States as a result of such support.

(b) 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 Director of National Intelligence shall submit to Congress a report describing Iranian expenditures in 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 on military and terrorist activities by the Iranian Revolutionary Guard Corps, including activities providing support for—
      (A) Hizballah;
      (B) Hezbollah 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.
(2) The amount spent in such calendar year for ballistic missile research and testing or other activities that are destabilizing to the Middle East region.

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

SEC. 709. EXPANSION OF SCOPE OF COMMITTEE TO COUNTER ACTIVE MEASURES AND REPORT ON ESTABLISHMENT OF FOREIGN MALIGN INFLUENCE CENTER.

(a) SCOPE OF COMMITTEE TO COUNTER ACTIVE MEASURES.—

(1) IN GENERAL.—Section 501 of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31; 50 U.S.C. 3001 note) is amended by striking the item relating to a report on the feasibility of establishing the exchange program described in such subsection.
(2) Identification of any challenges in establishing the exchange program described in such subsection.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees and the fair and expedient investigation and resolution of such matters.

SEC. 710. REPORT ON CORRUPTION OF FOREIGN GOVERNMENTS AGAINST UNITED STATES TELECOMMUNICATIONS COMPANIES.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term

SEC. 711. TECHNICAL CORRECTION TO INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2017.

(a) SEC. 501. Committee to counter active measures by the Russian Federation.—Subparagraph (D) of Section 501(a) of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31; 50 U.S.C. 3001 note) is amended by striking the item relating to a report on the feasibility of establishing the exchange program described in such subsection.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Under Secretary of Homeland Security for Intelligence and Analysis, shall submit to the appropriate committees of Congress a report on the authorities, policies, investigatory standards, and other practices and procedures relating to intelligence community whistleblower matters, with respect to such inspectors general.

(b) OBJECTIVE OF REVIEW.—The objective of the review required under subsection (a) is to identify any discrepancies, inconsistencies, or other issues, which frustrate the timely and effective reporting of intelligence community whistleblower matters to appropriate inspectors general and to the congressional intelligence committees, and the fair and expedient investigation and resolution of such matters.

(c) CONDUCT OF REVIEW.—The Inspector General of the Intelligence Community shall modify all measures as appropriate by the Director, shall submit to the congressional intelligence committees a written report containing the results of the review required under subsection (a), along with recommendations to improve the timely and effective reporting of intelligence community whistleblower matters to inspectors general and to the congressional intelligence committees and the fair and expedient investigation and resolution of such matters.

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 the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community determined appropriate by the Director, shall submit to the congressional intelligence committees a report on the role of the Director in preparing analytic materials in connection with the evaluation by the Federal Government of national security risks associated with potential foreign investments into the United States.

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

(1) a description of the current process for the provision of the analytic materials described in subsection (a); and
(2) an identification of the most significant benefits and drawbacks of such process with respect to the role of the Director, including the sufficiency of resources and personnel to prepare such materials; and
(3) recommendations to improve such process.
“appropriate congressional committees” means the following:

(1) The congressional intelligence committees.

(2) The Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on the Judiciary and the Criminal Justice and Security of the House of Representatives.

(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 Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security, submit to the appropriate congressional committees a report describing:

(1) any attempts known to the intelligence community by foreign governments to exploit cybersecurity vulnerabilities in United States telecommunications networks (including Signaling System No. 7) to target for surveillance United States persons, including employees of the Federal Government; and

(2) any actions, as of the date of the enactment of this Act, taken by the intelligence community to protect agencies and personnel of the United States Government from surveillance conducted by foreign governments.

SEC. 717. BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.

(a) Intelligence Community Interagency Working Group.—

(1) Requirement to establish.—The Director of National Intelligence shall establish an interagency working group to prepare the biennial reports required by subsection (b).

(2) Chairperson.—The Director of National Intelligence shall serve as the chairperson of such interagency working group.

(3) Membership.—Such interagency working group shall be composed of representatives of each element of the intelligence community that the Director of National Intelligence determines appropriate.

(b) Biennial Report on Foreign Investment Risks.—

(1) Report required.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 2 years, 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 Committee on Homeland Security and Governmental Affairs 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 recommendations of the following:

(A) Any current or projected major threats to the national security of the United States with respect to foreign investment.

(B) Any strategy used by a foreign country to exploit cybersecurity vulnerabilities in order to undermine critical technologies.

(C) Any economic espionage efforts directed at the United States by a foreign country, particularly such a country of special concern.

SEC. 718. MODIFICATION OF CERTAIN REPORTING REQUIREMENT ON TRAVEL OF FOREIGN DIPLOMATS.

Section 502(d)(2) of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–51) is amended by striking “the number” and inserting “a best estimate”.

SEC. 719. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSES OF CLASSIFIED INFORMATION.

(a) Definitions.—In this section:

(1) Covered official.—The term “covered official” means—

(A) the Director of each element of the intelligence community; and

(B) the inspectors general with oversight responsibility for an element of the intelligence community.

(2) Investigation.—The term “investigation” means any inquiry, whether formal or informal, into the existence of an unauthorized disclosure of classified information.

(3) Unauthorized disclosure of classified information.—The term “unauthorized disclosure of classified information” means any unauthorized disclosure of classified information to a journalist or media organization.

(b) Committee Notification.—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. Biannual 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 Secretary 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 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 PROCESSES 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.

(b) Reports on process and criteria used in vulnerabilities equities processes.—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—

(1) 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 pursuant to the Vulnerabilities Equities Process; and
(2) CHANGES TO PROCESS OR CRITERIA.—Not later than 30 days after any significant change is made to the process and criteria used by any 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.
(3) FORM OF REPORTS.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.
(c) ANNUAL REPORTS.—
(1) IN GENERAL.—Not less frequently than once each calendar year, the Director of National Intelligence shall submit to the congressional intelligence committees a classified report containing, with respect to the previous year—
(A) the number of vulnerabilities submitted for review under the Vulnerabilities Equities Process;
(B) the number of vulnerabilities described in subparagraph (A) disclosed to each vendor responsible for correcting the vulnerability, or to the public pursuant to the Vulnerabilities Equities Process; and
(C) the aggregate number, by category, of the vulnerabilities excluded from review under the Vulnerabilities Equities Process, as described in paragraph 5.4 of the Vulnerabilities Equities Policy and Process document.
(2) UNCLASSIFIED INFORMATION.—Each report submitted under paragraph (1) shall include an unclassified appendix that contains—
(A) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process; and
(B) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process known to have been patched.
(3) NON-DUPLICATION.—The Director of National Intelligence may forgo submission of an annual report required by paragraph (1) if the Director determines that, with respect to the same calendar year, an annual report required by paragraph 4.3 of the Vulnerabilities Equities Policy and Process document already has been submitted to Congress, and such annual report contains information that would otherwise be required to be included in an annual report under this subsection.
SEC. 723. REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS AND BRIEFING ON EMERGING INFECTIOUS DISEASES 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 every 5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the national security interest of the United States, including consideration of social, economic, agricultural, and environmental factors.
(2) ASSESSMENT SCOPE AND FOCUS.—Each report submitted under paragraph (1) shall include an assessment of water insecurity described in such subsection with a global scope, but focus on areas of the world—
(A) of strategic, economic, or humanitarian interest to the United States—
(i) that are, as of the date of the report, at the greatest risk of instability, conflict, human insecurity, or mass displacement; or
(ii) 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
(B) where challenges relating to water insecurity are likely to imperil the national security interest of the United States or allies of the United States.
(3) CONSULTATION.—In researching a report required under paragraph (1), the Director shall consult with—
(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.—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.
(2) BRIEFING REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall pro-
vide to the appropriate congressional committees a briefing on the anticipated geopolitical effects of emerging infectious disease (including deliberate, accidental, and natural disease outbreaks, pandemics, and the international political and economic system; and
(b) the economic, social, political, and security risks, costs, and impacts of emerging infectious diseases and a possible transnational pandemic under paragraph (3), the Director of National Intelligence shall submit to the congressional intelligence committees a report that lists each—
(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 diseases and a possible pandemic; and
(C) the effectiveness of current international frameworks, agreements, and health systems to respond to emerging infectious diseases and a possible transnational pandemic.
(3) FORM.—The briefing under paragraph (2) may be classified.
SEC. 724. ANNUAL REPORT ON MEMORANDUM OF UNDERSTANDING BETWEEN ELEMENTS OF INTELLIGENCE COMMUNITY AND OTHER ENTITIES OF THE UNITED STATES GOVERNMENT REGARDING SIGNIFICANT OPERATIONAL ACTIVITIES OR POLICY.
Section 311 of the Intelligence Authorization Act for Fiscal Year 2017 (50 U.S.C. 3113) 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 a component of the intelligence community shall submit to the congressional intelligence committees a report that lists each memorandum of understanding or other agreement regarding significant operational activities or policy entered into during the most recently completed fiscal year between and among such component and any other entity of the United States Government.
(b) PROVISION OF COPY.—Each head of an element of an intelligence community who receives a request from the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives for a copy of a memorandum of understanding or other document listed in a report submitted by the head of such element shall promptly forward such copy to the congressional intelligence committees a copy as soon as practicable after receiving such request."
the following:
(a) EXPANSION OF PERIOD OF REPORT.—Subsection (a) of section 114 of the National Security Act of 1947 (50 U.S.C. 3056) is amended by inserting "and the preceding 5 fiscal years" after "fiscal year".
(b) CLARIFICATION ON DISAGGREGATION OF DATA.—Subsection (b) of such section is amended, in the matter before paragraph (1), by striking "disaggregated data by category of covered persons" and inserting "data, disaggregated by category of covered person and by element of the intelligence community".

SEC. 727. REPORTS ON INTELLIGENCE COMMUNITY LOAN REPAYMENT AND RETENTION PROGRAMS.

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

(1) there should be established, through the issuing of an Intelligence Community Directive or otherwise, an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, for employees of the intelligence community;

(2) creating such a program would enhance the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions;

(3) such a program, including with respect to eligibility requirements, should be designed so as to maximize the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions; and

(4) to the extent possible, such a program should be established throughout the intelligence community and publicly promoted by each element of the intelligence community to both current employees of the element as to prospective employees of the element.

(b) REPORT ON POTENTIAL INTELLIGENCE COMMUNITY-WIDE PROGRAM.—In general, not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in cooperation with the heads of the elements of the intelligence community, shall submit to the House and Senate Committees on Intelligence a report on the feasibility of establishing and carrying out an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, as described in subsection (a).

(2) Matters included.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of the financial resources that the elements of the intelligence community would require to establish and initially carry out the program specified in paragraph (1).

(B) A description of the practical steps to establish and carry out such a program and the element of the intelligence community that would have lead responsibility for implementing such a program.

(C) The identification of any legislative action the Director determines necessary to establish and carry out such a program.

(c) ANNUAL REPORTS ON ESTABLISHED PROGRAMS.—

(1) COVERED PROGRAMS DEFINED.—In this subsection, the term "covered programs" means a loan forgiveness program, loan forgiveness program, financial counseling program, or similar program, established pursuant to title X of the National Security Act of 1947 (50 U.S.C. 3050) and any other provision of law that may be administered by an element of the intelligence community.

(2) ANNUAL REPORTS REQUIRED.—Not less frequently than once each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the covered programs. Each such report shall include, with respect to the period covered by the report, the following:

(A) The number of personnel from each element of the intelligence community who used each covered program.

(B) The total amount of funds used by each element to promote each covered program pursuant to the authority of the element.

(C) A description of the efforts made by each element to promote each covered program pursuant to the authority of the element of the intelligence community and by the element.

(3) MATTERS INCLUDED.—The report under subsection (b) shall include the following:

(A) A description of the financial resources that the elements of the intelligence community would require to establish and initially carry out the program specified in paragraph (1).

(B) A description of the practical steps to establish and carry out such a program and the element of the intelligence community that would have lead responsibility for implementing such a program.

(C) The identification of any legislative action the Director determines necessary to establish and carry out such a program.

SEC. 728. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) CORRUPTION AND Dual-Intelligence Weakenesses.—Section 368 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111-259; 50 U.S.C. 3051 note) is hereby repealed.

(b) INTERAGENCY THREAT ASSESSMENT AND COORDINATION GROUP.—Section 210D 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.

(c) INSPECTOR GENERAL REPORT.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking subsection (g); and

(2) by redesignating subsections (h) and (i) as subsections (g) and (h), respectively.

(3) INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REPORT ON SENIOR EXECUTIVES OF THE OFFICER FOR THE DIRECTOR OF NATIONAL INTELLIGENCE.—In this section, the term "Senior Executive Service position" has the meaning given that term in section 3322(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 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 discussion of how the number of the Senior Executive Service positions in the Office compare to the number of similar positions at comparable organizations.

(d) COOPERATION.—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 for carrying 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. 729. 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 with respect to national security-related investigations. The briefing shall address the following:

(1) The extent to which the Bureau may make such offers, whether independently or in conjunction with other agencies and departments of the United States Government, including a discussion of the authorities provided by section 101(a)(15)(S) of the Homeland Security Act (8 U.S.C. 1101(a)(15)(S)), section 7 of the Central Intelligence Agency Act (50 U.S.C. 3506), and any other provision of law 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 individual sources or cooperators to the Bureau 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 REQUIRED.—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 the Treasury for Intelligence and Analysis, shall produce an intelligence assessment of the revenue sources of the North Korean regime. Such an assessment shall include revenue from the following sources:

(1) Trade in coal, iron, and iron ore.

(2) The provision of fishing rights to North Korea.

(3) Trade in gold, titanium ore, vanadium ore, copper, silver, nickel, zinc, or rare earth minerals, and other stores of value.

(4) Trade in textiles and other manufactured goods.

(5) Sales of conventional defense articles and services.

(6) Sales of controlled goods, ballistic missiles, and other associated items.

(7) Other types of manufacturing for export, as the Director of National Intelligence considers appropriate.

(8) The exportation of workers from North Korea in a manner intended to generate significant revenue, directly or indirectly, for use by the government of North Korea.

(9) Sales of luxury goods (such as food, medicine, and medical devices) and services by other countries.
The provision of services, including banking and other support, including by entities located in the Russian Federation, China, and Iran.

Online commercial activities of the Government of North Korea, including online gambling.

Criminal activities, including cyber-enabled theft of intellectual property

(a) ELEMENTS.—The assessment required under subsection (a) shall include an identification of each of the following:

(1) Online commercial activities of the Government of North Korea’s funding.

(2) Financial and non-financial networks, including supply chain management, transportation, and facilitation, through which North Korea, the United States and international financial systems and repatriates and exports capital, goods, and services; and

(3) The global financial institutions, money services business, 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, 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 States sponsors of terrorism use virtual currencies.

(2) An assessment of the use by terrorist organizations and States sponsors of terrorism of virtual currencies compared to the use by such organizations and States of other forms of financing 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 States sponsors of terrorism and an identification of any gaps in existing law that could be exploited for illicit funding by such organizations and States.

(c) SUBMITTAL TO CONGRESS.—The report required by subsection (b) shall be submitted in an unclassified form, but may include a classified annex.

Title C—Other Matters

SEC. 741. PUBLIC INTEREST DECLASSIFICATION ACT OF 2018.

Section 710(b) of the Public Interest Declassification Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note) is amended by striking “December 31, 2018” and inserting “December 31, 2028.”

SEC. 742. SECURING ENERGY INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(A) 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) 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.

(b) ELEMENTS.—The term “controlled industrial 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.

(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, in partnership with States, including an assessment of the collection posture of the intelligence community on the use of such industrial control systems.

(B) to develop a national cyber-informed engineering strategy to isolate and defend critical systems of the covered entities, including—

(i) An analog and nondigital control systems;

(ii) Physical and cyber defenses;

(iii) Physical access controls;

(iv) Technical controls;

(v) Cyber defenses;

(vi) Public awareness;

(vii) Law enforcement;

(viii) Public-private partnership.

(2) VOLUNTARY ACTIVITIES.—Nothing in this section shall be deemed to be voluntarily shared information:

(3) A VAILABILITY.—Amounts made available under program standards and development strategy.

(d) PILOT PROGRAM.—There is authorized to be appropriated $1,500,000 to establish a pilot program under section 9(a) of Executive Order 13636 of February 24, 2013, relating to identification of critical infrastructures that a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

(e) 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;

(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1); and


(E) The Nuclear Regulatory Commission.

(F) The Office of the Director of National Intelligence.

(2) F INAL REPORT.—By 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;

(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1); and

(D) The Department of Defense.

(E) The Assistant Secretary of Defense for Homeland Security and America’s Security Affairs.

(F) A State or regional energy agency.

(G) A national research body or academic institution.

(H) The National Laboratories.

(I) An energy sector or government to issue new regulations.

(J) The National Laboratories.

(K) The Nuclear Regulatory Commission.

(L) The Department of Defense.

(M) The Nuclear Regulatory Commission.

(N) The Office of the Director of National Intelligence.

(O) The Assistant Secretary of Defense for Homeland Security and America’s Security Affairs.

(P) A State or regional energy agency.

(Q) A national research body or academic institution.

(R) The National Laboratories.

(S) An energy sector or government to issue new regulations.

(T) The Nuclear Regulatory Commission.

(U) The Department of Defense.

(V) The Nuclear Regulatory Commission.

(W) The Office of the Director of National Intelligence.

(X) The Assistant Secretary of Defense for Homeland Security and America’s Security Affairs.

(Y) A State or regional energy agency.

(Z) A national research body or academic institution.

(aa) The National Laboratories.

(bb) The Nuclear Regulatory Commission.

(cc) The Department of Defense.

(dd) The Nuclear Regulatory Commission.

(3) EXEMPTION FROM DISCLOSURE.—Information shared by or with the Federal Government or a State, Tribal, or local government under this section shall be—

(A) shall be deemed to be voluntarily shared information;

(B) 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, or sunshine law, or similar law requiring the disclosure of information or records; and

(C) shall be witheld from the public, without discretion, under section 552(b)(6) of title 5, United States Code, or any State, Tribal, or local law requiring the disclosure of information or records.

(4) PROTECTION FROM LIABILITY.—In the general cause of action against a covered entity for engaging in the voluntary activities authorized under subsection (b), shall not lie or be maintained in any court; and

(B) shall be promptly dismissed by the applicable court.

(5) VOLUNTARY ACTIVITIES.—Nothing in this section subjects any covered entity to liability for not engaging in the voluntary activities authorized under subsection (b).

(d) NO NEW REGULATORY AUTHORITY FOR FEDERAL AGENCIES.—Nothing in this section authorizes the Secretary or the head of any Federal department or agency to issue new regulations.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) PILOT PROGRAM.—There is authorized to be appropriated $10,000,000 to carry out subsection (a)(1).

(2) WORKING GROUP AND REPORT.—There is authorized to be appropriated $1,500,000 to carry out subsections (c) and (d).

(f) UNAVAILABILITY.—Any funds 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 an appropriate agency or department of the United States, an agency or department of the National Intelligence System or defense-related systems, products, or services of the United States in exchange for compensation.

(3) INFORMATION SYSTEM.—The term "information system" has the meaning given that term in section 3022 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 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 sector bug bounty programs, including such programs implemented by leading technology companies in the United States;

(B) recommendations on the feasibility of initiating bug bounty programs at appropriate agencies and departments of the United States.

SEC. 744. MODIFICATION OF AUTHORITIES RELATING TO THE NATIONAL INTELLIGENCE UNIVERSITY.

(a) CIVILIAN FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.—

(1) CIVILIAN FACULTY MEMBERS.—Section 1565(c) of title 10, United States Code, is amended by adding at the end the following:

"(5) The National Intelligence University; and"

(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 the date of the enactment of this Act an opportunity to elect to be paid under the compensation plan in effect on the day before the enactment of this Act (with no reduction in pay) under the authority of section 1595 of title 10, United States Code, as amended by paragraph (1).

(b) FUNDING FOR FACULTY RESEARCH GRANTS.—Section 2161 of such title is amended by adding at the end the following:

"(d) FUNDING FOR FACULTY RESEARCH GRANTS.—The Secretary of Defense may authorize the President of the National Intelligence University to accept qualifying research grants in the same manner to the same degree as the President of the National Defense University under section 2165 of this title."
“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:—

(7) in section 205, by redesignating subsection (b) and (c) as subsections (a) and (b), respectively; and

(8) in section 206, by striking "(a)"; and

(9) in section 207, by striking "(c)"); and

(10) in section 266, by striking "this Act" and inserting "sections 2, 101, 102, 103, and 303 of this Act"; and

(11) by redesignating section 411 as section 312;

(12) in section 503—

(A) in paragraph (5) of subsection (c)—

(i) by moving the margins of such paragraph 2 ems to the left; and

(ii) by moving the margins of subparagraph (B) of such paragraph 2 ems to the left; and

(B) in paragraph (2) of subsection (d), by moving the margins of such paragraph 2 ems to the left; and

(13) in subparagraph (B) of paragraph (3) of subsection (a) of section 504, by moving the margins of such subparagraph 2 ems to the right.

SEC. 746. TECHNICAL AMENDMENTS RELATED TO THE DEPARTMENT OF ENERGY.

(a) NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.—Section 233(b) of the National Nuclear Security Administration Act (50 U.S.C. 2423(b)) is amended—

(1) by striking the reference to "Department" in subsection (a) in paragraph (2) of such section, and inserting "Department"; and

(2) by inserting "Intelligence and" after "the Office of"

(b) ATOMIC ENERGY DEFENSE ACT.—Section 432(b)(2) of the Atomic Energy Act of 1954 (50 U.S.C. 2774(b)(2)) is amended—

(1) by striking the reference to "Department" in subsection (a) in paragraph (2) of such section, and inserting "Department"; and

(2) by inserting "Intelligence and" after "the Office of"

(c) NATIONAL SECURITY ACT OF 1947.—Paragraph (2) of section 106(b) of the National Security Act of 1947 (50 U.S.C. 504(b)(2)) is amended—

(1) by striking subparagraph (F); and

(2) by redesignating subparagraphs (G), (H), and (I) as subparagraphs (F), (G), and (H), respectively; and

(3) by redesignating paragraph (H), as so redesignated, by realigning the margins of such subparagraph 2 ems to the left.

SEC. 747. SENSE OF CONGRESS ON NOTIFICATION OF CERTAIN DISCLOSURES OF CLASSIFIED INFORMATION.

(a) Definitions.—In this section:

(1) Foreign government.—The term "foreign government" means the government of any of the following foreign countries:

(A) North Korea.

(B) Iran.

(C) China.

(D) Russia.

(E) Israel.

(2) Covered classified information.—The term "covered classified information" means classified information that—

(A) is 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 to exchange intelligence often abetted by state actors and should be treated as such a service by the United States.

(4) Individual in the executive branch.—The term "individual in the executive branch" means any officer or employee of the executive branch, including individuals—

(A) incumbent in a position specified in article II of the Constitution;

(B) appointed to a position by an individual described in subparagraph (A); or

(C) serving service or the 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 keep the congressional intelligence committees "fully and currently informed" about all "intelligence activities" of the United States, and to "furnish to the congressional intelligence committees any information or material concerning intelligence activities ** which is requested by either of the congressional intelligence committees in order to carry out its authorized responsibilities."

(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), together with other intelligence community authorities, obligates an element of the intelligence community to submit to congressional intelligence committees written notification, by not later than 7 days after becoming aware, that an individual in the executive branch has disclosed covered 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. 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.

It is the sense of 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 the following:

(1) known and suspected intelligence activities, espionage activities, including activities constituting procurers or espionage, carried out by the individual against the United States, foreign allies of the United States, foreign partners of the United States; and

(2) the status of an individual as a known or suspected intelligence officer for a foreign adversary.

SEC. 749. SENSE OF CONGRESS ON WIKILEAKS.

It is the sense of Congress that WikiLeaks and the senior leadership of WikiLeaks resemble a non-state hostile intelligence service often abetted by state actors and should be treated as such a service by the United States.

SA 715. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of 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 1023, strike "for Fiscal Year 2018" and insert "for Fiscal Year 2019".

SA 716. 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 division C, add the following:

TITLE XXXVI—PROTECT OUR UNIVERSITIES

SEC. 3601. SHORT TITLE.

This title may be cited as the ‘‘Protect Our Universities Act of 2019.’’

SEC. 3602. FINDINGS.

Congress finds the following:

(1) The United States enjoys one of the most vibrant and open education systems in the world. The free flow of ideas has led to the development of new technologies and new modes of thinking. The openness of the system also puts it at risk. Adversaries of the United States take advantage of access to federally funded sensitive research that takes place on the campuses of institutions of higher education.

(2) According to Alex Joske of the Australian Strategic Policy Institute, there are thousands of scientists with links to China’s People’s Liberation Army who have traveled to American universities over the last several years. In his report, he outlined the Chinese military’s tactic as “picking flowers in foreign lands to make honey in China”.

(3) As stated in the January 2018 China’s Technology Transfer Strategy report by the Defense Innovation Unit, “Academia is an open and free environment for ideas. As a result, Chinese science and engineering students frequently master technologies that become critical for their countries’ national security systems, amounting over time to unintentional violations of U.S. export control laws.”.

(4) In Federal Bureau of Investigation (FBI) Director Wray’s view, Chinese non-traditional intelligence collectors “are exploiting the open research and development environment that we have, which we all rely on. But they’re taking advantage of it, so one of the things we’re trying to do is view the China threat as not just the whole-of-government threat, but a whole-of-society threat on their end, and that’s going to take a whole-of-society response by us.”.

(5) Russia has also attempted to exploit the openness of our university system for intelligence purposes. In 2012, for instance, the Russian Foreign Intelligence Service (SVR) tasked an undercover officer at Columbia University with recruiting classmates or professors who might have access to sensitive information.

(6) Iran poses a similar threat. In 2012, President Barack Obama signed into law the Countering Iran's Support for Terrorism Act (Countering Iran's Support for Terrorism Act of 2012 (Public Law 112-158), which prohibited issuance of a student visa to any Iranian who wished to pursue nuclear science, technology or other fields related to the Iranian energy, nuclear science, or nuclear engineering sectors, or related fields.
(7) The United States recognizes the great value of appropriate openness and the security need of striking a balance with asset protection.

(8) However, technology and information that could be deemed sensitive to the national security interests of the United States should be given increased scrutiny to determine if access should be restricted in a research environment.

(9) An open federally funded research environment exposes the United States to the possibility of exchanging research affiliated with current or future critical military technological systems.

(10) This title preserves the openness of America’s higher education system, while preventing adversaries from exploiting that very system in furtherance of their own repressive agendas.

SEC. 3603. TASK FORCE AND SENSITIVE RESEARCH PROJECT DESIGNATION.

(a) TASK FORCE ESTABLISHED.—Not later than one year after the date of enactment of this title, the Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall establish the National Security Technology Task Force (hereinafter referred to as the “Task Force”) to address the threats, vulnerabilities, and opportunities determined to be appropriate for the Task Force.

(b) MEMBERSHIP.—

(1) DESIGNATION.—

(A) PARTICIPATION.—The Task Force shall include not more than 30 members as follows:

(i) At least 1 representative shall be from the Department of Homeland Security, designated by the Secretary of Homeland Security.

(ii) The Secretary of Homeland Security shall coordinate with the following in order to secure their participation on the Task Force:

(I) The Director of National Intelligence for at least 1 representative from the intelligence community.

(II) The United States Attorney General for at least 1 representative from the Department of Justice.

(III) The Director of the Federal Bureau of Investigation for at least 1 representative from the Federal Bureau of Investigation.

(IV) The Secretary of Energy for at least 1 representative from the Department of Energy.

(V) The Secretary of Education for at least 1 representative from the Department of Education.

(VI) The Secretary of Defense for at least 1 representative from the Department of State.

(VII) The Secretary of Energy for at least 1 representative from the Department of Energy.

(VIII) The Secretary of Commerce for at least 1 representative from the Office of Science and Technology Policy.

(B) EQUAL REPRESENTATION.—Each agency represented on the Task Force shall maintain equal representation with the other agencies on the Task Force.

(2) MEMBERSHIP LIST.—Not later than 10 days after the first meeting of the Task Force, each Task Force member agency shall submit to Congress a list identifying each member agency of the Task Force.

(c) SENSITIVE RESEARCH TOPICS LIST.—The Task Force shall maintain a list of topics determined sensitive by one or more Task Force member agencies. Such list shall be referred to as the “Sensitive Research Topics List” and be populated and maintained in accordance with the following:

(1) Not later than 90 days after the date of enactment of this title, the Secretary of Homeland Security shall establish the National Security Technology Task Force, and—

(A) the Office of the Director of National Intelligence shall perform a background screening of all members designated by the Task Force, with an opportunity for the Office of the Inspector General to review the background screening.

(b) each Task Force member agency shall—

(1) initiate the process detailed in paragraph (1); and

(2) provide an update list of agency-funded sensitive research projects to the Office of the Director of National Intelligence.

(e) CONSULTATION WITH OIG.—The Task Force shall periodically, but not less frequently than annually, consult with the Office of the Inspector General of the Department of Homeland Security, which shall in turn submit a report to the Inspector General on the activities of the Task Force, with an opportunity for the Office of the Inspector General to provide active feedback related to such activities.

(f) INSTRUCTION TO INSTITUTIONS OF HIGHER EDUCATION.—Not less frequently than annually, the Task Force shall provide relevant instruction to institutions of higher education at which research projects on the Sensitive Research Projects List are being carried out. Such instruction shall provide the institutions of higher education with information related to the threat posed by espionage, best practices identified by the Task Force, and other topics determined appropriate to share with the institutions.

(g) REPORT TO CONGRESS.—Not later than one year after the date of enactment of this title, and every 6 months thereafter, the Task Force shall provide a report to the Committee on Homeland Security and Governmental Affairs, the Committee on Health, Education, Labor, and Pensions, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate and to the Committee on Homeland Security, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives, regarding the threat of espionage at institutions of higher education. In each such briefing, the Task Force shall identify actions that may be taken out through student participation in sensitive research projects. The Task Force shall also include in this report an assessment of whether the current licensing regulations relating to the International Traffic in Arms Regulations and the Export Administration Regulations are sufficient to protect the security of the projects listed on the Sensitive Research Projects List.

SEC. 3604. FOREIGN STUDENT PARTICIPATION IN SENSITIVE RESEARCH PROJECTS.

(a) APPROVAL OF FOREIGN STUDENT PARTICIPATION REQUIRED.—

(1) IN GENERAL.—Beginning on the date that is one year after the date of enactment of this title, for each project on the Sensitive Research Projects List that is open to student participation, the head of such project at the institution of higher education at which the project is being carried out shall—

(A) obtain proof of citizenship from any student participating or expected to participate in such project before the student is permitted to participate in such project; and

(B) for any student who is a citizen of a country identified in subsection (b), submit the required information, to be defined in coordination with the Office of Science and Technology Policy, by the Task Force to perform the background screening, to their grantmaking agency, who shall transmit that information in a standardized format, to the Office of the Director of National Intelligence, which shall in turn perform the background screening.

(2) BACKGROUND SCREENING.—An office designated by the Task Force shall perform a
INTELLIGENCE THREAT.—Not later than one
authority to approve or denial of a student’s
within 90 days of initial receipt of the infor-
the scope of any such screening shall be
determined by the designated office in con-
sultation with the Task Force, with refer-
cence to the protective project and the re-
quirements of the grantmaking agency;
(b) the Secretary of Homeland Security, as
head of the Task Force, shall retain author-
ity to approve or deny a student’s participation in a sensitive research project in 30-day increments, as needed in coordina-
tion with Task Force member agencies; and
(C) higher education institutions shall main-
tain the right to petition findings and con-
test the outcome of a screening;
(b) LIST OF CITIZENSHIP REQUI-
REMENT.—Approval under subsection (a) shall
be required for any student who is a citizen
of a country that is one of the following:
(1) The People’s Republic of China.
(2) The Russian Federation.
(3) The Islamic Republic of Iran.
SEC. 3905. FOREIGN ENTITIES.
(a) LIST OF FOREIGN ENTITIES THAT POSE AN
IMMEDIATE THREAT.—Not later than one
year after the date of the enactment of this
title, the Secretary of Homeland Security shall coordinate with the Director of Na-
tional Intelligence and any other identi-
ified foreign entities, including governments, corporations, nonprofit and for-profit organizations, and any subsidiary or affiliate of such an entity, that the Director determines pose a threat of espionage with respect to sensitive research projects, and shall develop and maintain a list of such entities. The Director may add or remove names from the list at any time.
Initial list developed by the Director shall include the following entities (including any subsidiary or affiliate):
(1) Huawei Technologies Company.
(2) ZTE Corporation.
(3) Hytera Communications Corporation.
(4) Hangzhou Hikvision Digital Technology Company.
(5) Dahua Technology Company.
(6) Kaspersky Lab.
(7) Any entity that is owned or controlled by, or otherwise affiliated or linked to, the government of a country identi-
ified under section 3906(b).
(b) NOTICE TO INSTITUTIONS OF HIGHER EDU-
CATION.—The Secretary of Homeland Security shall provide such initial list and subsequent amendments to each institution of higher education at which a project on the Sensitive Research Projects List is being carried out.
(c) PROHIBITION ON USE OF CERTAIN TECH-
NOLOGIES.—Beginning on the date that is one
year after the date of the enactment of this
title, and in each subsequent year, no project on the Sensitive Research Projects List is being carried out.
SEC. 3906. ENFORCEMENT.
The Secretary of Homeland Security shall take such steps as may be necessary to enforce the provisions of sections 3904 and 3905 of this title. Upon determination that the head of a sensitive research project has
failed to meet the requirements of either section 3604 or section 3605, the Secretary of Homeland Security may determine the appropriate enforcement action, including—
(1) imposing a probationary period, not to exceed 6 months, on the head of such project, or on the project;
(2) reducing or otherwise limiting the fund-
ing for such project until the violation has been remedied;
(3) permanently cancelling the funding for
such project; or
(4) any other action that the head of the qual-
ified funding agency determines to be appro-
ropriate.
SEC. 3607. DEFINITIONS.
In this title:
(1) CITIZEN OF A COUNTRY.—The term “cit-
izen of a country,” with respect to a student, includes all countries in which the student has held or holds citizenship or holds per-
nomen residency.
(2) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” means an institution described in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002) that receives Federal funds in any amount and for any purpose.
(3) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).
(4) QUALIFIED FUNDING AGENCY.—The term “qualified funding agency,” with respect to a sensitive research project, means—
(A) the Department of Defense, if the sen-
sitive research project is funded in whole or in part by the Department of Defense;
(B) the Department of Energy, if the sen-
sitive research project is funded in whole or in part by the Department of Energy; or
(C) an element of the intelligence commu-
nity, if the sensitive research project is fund-
ed in whole or in part by the element of the intelligence
community.
(5) SENSITIVE RESEARCH PROJECT.—The term “sensitive research project” means a research project at an institution of higher education that is funded by a Task Force member agency, except that such term shall not include any research project that is clas-
sified or that requires the participants in such project to hold security clearance.
(6) STUDENT PARTICIPATION.—The term “student participation” means any student activity of a student with access to sensitive research project-specific information for any reason.
SEC. 402. EXCLUSION FROM ACTIVE-DUTY PERSON
SONNEL END STRENGTH LIMITATIONS.
(a) EXCLUSION.—Except as provided in sub-
section (b), members of the Armed Forces on active duty who are assigned to an entity
specified in subsection (b) for duty in con-
nection with the Foreign Military Sales Program.
(b) SPECIFIED ENTITIES.—The entities specified in this subsection are the following:
(1) The military departments.
(2) The Defense Security Cooperation Agency.
(3) The combatant commands.
(c) INAPPLICABILITY TO GENERAL AND FLAG OFFICERS.—Subsection (a) shall not apply to any entity under general or flag officer designa-
tion as described in that subsection.
SA 718. Mr. THUNE 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 strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the end of subtitle E of title X, add the following:
SEC. 1045. TRANSFER OF EXCESS AIR FORCE MQ-1 PREDATOR REMOTELY PILOTED AIRCRAFT AND RELATED EQUIP-
MENT TO THE SECRETARY OF HOME-
LAND SECURITY FOR U.S. CUSTOMS AND BORDER PATROL PURPOSES.
(a) OFFER OF FIRST REFUSAL OUTSIDE DOD.—
(1) IN GENERAL.—Upon a determination that aircraft or equipment specified in sub-
section (b) is also excess to the requirements of all components of the Department of De-
fense, the Secretary of the Air Force shall offer to the Secretary of Homeland Security for use by U.S. Customs and Border Patrol.
(2) TIMING OF OFFER.—Any offer under this subsection for aircraft or equipment shall be made before such aircraft or equipment is otherwise disposed of outside the Depart-
ment of Defense.
(b) AIRCRAFT AND EQUIPMENT.—The aircraft and equipment specified in this subsection is the following:
(1) Retired MQ-1 Predator remotely piloted aircraft of the Air Force that are excess to Department of the Air Force requirements.
(2) Initial spare MQ-1 Predator remotely piloted aircraft of the Air Force that are excess to Department of the Air Force requirements.
(3) Ground support equipment of the Air Force for MQ-1 Predator remotely piloted aircraft that is excess to such requirements.
(c) TRANSFER.—If the Secretary of Home-
land Security accepts an offer under sub-
section (a), the Secretary of the Air Force shall transfer the aircraft or equipment con-
cerned to the Secretary of Homeland Secu-
ritv.
(d) DEMILITARIZATION.—Any aircraft or	equipment transferred under this section shall be demilitarized before transfer.
(e) USE OF DEMILITARIZED AIRCRAFT AND EQUIPMENT.—Any aircraft or equipment transferred to the Secretary of Homeland Se-
curity pursuant to this section shall be used by the Commissioner of U.S. Customs and Border Patrol for border security, enforce-
ment of the immigration laws, and related purposes.
SA 719. Mr. HAWLEY 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 title XV, add the following:

Subtitle C—Withdrawal of Armed Forces From Afghanistan

SEC. 1531. FINDINGS.

Congress makes the following findings:

(1) Joint Resolution to authorize the use of United States Armed Forces against those responsible for the attacks launched against the United States (Public Law 107–40) states: ‘‘That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons determined by the President, in his sole discretion, to have planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001’’.

(2) Since 2001, more than 3,200,000 men and women of the United States Armed Forces have deployed in support of the Global War on Terrorism, with more than 1,400,000 of them deploying more than once, and these America’s have served their country honorably and with distinction.

(3) In November 2009 there were fewer than 100 Al-Qaeda members remaining in Afghanistan.

(4) On May 2, 2011, Osama Bin Laden, the founder of Al-Qaeda, was killed by United States Armed Forces in Pakistan.

(5) United States Armed Forces have successfully routed Al-Qaeda from the battlefield in Afghanistan, thus fulfilling the original intent of Public Law 107–40 and justification for the invasion of Afghanistan, but public support for United States continued presence in Afghanistan has waned in recent years.

(6) An October 2018 poll found that 57 percent of Americans, including 69 percent of United States veterans, believe that all United States Armed Forces in Afghanistan have served their country honorably and with distinction.

(7) In June 2018, the Department of Defense reported: ‘‘The al-Qaeda threat to the United States is and partnership has decreased and the few remaining al-Qaeda core members are focused on their own survival’’.

SEC. 1532. WITHDRAWAL OF UNITED STATES ARMED FORCES FROM AFGHANISTAN.

(a) PLAN REQUIRED.—Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense, or designee, in cooperation with the heads of all other relevant Federal agencies involved in the conflict in Afghanistan shall:

(1) formulate a plan for the orderly drawdown and withdrawal of all soldiers, sailors, airmen, and Marines from Afghanistan who were involved in operations in Afghanistan, including policing action, or military actions against paramilitary organizations inside Afghanistan, excluding members of the military assigned to support United States embassies or consulates, or intelligence operations authorized by Congress; and

(b) appear before the relevant congressional committees to explain the proposed implementation of the plan formulated under subparagraph (A).

(c) REMOVAL AND BONUSES.—Not later than one year after the date of the enactment of this Act—

(1) all United States Armed Forces in Afghanistan as of such date of enactment shall be withdrawn and removed from Afghanistan; and

(2) the Secretary of Defense shall provide all members of the United States Armed Forces who were involved in operations of the Global War on Terror with a $2,500 bonus to recognize that these Americans have served in the Global War On Terrorism exclusively on a volunteer basis and to demonstrate the heartfelt gratitude of our Nation.

(d) REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE.—The Authorization for Use of Military Force (Public Law 107–40) is repealed effective on the earlier of—

(1) the date that is 395 days after the date of the enactment of this joint resolution; or

(2) the date in which the Secretary of Defense certifies that all United States Armed Forces involved in operations or military actions in Afghanistan (as described in subsection (a)(1)(A)) have departed from Afghanistan.

SA 721. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:


(a) FUND FOR MILITARY PERSONNEL STRENGTHS.—The Authorization for Use of Military Force shall authorize for the fiscal year 2020—

(1) Reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) FUND FOR MILITARY PERSONNEL STRENGTHS.—The Authorization for Use of Military Force shall authorize for the fiscal year 2020—

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S3754

CONGRESSIONAL RECORD — SENATE
June 18, 2019

S3754 is amended by adding at the end the following new subsection:

"(j) DISCLOSURE OF REPORTABLE FOREIGN CONTACTS.—

(1) COMMITTEE OBLIGATION.—Not later than 1 week after a reportable foreign contact, each authorized committee of a candidate for the office of President shall notify the President, the Office of Investigative and the Commission of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact.

(2) INDIVIDUAL OBLIGATION.—Not later than 1 week after a reportable foreign contact—

(A) each candidate for the office of President shall notify the treasurer or other designated official of the principal campaign committee of such candidate of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact; and

(B) each official, employee, or agent of an authorized committee of a candidate for the office of President shall notify the treasurer or other designated official of the authorized committee of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact.

(3) REPORTABLE FOREIGN CONTACT.—In this subsection:

"(A) a candidate for the office of President,

"(B) any officer, employee, or agent of the campaign committee of such candidate, and

"(C) a foreign national (as defined in section 3019(b)) or a person that is described in subsection (b) (1) that the person described in subsection (b) (1) knows, has reason to know, or reasonably believes involves—

"(i) is a candidate for office of President,

"(ii) is a foreign national, or

"(iii) is an officer, employee, or agent of such committee.

"(D) each authorized committee of such a candidate, or any official, employee, or agent of such campaign committee; and

"(E) a foreign national (as defined in section 319(b)) or a person that is described in subsection (b) (1) that the person described in subsection (b) (1) knows, has reason to know, or reasonably believes involves—

"(i) is an official, employee, or agent of such campaign committee,

"(ii) is a foreign national, or

"(iii) is an officer, employee, or agent of such campaign committee.

"(ii) coordination or collaboration with, or an offer of financial assistance or services to or from, or persistent and repeated contact with a government of a foreign country or an agent thereof.

"(3) a person described in subsection (b) (1) that the person described in subsection (b) (1) knows, has reason to know, or reasonably believes involves—

"(A) an offer of financial assistance or services to or from, or persistent and repeated contact with a government of a foreign country or an agent thereof.

"(B) coordination or collaboration with, or a person described in subsection (b) (1) knows, has reason to know, or reasonably believes involves—

"(i) is a candidate for office of President,

"(ii) is an official, employee, or agent of such campaign committee,

"(iii) is a foreign national, or

"(iv) is an officer, employee, or agent of such campaign committee.

"(D) the requirements of the Buy American Act, as defined in section 3019(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30199(d)(1)) is amended by adding at the end the following new subparagraphs:

"(E) Any person who knowingly and willfully conceals or destroys any materials relating to a reportable foreign contact (as defined in section 3019) or section 3019(e)(6) shall be fined not more than $500,000, imprisoned not more than 5 years, or both.

"(F) Any person who knowingly or willfully conceals or destroys any materials relating to a reportable foreign contact (as defined in section 3019) or section 3019(e)(6) shall be fined not more than $1,000,000, imprisoned not more than 5 years, or both.

"(G) Nothing in this section or the amendments made by this section shall cover—

"(1) to impede legitimate journalistic activities;

"(2) to impose any additional limitation on the right of any individual who is not a citizen of the United States or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act) and who is not lawfully admitted for permanent residence, as defined by section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) to express political views or to participate in public discourse.

SA 724. Mr. UDALL for himself and Mr. CRAPPO submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1. REPORT REGARDING GOVERNMENT NUCLEAR TESTING AND COMPENSATION FOR RADIATION EXPOSURE.

Not later than 90 days after the date of enactment of this Act, in consultation with the heads of appropriate Federal agencies, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Administrator of the Nuclear Regulatory Commission, shall prepare and submit to the Committee on Armed Services and the Committee on the Judiciary of the Senate, the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives, a report describing—

(1) a description of the testing at 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) the laboratory locations at 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).

SA 725. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

(a) 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”). The guidance shall reflect any Department of Defense guidance to Department of Defense contracting officials on requirements related to section 2533 of title 10, United States Code (commonly referred to as the “Berry Amendment”), and section 2533b of title 10, United States Code (commonly referred to as the “specialty metals clause”).

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

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

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

SEC. 725. Ms. STABENOW for herself and Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) 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”).

The guidance shall reflect any Department of Defense 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”). The guidance shall reflect any Department of Defense 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
SEC. 1086. IMMIGRANT VETERANS ELIGIBILITY TRACKING SYSTEM.

(a) In General.—On the application by an alien for veteran designation benefit or the placement of an alien in an immigration enforcement proceeding, the Secretary of Homeland Security shall—

(1) determine whether the alien is serving, or has served, as a member of—

(A) a regular or reserve component of the Armed Forces on active duty; or

(B) a regular or reserve component of the Armed Forces in an active status; and

(2) with respect to the immigration and naturalization records of the Department of Homeland Security relating to an alien who is serving, or has served, as a member of the Armed Forces described in paragraph (1), annotate such records—

(A) to reflect such membership; and

(B) to afford an opportunity to track the outcomes for each such alien.

(b) Consideration of Military Service for Expedited Processing.—In determining whether to expedite the processing of an application for an immigration benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including naturalization, the Secretary of Homeland Security shall consider—

(1) the service of the individual as a member of—

(A) a regular or reserve component of the Armed Forces on active duty; or

(B) a regular or reserve component of the Armed Forces in an active status; and

(2) the record of discharge from service in the Armed Forces of the individual.

(c) Prohibition on Use of Information for Removal.—Information gathered under subsection (a) may not be used for the purpose of removing an alien from the United States.

SA 726. Ms. WARREN (for herself and Mr. LEAHY) 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 be reported.

SA 727. 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 title H of title X, add the following:

SEC. 1061. IMPROVEMENT OF ANNUAL REPORT ON CIVILIAN CASUALTIES IN CONNeCTION WITH UNITED STATES MILITARY OPERATIONS.


(1) in paragraph (2), by adding at the end the following new subparagraph:

‘‘(f) An assessment of any destruction of or damage to public infrastructure or other civilian objects.’’;‘

(2) in paragraph (3), by inserting before the period at the end the following: ‘‘, and a description of any component and amounts dedicated to investigations of allegations of civilian casualties covered by such report’’; ‘

(3) in paragraph (4), by inserting ‘‘, and destruction to public infrastructure and civilian objects,’’ after ‘‘harm to civilians’’; ‘

(4) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

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

‘‘(5) An explanation for the discrepancies, if any, between Department of Defense post-operation assessments of civilian casualties in connection with military operations covered by reports of intergovernmental and non-governmental organizations on such casualties, set forth in general and in connection with each military operation covered by such report.‘

‘‘(6) A description of the manner in which the reliability and accuracy of reports and assessments covered by such report were determined, and the standards used in determining such reliability and accuracy.‘’

‘‘(7) A description of the manner in which discrepancies described in paragraph (5) were addressed, and records used in addressing such discrepancies.’’.

(b) AVAILABILITY OF PUBLIC FORM ON INTERNET WEBSITE.—Subsection (d) of such section 1057, as so amended, is further amended in the second sentence by inserting ‘‘on an Internet website of the Department of Defense’’ after ‘‘available to the public’’.

SA 728. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1106. REPORTS ON USE OF DIRECT HIRING AUTHORITY BY THE DEPARTMENT OF DEFENSE.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall designate all perfluoroalkyl 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)).

SA 729. Mrs. FEINSTEIN 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. PREVENTION OF FOREIGN INTERFERENCE IN ELECTIONS.

(a) SHORT TITLE.—This section may be cited as the ‘‘Prevention of Foreign Interference with Elections Act of 2019’’.

(b) INTERFERENCE IN ELECTIONS BY FOREIGN NATIONALS.—

(1) In General.—Chapter 29 of title 18, United States Code, is amended by adding at the end the following:

‘‘612. Interference in elections by foreign nationals.

‘‘(a) PENALTY.—Whoever

(1) comports with an individual, while having knowledge or reasonable cause to believe such individual is a foreign national, to prevent, obstruct, impede, interfere with, promote, support, or oppose the nomination or the election of any candidate for any Federal, State, or local office, or any ballot measure, initiative, or referendum; and

(2) knows or has reasonable cause to believe that an interfering act would be or has been committed to effect the object of the conspiracy

shall, if convicted under this title, be punished by not more than 5 years, or both.

(2) AGENTS OF FOREIGN POWERS.—Whoever violates paragraph (1) by conspiring with an agent of a foreign power to prevent, obstruct, impede, interfere with, promote, support, or oppose the nomination or the election of any candidate for any Federal, State, or local office, or any ballot measure, initiative, or referendum; and

(3) CONSECUTIVE SENTENCE.—No term of imprisonment imposed on a person under this section shall run concurrently with any other term of imprisonment imposed on the person under any other provision of law.

(c) ELECTIONS.—

(1) In General.—Whenever it shall appear that any person is engaged or is about to engage in any act which would violate any of the provisions of this section, the Attorney General may bring a civil action in a district court of the United States seeking an order to enjoin such act.

(2) ACTION BY COURT.—The court shall proceed as soon as practicable to the hearing and determination of a civil action brought under this subsection, and may, at any time before final determination, enter such a restraining order or prohibition, or take such other action, as is warranted to prevent a continuing or substantial injury to the United States, a State, or a locality, or to any person or class of persons for whose protection the civil action is brought.

(d) INJUNCTIONS.—

(1) In General.—A proceeding under this subsection shall be governed by the Federal
Rules of Civil Procedure, except that, if an indictment has been returned against the respondent, discovery shall be governed by the Federal Rules of Criminal Procedure.

"(B) TECHNICAL AND CONFORMING AMENDMENTS.—If a civil action is brought under this subsection, before the indictment is returned against the respondent, any civil action unless good cause exists to keep the civil action under seal.

"(4) CLASSIFIED INFORMATION IF INFRINGEMENT HAS OCCURRED.—For any civil proceeding brought by the Attorney General under this subsection in which an indictment has not been returned against the respondent, classified information in the civil proceeding shall be subject to the procedures described in section 2338B(b).

"(d) DEFINITIONS.—In this section—

"(1) the term ‘agent of a foreign power’—

"(A) means the term given to the term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 3191); and

"(B) does not include any individual who is a citizen of the United States or a lawful permanent resident of the United States.

"(2) the term ‘classified information’ has the meaning given the term in section 1 of the Classified Information Procedures Act (18 U.S.C. 2516 et seq.);

"(3) the term ‘foreign national’—

"(A) means a foreign principal, as such term is defined by section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)); and

"(B) does not include any individual who is a citizen of the United States or a lawful permanent resident of the United States.

"(4) the term ‘interfering act’ means any offense, that does have to be otherwise provable, under or violation of—

"(A) this title;

"(B) section 12 of the Voting Rights Act of 1965 (52 U.S.C. 10306);

"(C) the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.); or

"(D) chapter 95 or 96 of the Internal Revenue Code of 1986.

"(e) MANNED CONSTRUCTION.—Nothing in this section shall be construed or applied to carry the exercise of rights guaranteed under the First Amendment to the Constitution of the United States.

"(2) SVERABILITY.—If any provision of this section, an amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this section, the amendments made by this section, and the applications of the provisions of this title to any other person or circumstance shall not be affected thereby.

"(3) TECHNICAL AND CONFORMING AMENDMENT.—The tables of sections for chapter 29 of title 28, United States Code, is amended by adding at the end the following:

"312. Interference in elections by foreign nationals.”

(c) INADMISSIBILITY FOR INFRINGEMENT OF RIGHTS BY FOREIGN NATIONALS.—Section 212(a)(10)(D) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)(D)) is amended to read as follows:

"(D) UNLAWFUL VOTERS AND ELECTION INFRINGEMENT BY FOREIGN NATIONALS.—

"(i) UNLAWFUL VOTERS.—Except as provided in clause (iii), any alien who has voted in violation of federal, State, or local law is inadmissible.

"(ii) ELECTION INTERFERENCE BY FOREIGN NATIONALS.—

"(I) IN GENERAL.—Except as provided in subsection (II) and clause (ii), any alien convicted of violating section 611(b), United States Code, is inadmissible.

"(II) EXCEPTION.—If an alien described in subsection (I) is eligible under section 304(h) for adjustment of status, the Secretary of Homeland Security, in his discretion, may waive the inadmissibility of such alien.

"(III) EXCEPTION.—An alien shall not be considered to be inadmissible under this subparagraph—

"(a) if the alien reasonably believed at the time of the violation described in clause (I) or (II) that he or she was a United States citizen.

"(d) STRENGTHENING PROHIBITIONS ON EXPENDITURES IN MAKING CONTRIBUTIONS, DONATIONS, OR EXPENDITURES TO FOREIGN GOVERNMENTS AND FOREIGN POLITICAL PARTIES IN MAKING CONTRIBUTIONS, DONATIONS, OR EXPENDITURES.—

"(1) ELECTIONEERING COMMUNICATIONS.—

"(A) IN GENERAL.—For purposes of applying subsection (a)(1)(C) and subsection (d), an ‘electioneering communication’—

"(i) does not include a news story, commentary, editorial, or other communication, produced and distributed in the ordinary course of bona fide press activity by a news outlet, newspaper, magazine, periodical, or other publication and the exception under such subparagraph shall not apply if—

"(I) such media outlet is owned, directed, controlled, financed, or subsidized by a government of a foreign country, as defined in section I of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611); and

"(ii) such news story, commentary, editorial, or other communication—

"(I) is directed, produced, or distributed, at the direction of government or political party officials; and

"(II) promotes, attacks, supports, or opposes candidates for public office or political party in the United States.

"(B) DETERMINATION OF BONA FIDE PRESS ACTIVITY.—

"(i) IN GENERAL.—When an individual or a group of individuals engages in Internet activities for the purposes of influencing an election, neither of the following is a contribution or expenditure for purposes of this section by that individual or group of individuals—

"(I) the uncompensated personal services of an individual related to such Internet activities.

"(ii) the use of equipment or services by the individual for uncompensated Internet activities, regardless of the identity of the owner of the equipment,

"(III) the equipment or services are produced and distributed in the ordinary course of bona fide press activity by a news outlet, newspaper, magazine, periodical, or other publication and the exception under the preceding sentence shall not apply to equipment or services supplied or provided directly or indirectly by a government of a foreign country, a foreign political party, or any person whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a government of a foreign country or a foreign political party.

"(c) IN GENERAL.—No person shall knowingly provide substantial assistance to a foreign national, including a foreign government or foreign political party, with respect to—

"(I) the order, request, or other thing of value, or an expenditure, independent expenditure, or disbursement for an electioneering communication under section 304(h)(3), or any other act prohibited under subsection (a).

"(d) PROHIBITION ON PROVIDING SUBSTANTIAL ASSISTANCE TO A FOREIGN GOVERNMENTS AND FOREIGN POLITICAL PARTIES IN MAKING CONTRIBUTIONS, DONATIONS, OR EXPENDITURES.—

"(1) IN GENERAL.—No person shall knowingly provide substantial assistance to a foreign national, including a foreign government or foreign political party, with respect to—

"(I) the order, request, or other thing of value, or an expenditure, independent expenditure, or disbursement for an electioneering communication under section 304(h)(3), or any other act prohibited under subsection (a).

"(II) the order, request, or other thing of value, or an expenditure, independent expenditure, or disbursement for an electioneering communication under section 304(h)(3), or any other act prohibited under subsection (a).
(2) DEFINITION.—As used in this subsection, the term ‘providing substantial assistance’ means, with respect to an act described in paragraph (1), the facilitation of such act by a foreign national, including a foreign government or foreign political party. Such facilitation includes the knowing repudiation of foreign government and foreign political party electioneering communications referred to in subsection (b), regardless of whether the communication was made in concert or cooperation with or at the request of a foreign national, including a foreign government or foreign political party.”.

SA 730. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title C of title V, add the following:

SEC. 520. EXPANSION AND IMPROVEMENT OF LEAVE IN CONNECTION WITH BIRTH OR ADOPTION.

(a) PRIMARY CAREGIVER LEAVE IN CONNECTION WITH BIRTH OR ADOPTION.—Subsection (i) of section 701 of title 10, United States Code, is amended—

(i) by striking ‘‘the primary’’ and inserting ‘‘a primary’’; and

(ii) by striking ‘‘six weeks’’ and inserting ‘‘twelve weeks’’;

(b) SECONDARY CAREGIVER LEAVE IN CONNECTION WITH BIRTH OR ADOPTION.—Subsection (4)(A) of section 704 of this title in connection with a death of the child concerned.

(2) Nothing in subparagraph (A) shall be construed to terminate the eligibility of a member for emergency leave under section 709 of this title in connection with a death described in that subparagraph.

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

(3) More than one individual may be designated as a primary caregiver under subsection (a) or (b) in connection with a birth or adoption.

(d) in paragraph (5), by inserting after paragraph (4) the following:

(5) Federal agents who visited 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, concluding that 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. 510 et seq.) (commonly known as the ‘‘Indian Reorganization Act’’);

(e) in paragraph (6), by adding to paragraph (5) the following:

(6) Federal agents who visited 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, concluding that 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. 510 et seq.) (commonly known as the ‘‘Indian Reorganization Act’’);

(f) in paragraph (7), by adding to paragraph (5) the following:

(7) 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, which also petitioned the Federal Government for reorganization under the Act of June 18, 1934, petitioned the Federal Government to purchase land for the Tribe, and the members of the Tribe were denied the opportunity to reorganize.

(g) in paragraph (8), by adding to paragraph (5) the following:

(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, petitioned the Federal Government to purchase land for the Tribe, and the members of the Tribe were denied the opportunity to reorganize.
June 18, 2019

(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 1850.

(b) Definitions.—In this section:

(1) MEMBER.—The term ‘member’ means an individual who is enrolled in the Tribe pursuant to subsection (f).

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

(c) Federal recognition is extended to the Tribe.

(d) Effect of Federal Laws.—Except as provided in this section, all Federal laws (including regulations) of general application to Indians and Indian tribes, including the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly known as the ‘Indian Reorganization Act’), shall apply to the Tribe and members.

(1) General.—Nothing in this section shall diminish any right or privilege of the Tribe or any member that existed before the date of enactment of this Act, the Tribe and each federal Indian tribe recognized by the Secretary, without regard to—

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

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

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

(e) Confirmation of Rights.—

(1) In General.—Nothing in this section diminishes any right or privilege of the Tribe or any member that existed before the date of enactment of this Act.

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

(g) Membership Roll.—

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

(2) Determination of Membership.—The qualifications for inclusion on the membership roll of the Tribe shall be determined in accordance with sections 1 through 3 of article V of the constitution of the Tribe dated September 12, 1937 (including amendments to the constitution).

(3) Maintenance of Roll.—The Tribe shall maintain the membership roll under this subsection.

(h) Acquisition of Land.—

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

(2) Additional Land.—The Secretary may acquire additional land for the benefit of the Tribe pursuant to section 5 of the Act of June 18, 1934 (25 U.S.C. 5108) (commonly known as the ‘Indian Reorganization Act’).

SA 734. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 24. COMPOSITION.—Not later than 60 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2020, the President shall appoint the members of the Task Force, which shall include—

(A) the Director of the Office of Child Care of the Department of Health and Human Services, the Associate Commissioner for Children and the Office of the Secretary of the Department of Health and Human Services, the Director of the Federal Bureau of Investigation, or their designees; and

(B) such other Federal officials as may be designated by the President.

(3) CHAIRPERSON.—The chairperson of the Task Force shall be the Assistant Secretary of the Administration for Children and Families.

(4) Consultation.—The Task Force shall consult with representatives from State child care agencies, State child protective services, State criminal justice agencies, and other relevant stakeholders on identifying problems in implementing, and proposing solutions to implement, the requirements of subsection (b), as described in that subsection.

(5) Task Force Duties.—The Task Force shall—

(A) develop recommendations for improving implementation of the requirements of subsection (b), including recommendations about whether the Task Force will collaborate and coordinate efforts to implement such requirements, as described in subsection (b); and

(B) develop recommendations in which the Task Force identifies best practices and evaluates technical assistance to assist relevant Federal and State agencies in implementing subsection (b), which identification and evaluation shall include—

(i) an analysis of available research and information at the Federal and State level regarding the status of the interstate requirements of subsection (b) for child care staff members who have resided in one or more States during the previous 5 years and who seek employment in a child care program in a different State;

(ii) a list of State agencies that are not responding to interstate requests covered by subsection (b) for relevant information on child care staff members;

(iii) identification of the challenges State agencies are experiencing in responding to interstate requests;

(iv) an analysis of the length of time it takes the State agencies in a State to receive such requests from State agencies in another State;

(v) an analysis of the average processing time for the interstate requests, in accordance with subsection (b); and

(vi) identification of the fees associated with the interstate requests in each State to meet requirements in accordance with subsection (b).

(6) Meetings.—Not later than 3 months after the date of enactment of the National Defense Authorization Act for Fiscal Year 2020, the Task Force shall hold its first meeting.
under both Republican and Democratic administrations beginning in 1991 with the administration of President George H. W. Bush.

(6) These law-abiding and taxpaying Liberians have made homes in the United States, have worked hard, played by the rules, paid their dues, and submitted to rigorous vetting. Many such Liberians have United States citizen children who have served in the Armed Forces, and in some cases have themselves served in that capacity.

(7) The Liberian community in the United States has taken the lead in private sector investment and socioeconomic assistance in Liberia by providing remittances to relatives in Liberia.

(8) While there was a positive development in 2017 with the first democratic transfer of power in more than 70 years, the Department of State has identified the capital and most populous city of Liberia, Monrovia, as being a critical-threat location for crime. Access to healthcare remains limited, critical infrastructure is lacking, and widespread corruption coupled with low wages and a weak economic recovery has left the country vulnerable to civil unrest.

(b) REPORT.—

(1) In general.—Not later than December 31, 2019, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report on the impact of Liberian nationals on the national security, foreign policy, and economic, and humanitarian interests of the United States and a justification for adjustment of status qualifying Liberians to that of lawful permanent residents.

(2) Elements required by paragraph (1) shall include the following:

(A) The number of current or former Liberian nationals and their children who have served or are currently serving in the Armed Forces.

(B) The amount of remittances sent by current or former Liberian nationals to relatives in Liberia and an assessment of the impact on the economic development of Liberia if these remittances were to cease.

(C) The economic and tax contributions that Liberian nationals and their children have made to the United States.

(D) An assessment of the impact on the United States of adjusting the status of Liberian nationals who have continuous physical presence in the United States beginning on November 20, 2014, and ending on the date of the enactment of this Act, or for adjusting the status of the spouse, un-married sons or daughters of such Liberian nationals.

(c) QUALIFYING LIBERIAN.—

(1) In general.—In this section, the term ‘qualifying Liberian’ means an alien (as defined in section 101(a)(2) of the United States Code; and

(A) has been convicted of any aggravated felony;

(B) has been convicted of 2 or more crimes involving moral turpitude (other than a purely political offense); or

(C) has ordered, incited, assisted, or otherwise participated in the commission of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

(2) EXCEPTIONS.—The term ‘qualifying Liberian’ does not include any alien who—

(A) has been convicted of any aggravated felony;

(3) DETERMINATION OF CONTINUOUS PHYSICAL PRESENCE.—For purposes of establishing the period of continuous physical presence referred to in paragraph (1)(A)(ii), an alien shall not be considered to have failed to maintain continuous physical presence based on 1 or more absences from the United States for 1 or more periods amounting, in the aggregate, to not more than 180 days.

SA 738. 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. 333. SENSE OF CONGRESS ON RESTORATION OF TYPDALL AIR FORCE BASE.

It is the sense of Congress that the Secretary of the Air Force should—

(1) restore Tyndall Air Force Base to achieve military installation resilience, as defined in section 101(e)(8) of title 10, United States Code; and

(2) use innovative construction methods, materials, designs, and technologies in carrying out such restoration in order to achieve efficiencies, cost savings, resiliency, and capability, which may include—

(A) open architecture design to evolve with the national defense strategy; and

(B) other efficient enterprise for members of the Air Force in the 21st century.

SA 740. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of 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 580.

Strike section 587.

Strike section 642.

On page 293, line 2, strike “January 1, 2020” and insert “January 1, 2030”.

Strike section 1203 and insert the following:

SEC. 1203. TWO-YEAR EXTENSION OF PROGRAM AUTHORITY AND AVAILABILITY OF FUNDS FOR GLOBAL SECURITY CON- TINGENCY FUND.

Section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 661 note) is amended—

(1) in subsection (i)—

(A) in paragraph (1), by striking ‘‘September 30, 2019’’ and inserting ‘‘September 30, 2021’’;

(B) by amending paragraph (2) to read as follows:
SA 741. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 108. PENSACOLA DAM AND RESERVOIR, GRAND RIVER, OKLAHOMA.

(a) PURPOSE.—The purpose of this section is to clarify Federal authorities and responsibilities relating to the Pensacola Dam and Reservoir.

(b) DEFINITIONS.—In this section:

(1) CONSERVATION POOL.—The term ‘‘conservation pool’’ means the Pensacola Hydroelectric Project (FERC No. 1943).

(2) FLOOD POOL.—The term ‘‘flood pool’’ means all land and water of Grand Lake O’ the Cherokees, Oklahoma, below elevation 745 feet (Pensacola Datum).

(3) PENSACOLA DAM,—The term ‘‘Pensacola Dam’’ means all land and water of Grand Lake O’ the Cherokees, Oklahoma, between elevation 745 feet and elevation 755 feet (Pensacola Datum).

(4) PROJECT.—The term ‘‘project’’ means the Pensacola Hydroelectric Project (FERC No. 1943).

(5) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of the Army.

(c) CONSERVATION POOL MANAGEMENT.—

(1) FEDERAL LAND.—Notwithstanding section 3783 of the Water Resources Development Act of 2000 (16 U.S.C. 796(2)), Federal land within the project, including any right, title, or interest in or to land held by the United States for any purpose, is subject to the following:

(A) a reservation for purposes of section 4(e) of that Act (16 U.S.C. 797(e));

(B) land or other property of the United States for purposes of recommissioning the United States for the use, occupancy, or enjoyment of the land under section 10(e)(1) of that Act (16 U.S.C. 803(e)(1)); or

(C) land of the United States for purposes of section 24 of that Act (16 U.S.C. 818).

(2) LICENSE CONDITIONS.—

(A) notwithstanding any other provision of law, the Commission shall not include in any license for the project any condition or other requirement relating to—

(i) surface elevations of the conservation pool;

(ii) flood pool (except to the extent it refers to flood control requirements prescribed by the Secretary of the Army); or

(iii) land or water above an elevation of 750 feet (Pensacola Datum).

(B) NOTWITHSTANDING subparagraph (A)(i), the Commission shall, in consultation with the licensee, prescribe flexible target surface elevations of the conservation pool, to the extent necessary for the protection of life, health, property, or the environment.

(3) PROJECT SCOPE.—

(A) LICENSING JURISDICTION.—The licensing jurisdiction of the Commission for the project shall not extend to any land or water outside the project boundary.

(B) OUTSIDE INFRASTRUCTURE.—Any land, water, or physical infrastructure or other improvement outside the project boundary shall not be considered to be part of the project.

(C) BOUNDARY AMENDMENT.—

(i) IN GENERAL.—The Commission shall amend the project boundary only on request of the project licensee.

(ii) DENIAL OF REQUEST.—The Commission may deny a request for a project boundary amendment under clause (i) if the Commission determines that the request is inconsistent with the requirements of part I of the Federal Power Act (36 U.S.C. 6 et seq.).

(d) FLOOD POOL MANAGEMENT.

(1) EXCLUSIVE JURISDICTION.—Notwithstanding any other provision of law, the Secretary shall have exclusive jurisdiction and responsibility for management of the flood pool for flood control operations at Grand Lake O’ the Cherokees.

(2) PROPERTY ACQUISITION.—If a feasibility study or other investigation determines that flood control operations at or associated with Pensacola Dam, including any backwater effect, inundation of, or damage to, land outside the project boundary to which the United States does not hold flowage rights or holds insufficient flowage rights, the project licensee shall not have any obligation to obtain or enhance those flowage rights.

(e) SAVINGS PROVISION.—Nothing in this section affects the following:

(1) any authority or obligation of the Secretary or the Chief of Engineers pursuant to section 2 of the Act of June 28, 1938 (commonly known as the ‘‘Flood Control Act of 1938’’) (33 U.S.C. 701c–1);

(2) any authority of the Secretary or the Chief of Engineers pursuant to section 7 of the Act of December 22, 1944 (commonly known as the ‘‘Flood Control Act of 1944’’) (33 U.S.C. 709).

(3) any obligation of the United States to obtain flowage or other property rights pursuant to the Act of July 31, 1946 (60 Stat. 743, chapter 718);

(4) any obligation of the United States to acquire flowage or other property rights for additional reservoir storage pursuant to Executive Order 9839 (2 Fed. Reg. 2447; relating to the Grand River Dam Project); and

(5) any authority of the Secretary to acquire real property interest pursuant to section 560 of the Water Resources Development Act of 1996 (Public Law 104–303; 110 Stat. 3783).

(4) ECONOMIC IMPACT.—

(1) ECONOMIC IMPACT STUDY.—The Commission shall conduct an economic impact study of the project.

(2) ECONOMIC IMPACT STUDY.—The economic impact study conducted under subsection (a) shall include an assessment of the following:

(A) The data and information that underlie the quality ratings for community living centers operated by the Department.

(B) Trends in quality for such community living centers.

(3) The use of quality ratings by the Department to conduct oversight of such community living centers.

(c) REPORT.—Not later than January 1, 2021, the Comptroller General shall submit to Congress a report on the results of the review conducted under subsection (a).

SA 743. 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 Veterans Affairs, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 582. EXPANSION OF ELIGIBILITY FOR THE MY CAREER ADVANCEMENT ACCOUNT PROGRAM TO CERTAIN MILITARY SPOUSES.

(a) ELIGIBILITY FOR PARTICIPANTS WHOSE SPOUSES RECEIVE PROMOTIONS.—A military spouse who is participating in the My Career Advancement Account program of the Department of Defense (in this section referred to as the ‘‘Program’’) may become ineligible for the Program solely because the military spouse is married to a member of the military forces to whom the military spouse is married receives a promotion in grade.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report on the Program.

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

(A) An assessment of employment rates for military spouses that identifies—

(i) the career fields in which military spouses frequently pursue; and

(ii) the extent to which such rates may be improved by expanding the Program to include reimbursements for licensing reciprocity.

(B) An assessment of costs required to expand the Program as described in subparagraph (A)(ii).
for defense activities of the Department of 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 title XXXV and insert the following:

**TITLE XXXV—MARITIME ADMINISTRATION**

**SEC. 3501. SHORT TITLE.**

This title may be cited as the “Maritime Administration Authorization and Enhancement Act of 2019.”

**Subtitle A—Maritime Administration**

**SEC. 3511. AUTHORIZATION OF THE MARITIME ADMINISTRATION.**

(a) In General.—There are authorized to be appropriated to the Department of Transportation for fiscal year 2020, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $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.

(2) For expenses necessary to support the State maritime academies, $50,280,000, of which—

(A) $2,400,000 shall remain available until September 30, 2021, for the Student Incentive Program,

(B) $6,000,000 shall remain available until expended for direct payments to such academies, and

(C) $30,080,000 shall remain available until required for maintenance and repair of State maritime academy training vessels;

(D) $3,800,000 shall remain available until expended for training ship fuel assistance; and

(E) $8,000,000 shall remain available until expended for offsetting the costs of training ship sharing.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $7,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, of which $35,000,000 shall remain available until expended for activities authorized under section 50397 of title 46, United States Code.

(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $5,000,000, which shall remain available until expended.

(b) Authorization of Appropriations.—

(1) in paragraph (2), by striking “and” after the semicolon;

(2) in paragraph (C), by striking “$3,700,000 for each of fiscal years 2022, 2023, 2024, and 2025,” and inserting “$3,233,463 for each of fiscal years 2022, 2023, 2024, and 2025;” and

(3) by adding at the end the following:

(D) $5,233,463 for each of fiscal years 2025 through 2026.

(c) Payments.—Section 5106(a)(1) 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 “$31,047,780 for each of fiscal years 2022, 2023, 2024, and 2025;” and

(3) by adding at the end the following:

(D) $31,431,047 for each of fiscal years 2026 through 2035.

**SEC. 3512. 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 to address only those recommendations from Chapter 3 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”;

(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. 3513. APPOINTMENT OF CANDIDATES AT-TESTED THROUGH PREPARATORY PREPARATORY SCHOOL.**

Section 51309 of title 46, United States Code, is amended—

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

(a) In General.—The Secretary:

(b) by adding at the end the following:

(2) in paragraph (2), by striking “and” after the semicolon;

(3) by adding at the end the following:

(1) in paragraph (2), by striking “and” after the semicolon,

(4) in paragraph (3), by striking “$314,007,780 for each of fiscal years 2022, 2023, 2024, and 2025;” and

(5) by adding at the end the following:

(4) $314,007,780 for each of fiscal years 2026 through 2035.

**SEC. 3514. 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 of Transportation shall seek to enter into an agreement with the National Academy of Public Administration (referred to in this section as the “Academy”) to carry out the activities described in this section.

(b) Study Elements.—In accordance with the agreement described in subsection (a), the Academy 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 to:

(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 its mission of inspiring and educating the next generation of the maritime workforce on a long-term basis.

(c) Deadline and Report.—Not later than 1 year after the date of the agreement described in subsection (a), the Academy shall prepare and submit to the Administrator of the Maritime Administration a report containing the action plan described in subsection (b)(3), including specific findings and recommendations.

**SEC. 3515. GENERAL SUPPORT PROGRAM.**

Section 51501 of title 46, United States Code, is amended by adding at the end the following:

The National Maritime Centers of Excellence. The Secretary shall designate each State maritime academy as a National Maritime Center of Excellence.

**SEC. 3516. MILITARY TO PREPATORY SUPPORT.**

(a) Credentialing Support.—Not later than 1 year after the date of enactment of this title, the Secretary of Defense, the Secretary of the Department of Homeland Security, the United States Coast Guard, the Secretary of Commerce, and the United States Secretary of the Treasury, respectively, shall enter into agreements with the National Academy of Public Administration, and submit a list of all identified training and experience counts for credentialing purposes.

(b) Review of Applicable Service.—The United States Coast Guard Commandant shall make a determination of whether training and experience counts for credentialing purposes, as described in subsection (a), not later than 6 months after the date of enactment of this title, the United States Coast Guard National Maritime Center.

(c) Fees and Services.—The Secretary of Defense, the Secretary of the Department in

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which the Coast Guard operates, and the Secretary of Commerce, with respect to the applicable services in their respective departments, shall—

(1) take all necessary and appropriate actions to provide for the waiver of fees through the National Maritime Center license evaluation, issuance, and examination for members of the uniformed services on active duty or possessing a mariner credential, such as implementation of an equal exchange process for active duty service members at no or minimal cost;

(3) ensure that members of the applicable services who are to be discharged or released from active duty and who request certification of seafaring skills provided such certification or verification no later than one month after discharge or release;

(4) ensure the applicable services have developed, or continue to operate, as appropriate, the online resource known as Credentialing Opportunities On-Line to support separating members of the uniformed services who are seeking information and assistance on merchant mariner credentialing; and

(5) not later than 1 year after the date of enactment of this section, take all necessary and appropriate actions to review and implement service-related medical certifications for 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, and the Secretary of Commerce shall have direct hiring authority for noncareer members of the uniformed services with valid merchant mariner licenses or sea service experience in support of United States national maritime needs, including the U.S. Coast Guard, U.S. Customs and Border Protection, 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) SEPARATE 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) is administratively separating or has administratively separated from the uniformed services with an honorable or general discharge, including bad conduct discharges.

SEC. 3518. SALVAGE RECOVERIES OF FEDERALLY OWNED CARGOES.

Section 57100 of title 46, United States Code, is amended by adding at the end the following:

“(h) 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 under a reimbursable agreement with a Federal entity, or State or local entity, authorized to receive goods and services from the Maritime Administration for programs, projects, or activities related to the National Defense Reserve Fleet or maritime-related services:

“(A) Federal entities are authorized to transfer funds to the Secretary in advance of expenditure or upon providing the goods or services ordered, as determined by the Secretary.

“(B) The Secretary shall determine all other terms and conditions under which such payments should be made and provide such goods and services using its existing or new contracts, including general agency agreements, memoranda of understanding, or similar agreements.

“(2) REIMBURSABLE AGREEMENT WITH A FEDERAL ENTITY.—

“(A) IN GENERAL.—The Maritime Administration is authorized to provide maritime-related services and goods under a reimbursable agreement with a Federal entity.

“(B) MARITIME-RELATED SERVICES DEFINED.—For the purposes of this subsection, ‘‘maritime-related services’’ includes the administration, procurement, operation, maintenance, preservation, sale, lease, charter, construction, reconstruction, or reconditioning (including outfitting and equipping incidental to construction, reconstruction, or reconditioning) of a merchant vessel or shipyard, ship site, terminal, pier, dock, warehouse, or other installation related to the maritime operations of a Federal entity.

“(C) SALVAGING CARGOES.—

“(A) IN GENERAL.—The Maritime Administration may provide services and purchase goods relating to the salvaging of cargoes aboard vessels in the custody or control of the Maritime Administration or its predecessors agencies and receive and retain reimbursement from Federal entities for all such costs as it may incur.

“(B) REIMBURSEMENT.—Reimbursement as provided for in subparagraph (A) may be from—

“(i) the proceeds recovered from such salvage; or

“(ii) the Federal entity for which the Maritime Administration has or will provide such goods and services, depending on the agreement of the parties involved.

“(4) AMOUNTS RECEIVED.—Amounts received as reimbursements under this subsection shall—

“(A) ninety percent be available to the fund or account that was used to cover the costs incurred by the Maritime Administration in the performance of the services for which the funds are reimbursed;

“(B) be deposited in the Vessel Operating Fund and shall be available for the purposes of the war risk revolving fund.

“(5) ADVANCE PAYMENTS.—Payments made in advance shall be for any part of the estimated costs determined by the Secretary of Transportation. Adjustments to the amounts paid in advance shall be made as agreed to by the Secretary of Transportation and the head of the agency or unit responsible for the payment, based on the actual cost of goods or services provided.

“(6) BILL OR REQUEST FOR PAYMENT.—A bill submitted by a contractor or Governmental unit is subject to audit or certification in advance of payment.”.

SEC. 3519. SALVAGE RECOVERIES FOR SUBROGATED OWNERSHIP OF VESSELS AND CARGOES.

Section 53089 of title 46, United States Code, is amended by adding at the end the following:

“(o) SALVAGE AGREEMENTS.—The Secretary of Transportation is authorized to enter into salvage agreements for recoveries, sale, and disposal of sunken or damaged vessels, cargoes, or properties owned or insured by or on behalf of the Maritime Administration, the United States Shipping Board, the U.S. Shipping Board, the United States Maritime Commission, or the War Shipping Administration.

“(l) 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 sunken military craft, as defined in title XIV of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (10 U.S.C. 113 note).

“(g) RECOVERIES.—Notwithstanding other provisions of law, the net proceeds from salvage agreements entered into as authorized by this section (e) shall until expended and be distributed as follows for marine insurance-related salvages:

“(1) 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 until expended as provided in subsection (d).

“(A) Fifty percent shall be available to the Administrator of the Maritime Administration for such acquisition, maintenance, repair, reconditioning, or improvement of vessels on the National Defense Reserve Fleet as is authorized under other Federal law.

“(B) Twenty-five percent shall be available to the Administrator of the Maritime Administration for the payment or reimbursement of expenses incurred by or on behalf of State maritime academies or the United States Merchant Marine Academy for facility and training ship maintenance, repair, and modernization, and for the purchase of simulators and fuel.

“(C) The remainder shall be distributed for maritime heritage preservation to the Department of the Interior for grants and may be cited as the ‘Ports Improvement Act’.

“(l) 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 sunken military craft, as defined in title XIV of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (10 U.S.C. 113 note).
(E) An Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), without regard to capitalization), or a consortium of such entities.

(F) A multistate or multijurisdictional group of entities described in this paragraph.

(G) A lead entity described in subparagraph (A), (B), (C), (D), (E), or (F) jointly with a private entity or group of private entities.

(3) ELIGIBLE PROJECTS.—The Secretary may make a grant under this subsection—

(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, or around, or within a port, such as for highway or rail infrastructure, intermodal facilities, freight intelligent transportation systems, and data communication systems;

(III) environmental mitigation measures and operational improvements directly related to the efficiency of ports and intermodal connections to ports;

(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 may not be used—

(A) to finance or refinance the construction, reconstruction, reconditioning, or purchase of a vessel that is eligible for such assistance under chapter 337, unless the Secretary determines such vessel—

(i) is necessary for a project described in paragraph (3)(A)(i)(II) of this subsection; and

(ii) is not receiving assistance under chapter 337;

(B) for any project within a small shipyard (as defined in section 5101).

(5) APPLICATIONS AND PROCESS.—

(A) IN GENERAL.—Except as provided in clause (ii), the Federal share of the costs of a project under this subsection shall not exceed 80 percent.

(B) PORT.—The term 'port' includes—

(i) a seaport; and

(ii) the Committee on Commerce, Science, and Transportation of the Senate; and

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

(6) 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 the project—

(i) improves the safety, efficiency, or reliability of the movement of goods through a port or an intermodal connection to a port;

(ii) is cost effective; and

(iii) the eligible applicant has authority to carry out the project.

(B) ELIGIBLE APPLICANTS.—(i) The eligible applicant has sufficient funding available to meet the matching requirements under paragraph (8).

(ii) The project will be completed without unreasonable delays.

(iii) The project cannot be easily and efficiently completed without Federal funding or financial assistance available to the project sponsor.

(C) 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.

(D) SMALL PROJECTS.—The Secretary may waive the cost-benefit analysis under paragraph (3)(A) that request the lead entity that—

(i) 10 percent of the amounts made available for grants under this subsection for a fiscal year;

(ii) $1,000,000.

(E) DEVELOPMENT PHASE ACTIVITIES.—(i) 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).

(F) FEDERAL SHARE OF TOTAL PROJECT COSTS.—(i) IN GENERAL.—To be eligible for a grant under this subsection, an eligible applicant shall submit to the Secretary an estimate of the total costs of a project under this subsection based on the best available information, including any available engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

(ii) the net benefits of the funds awarded for development phase activities under paragraph (3)(B).

(G) A lead entity described in subparagraph (A), (B), (C), (D), (E), or (F) jointly with a private entity or group of private entities.

(H) A multistate or multijurisdictional group of entities described in this paragraph.

(I) A lead entity described in subparagraph (A), (B), (C), (D), (E), or (F) jointly with a private entity or group of private entities.

(J) A project described in paragraph (3) for conduct port infrastructure programs in—


(K) ADMINISTRATION.—

(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, reconditioning, rehabilitation, acquisition of property, including land related to the project and improvements to the land, equipment acquisition, and operational improvements.

(D) RURAL AREA.—The term ‘rural area’ means an area that is outside an urbanized area.

(4) ADDITIONAL AUTHORITY OF THE SECRETARY.—In carrying out this section, the Secretary may—

(A) receive funds from a Federal or non-Federal entity that has a specific agreement with the Secretary to carry out the purposes of this section.

(B) 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 port facilities to improve the efficiency of the transportation system, to increase port security, or to provide greater access to port facilities.

(C) A Lead Entity.—The Federal wage rate requirements of subchapter IV of chapter 31 of title 40 shall apply, in the same manner as such requirements apply to contracts subject to such subchapter, to—

(i) each project for which a grant is provided under this subsection; and

(ii) the net benefits of the funds described in clause (i), regardless of whether such a portion is funded using—

(I) other Federal funds;

(II) non-Federal funds;

(III) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to affect existing authorities to conduct port infrastructure programs.

(5) COSTS.—(A) ADMINISTRATIVE AND OVERSIGHT COSTS.—The Secretary may retain not more than 2 percent of the amounts appropriated for each fiscal year under this subsection for the administrative and oversight costs incurred by the Secretary to carry out this subsection.

(B) AVAILABILITY.—

(A) IN GENERAL.—Amounts appropriated for carrying out this subsection shall remain available until expended.

(B) 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 grants under this subsection in a subsequent fiscal year.

(6) 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, reconditioning, rehabilitation, acquisition of property, including land related to the project and improvements to the land, equipment acquisition, and operational improvements.

(D) RURAL AREA.—The term ‘rural area’ means an area that is outside an urbanized area.
SEC. 3521. ASSESSMENT AND REPORT ON STRATEGIC SEAPORTS.

(a) In General.—Not later than 90 days after the date of the enactment of this title, the Secretary of Defense shall submit to the congressional defense committees a report on ports for military purposes at ports designated by the Department of Defense as strategic seaports.

(b) ELEMENTS.—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 that would be needed to meet, directly or indirectly, national security and readiness requirements;

(B) an assessment of the impact on operations and the Armed Forces if such improvements are not undertaken; and

(C) an identification of, to the maximum extent practical, all potential funding sources for such improvements from existing authorities.

(3) An identification of the support that would be appropriate for the Department of Defense to provide in the execution of the Secretary of Transportation’s responsibilities under section 50302 of title 46, United States Code, with respect to such facilities.

(4) An identification of which 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 5410(d) of title 46, United States Code, is amended—

(1) by striking ‘‘Grants awarded’’ and inserting the following:

‘‘(1) In general.—Grants awarded; and

(2) by adding at the end the following:

‘‘(2) Buy America.—

‘‘(A) In general.—Subject to subparagraph (B), no funds may be obligated by the Administrator of the Maritime Administration under this section, unless each product and material purchased with those funds (including products and materials purchased by a grantee), and any commercially available off-the-shelf item, is—

(1) an manufactured article, material, or supply that has been mined or produced in the United States;

(2) 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) That notwithstanding subparagraph (A), the requirements of that subparagraph shall not apply with respect to a particular product or material if the Administrator determines—

(1) that such product or material is not available in the United States in sufficient quantities, or of satisfactory quality, or on a timely basis; or

(2) that the cost of that 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.

‘‘(II) The term ‘United States’ includes the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.’’.

SEC. 3523. REQUIREMENT FOR SMALL SHIPYARD GRANTEES.

The study; and

SEC. 3524. IMPROVEMENT OF NATIONAL OCEANOGRAPHIC PROGRAM.

(a) ADDITIONAL MEANS OF ACHIEVEMENT OF GOALS OF PROGRAM THROUGH OCEANOGRAPHIC EFFORTS.—Section 8931(b)(2)(A) of title 10, United States Code, is amended—

(1) by inserting ‘‘, creating,’’ after ‘‘identifying’’; and

(2) by inserting ‘‘science,’’ after ‘‘areas of’’.n}

(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 redesignating paragraphs (10) through (15) as paragraphs (12) through (15), respectively; and

(B) by inserting after paragraph (9) the following new paragraph:

‘‘(10) The Director of the Bureau of Ocean Energy Management of the Department of Interior.’’;

(c) REPORT.—Section 2.101 of title 48, Code of Federal Regulations, is amended by redesignating paragraphs (12) through (15) as paragraphs (14) through (16), respectively; and

(d) REPORT.—Not later than March 1 of each year, the Council shall publish a building or work and that are produced as complete systems, are evaluated as a single and distinct construction material regardless of when or how the individual parts or components of those systems are delivered to the construction site.

‘‘(iii) The term ‘United States’ includes the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.’’.

SEC. 3524. IMPROVEMENT OF NATIONAL OCEANOGRAPHIC PROGRAM.

(a) ADDITIONAL MEANS OF ACHIEVEMENT OF GOALS OF PROGRAM THROUGH OCEANOGRAPHIC EFFORTS.—Section 8931(b)(2)(A) of title 10, United States Code, is amended—

(1) by inserting ‘‘, creating,’’ after ‘‘identifying’’; and

(2) by inserting ‘‘science,’’ after ‘‘areas of’’.

(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 redesignating paragraphs (10) through (15) as paragraphs (12) through (15), respectively; and

(B) by inserting after paragraph (9) the following new paragraph:

‘‘(10) The Director of the Bureau of Ocean Energy Management of the Department of Interior.’’;

(c) REPORT.—Section 2.101 of title 48, Code of Federal Regulations, is amended by redesignating paragraphs (12) through (15) as paragraphs (14) through (16), respectively; and

(d) REPORT.—Not later than March 1 of each year, the Council shall publish a
publicly available website a report summarizing the briefing described in subsection (e)';

(6) in subsection (g), as redesignated by paragraph (2); and

(A) by striking paragraph (1) and inserting the following:

'(1) The Secretary of the Navy shall establish and operate the National Oceanographic Partnership Program. The Council shall use competitive procedures in selecting an operator for the partnership program office.';

(B) in paragraph (2)(B), by inserting ``(where appropriate), before ``managing''; and

(7) in subsection (h), as redesignated by paragraph (1), to read as follows:

``(h) CONTRACT AND GRANT AUTHORITY.—

(1) 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 cooperative 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, administer, and manage, including fines and penalties, from other Federal and State departments and agencies.

(C) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to accept, administer, and manage, including fines and penalties, from other Federal and State departments and agencies for purposes of the National Oceanographic Partnership Program.

(D) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, for the purpose of implementing the National Oceanographic Partnership Program and carrying out the responsibilities of the Council.

(E) To use, with the consent of the head of the department or agency concerned, on a non-reimbursable basis, the land, services, equipment, personnel, facilities, advice, and information provided by a Federal agency or entity, State or Tribal government, Tribe, Tribal organization, 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.

(2) FUNDS TRANSFERRED.—Funds identified for direct support of National Oceanographic Partnership Program grants are authorized to be transferred to such other Departments or agencies as may be necessary to carry out the purposes of this chapter. Funds so transferred shall be used as authority to make grants, and such grants shall be exempt from section 1535 of title 31, United States Code (commonly known as the ``Economy Act of 1932'').'';

(2) by redesignating subparagraphs (A), (B), (C), and (D) as subparagraphs (B) through (E), respectively, inserting a semicolon;

(3) in subsection (c), by redesignating subparagraphs (A) through (K), as subparagraphs (A) through (M), respectively, inserting a semicolon;

and

(4) in subsection (d), by redesignating subparagraphs (A) through (K), as subparagraphs (A) through (M), and inserting a semicolon.

SEC. 3525. IMPROVEMENTS TO THE MARITIME GUARANTEED LOAN PROGRAM.

(a) DEFINITIONS.—Section 53701 of title 46, United States Code, is amended—

(1) by striking paragraph (5);

(2) by redesignating paragraphs (6) through (15) as paragraphs (5) through (14), respectively; and

(3) by adding at the end the following:

'(15) VESSEL OF NATIONAL INTEREST.—The term ''Vessel of National Interest'' means a vessel deemed to be of national interest 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 subsection 53703(d).'';

(b) PREFERRED LENDER.—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 market, 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, including conducting independent analysis and review of aspects of an application;

(B) represent the Secretary or Administrator in structuring and documenting the obligations or guarantees under this chapter;

(C) analyze and review aspects of, structure, and document the obligation guarantee during the term of the guarantee;

(D) documented under the laws of the United States for the term of the guarantee or obligation or until the obligation is paid in full, whichever is sooner.''; and

(d) FUNDING LIMITS.—Section 53704 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraphs (3) and (6); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(2) in subsection (c)—

(A) by adding at the end the following:

'\textit{and provide for the financial stability of the obligor}'' after 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:

'\textit{and providing services related to the obligor's compliance with any terms related to the obligations, the guarantee or maintenance of the Secretary or Administrator's security interests under this chapter}.'';

and

(3) in subsection (d), by striking paragraph (1), by adding at the end the following:

'(1) in subsection (d)(1), by striking ''650,000,000'' and inserting ''that amount, \$850,000,000''; 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;

and

(3) in subsection (e), by striking ''and''' after the period at the end and inserting '; and''; and

(4) by striking paragraph (3).

(5) AMOUNT OF OBLIGATIONS.—Section 53709(b) of title 46, United States Code, is amended—

(1) in subsection (a)(A)—

(A) by striking ''or, in the case of'' and all that follows through ''party''; and

(B) by striking ''and'' after the period at the end and inserting '; and''; and

(2) in subsection (c)—

(A) in the subsection heading, by inserting ''and provide for the financial stability of the obligor after'' and inserting ''and''; and

(B) by adding at the end the following:

'(D) by adding at the end the following:

'\textit{any other provisions that the Secretary or Administrator may prescribe.}'' after the period at the end and inserting ''and''; and

(c) ADMINISTRATIVE FEES.—Section 53713 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''reasonable for—'' and inserting ''reasonable for processing the application and monitoring the loan guarantee, including for—'';

(B) in paragraph (1), by striking ''and'' and inserting ''or a deposit fund under section 53716 of this title''; and

(C) in paragraph (4), by striking the period at the end and inserting ''and''; and

(D) by adding at the end the following:

'\textit{monitoring and providing services related to the obligor's compliance with any terms related to the obligations, the guarantee or maintenance of the Secretary or Administrator's security interests under this chapter}.''; and

(2) in subsection (c)
APPLICATIONS.—Not later than 180 days after [180 days after the date of enactment of this title,] the Secretary of Transportation shall ensure that, not later than 180 days after the date of enactment of this title, the Secretary of the Maritime Administration, shall identify key 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 are not 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 the Interior, and the heads of other relevant agencies as appropriate, shall prepare and submit to Congress a report on the need for vessels to install, operate, and maintain emerging offshore energy infrastructure, including offshore wind energy facilities.

(b) CONTENTS.—Such report shall include—

(1) a projection of existing vessels needed to meet such emerging offshore energy needs over the next 10 years; and
(2) A calculation, and stability of, sufficient food to meet caloric and nutritional needs for an active and healthy life.

SEC. 3529. DEFINITIONS.

(a) Short Titles.—This subtitle may be cited as the “Maritime Security and Fisheries Enforcement Act.”

(b) In General.—In this subtitle:

(i) the area within a zone established by a maritime boundary that has been provisionally applied by the United States; or
(ii) the area within a zone established by a maritime boundary that is being provisionally applied by the United States; or
(iii) in the absence of a treaty described in clause (i) or (ii), the area within a zone established by a maritime boundary that is being provisionally applied by the United States, or
(iv) the area within a zone established by a maritime boundary that is being provisionally applied by the United States, or
(v) in the absence of a treaty described in clause (i) or (ii), the area within a zone established by a maritime boundary that is being provisionally applied by the United States.

SEC. 3531. SHORT TITLES.

(a) Short Title.—This 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.

(b) In General.—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 set forth by the Food and Agriculture Organization of the United Nations’ initiative to rapidly make available certified data from state authorities about vessels and vessel related activities.

SEC. 3532. DEFINITIONS.

(a) Short Titles.—This Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing set forth by the Food and Agriculture Organization of the United Nations, done at Rome, Italy November 22, 2009, and entered into force June 5, 2016, which offers standards for reporting and inspecting fishing activities of foreign flagged fishing vessels.

(b) In General.—The term “priority flag state” means a country selected in accordance with section 3552(b)(3).

SEC. 3533. EXCLUSIVE ECONOMIC ZONE.

(a) General.—The term “exclusive economic zone” means the area within a zone established by a maritime boundary that is being provisionally applied by the United States, or

(b) In General.—The term “priority flag state” means a country selected in accordance with section 3552(b)(3).
(B) that is willing, but lacks the capacity, to monitor or take effective enforcement action against its fleet.  

(9) PRIORITY REGION.—The term ‘priority region’ means a region selected in accordance with section 3532(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 cormorants.

(12) TRANSNATIONAL ORGANIZED ILLEGAL ACTIVITY.—The term ‘transnational organized illegal activity’ means criminal activity conducted by 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) to improve 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 transparencies and accountability across the seafood supply chain as—

(A) a deterrent to IUU fishing; and

(B) a tool for strengthening fisheries management and fishery 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 illegal activities.

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 work to resolve diplomatic, military, law enforcement, economic, and capacity-building tools to counter IUU fishing;

(3) to provide technical assistance to countries in priority regions and priority flag states to combat IUU fishing, including assistance—

(A) to increase local, national, and regional level capacities to counter IUU fishing through the engagement of law enforcement and security forces;

(B) to end IUU fishing, 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 transparencies and traceability in fisheries management regimes that promote legal and sustainable fishing 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 the development and use of agreed standards 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 drug trafficking in illegal trade in narcotics and drugs, and, as applicable, to focus on illicit activity in a coordinated, cross-cutting manner;

(12) to respond to and respond to poor working conditions, labor abuses, and other violent crimes in the fishing industry;

(13) to increase and improve global transparencies and accountability across the seafood supply chain as—

(A) a deterrent to IUU fishing; and

(B) an approach for strengthening fisheries management and fishery 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 coordination 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 provide appropriate responses 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 United States diplomatic mission (as defined in section 102 of the Foreign Service Act of 1980 (22 U.S.C. 3902)) to a relevant country in a priority region or to a priority flag state may, if the Secretary of State determines such action is appropriate—

(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 3535, foreign officials, nongovernmental organizations, the private sector, and representatives of local fishermen in the region; and

(B) experts on IUU 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 conclusion determines such action is appropriate.

SEC. 3543. ASSISTANCE BY FEDERAL AGENCIES TO IMPROVE LAW ENFORCEMENT WITHIN PRIORITY REGIONS AND PRIORITY FLAG STATES.

(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Commerce and the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, as any other relevant department or agency, shall provide assistance, as appropriate, in accordance with this section.

(b) LAW ENFORCEMENT TRAINING AND COORDINATION ACTIVITIES.—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 improve the effectiveness of IUU fishing enforcement, with 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, including efforts to disrupt 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 counter-poaching 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.

(d) CAPACITY BUILDING FOR INVESTIGATIONS AND PROSECUTIONS.—The officials referred to in subsection (a), in collaboration with the governments of countries in priority regions
and of priority flag states, shall evaluate opportunities to assist those countries in designing and implementing programs in such countries, as appropriate, to increase the capacity of enforcement and customs and border security officers to improve their ability—

1. To conduct effective investigations, including 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 shipper agreements, in order into and implement new shipper agreements, as appropriate, including in those countries that have not adopted the Port State Measures Agreement;
4. To conduct vessel inspections at port and associated enforcement actions;
5. To assess technology needs and promote the use of technology to improve monitoring, enforcement, and prosecution of IUU fishing;
6. To conduct DNA-based and forensic identification of seafood used in trade;
7. To engage on techniques such as collecting electronic evidence and using computer forensics, for law enforcement personnel involved in complex investigations related to legal matters, financial issues, and government corruption that include IUU fishing;
8. To assess financial flows and the use of financial institutions to launder profits related to IUU fishing;
9. To conduct training on the legal mechanisms that can be used to prosecute those identified in the investigations as alleged perpetrators of IUU fishing and other associated crimes such as trafficking and forced labor; and
10. To conduct training to raise awareness of the use of whistleblower information and ways to incentivize whistleblowers to come forward with original information related to IUU fishing;

(e) Capacity Building for Information Sharing.—The officials referred to in subsection (a) shall evaluate opportunities to provide, in an appropriate, to countries in priority regions and priority flag states in the form of training, equipment, and systems development to build capacity and sharing related to maritime enforcement and port security.

(f) Coordination with Other Relevant Agencies.—The Secretary of State, in collaboration, with the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, the Secretary of Commerce, and the heads of other Federal agencies that have an interest in combating IUU fishing, shall coordinate with other relevant agencies, as appropriate, in accordance with this section.

SEC. 3544. Expansion of Existing Mechanisms for Combat IUU Fishing

The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, the Secretary of Defense, the Secretary of Commerce, the Attorney General, and the heads of other appropriate Federal agencies shall evaluate opportunities to combat IUU fishing by expanding, as appropriate, the use of the following mechanisms:

1. Including counter-IUU fishing in existing shipper agreements in which the United States is a party.
2. Including counter-IUU fishing with priority flag states and countries in priority regions with which the United States does not already have such an agreement.
3. Including counter-IUU fishing as part of the mission of the Combined Maritime Forces.
4. Including counter-IUU fishing exercises in the annual at-sea exercises conducted by the Department of Defense, in coordination with the United Nations, and international partners.
5. Creating partnerships similar to the Oceania Maritime Security Initiative and the Africa Maritime Law Enforcement Partnership in priority regions.

SEC. 3545. Improvement of Transparency and Traceability Programs

The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, the Secretary of Commerce, and the heads of other Federal agencies, if merited, shall work, as appropriate, with priority flag states and key countries in priority regions—

1. To increase 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 products, 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 that—
   A. Deter IUU fishing;
   B. Strengthen fisheries management; and
   C. 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 assess capacity and training needs in those countries.

SEC. 3546. Technology Programs

The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, the Secretary of Defense, the Secretary of Commerce, and the heads of other Federal agencies, as appropriate, shall pursue programs to expand the role of technology for combating IUU fishing, including by—

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 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 illegal, unreported, and unregulated catches;
4. Building partnerships with the private sector, including universities, nonprofit research organizations, the seafood industry, and the finance and logistics sectors, to leverage new and existing technologies and data analytics to address IUU fishing;

SEC. 3547. Savings Clause

No provision of section 3532 or of this part shall impose, or be interpreted to impose, any duty, responsibility, requirement, or obligation on the Department of Defense, the Department of the Navy, or any official or component of either.

PART V—ESTABLISHMENT OF INTERAGENCY WORKING GROUP ON IUU FISHING

SEC. 3551. Interagency Working Group on IUU Fishing

(a) In General.—There is established a collaborative interagency working group on maritime security and IUU fishing (referred to in this subtitle as the “Working Group”).

(b) Members.—The Working Group shall be composed of—

1. 1 chair, who shall rotate between the Department of Homeland Security, the Department of State, and the National Oceanic and Atmospheric Administration on a 3-year term;
2. 2 deputy chairs, who shall be appointed by their respective agency heads and shall be from a different Department than that of the chair, from—
   A. The Coast Guard;
   B. The Department of State; and
   C. The National Oceanic and Atmospheric Administration;
3. 11 members, who shall be appointed by their respective agency heads, from—
   A. The Department of Defense;
   B. The United States Navy;
   C. The United States Agency for International Development;
   D. The United States Fish and Wildlife Service;
   E. The Department of Justice;
   F. The Department of the Treasury;
   G. U.S. Customs and Border Protection;
   H. U.S. Immigration and Customs Enforcement;
   I. The Federal Trade Commission;
   J. The Department of Agriculture;
   K. The Food and Drug Administration; and
   L. The Department of Labor;
4. 5 members, who shall be appointed by the President, from—
   A. The National Security Council;
   B. The Council on Environmental Quality;
   C. The Office of Management and Budget;
   D. The Office of Science and Technology Policy; and
   E. The Office of the United States Trade Representative.

(c) Responsibilities.—The Working Group shall ensure an integrated, Federal Government-wide response to IUU fishing globally, including by—

1. Improving the coordination of Federal agencies to identify, interdict, investigate, prosecute, and dismantle IUU fishing operations and organizations perpetrating and knowingly benefitting from IUU fishing;
2. Assessing areas for increased interagency information sharing on matters related to IUU fishing and related crimes;
3. Establishing standards for information sharing related to maritime enforcement;
4. Developing a strategy to determine how maritime assets and intelligence can contribute to enforcement strategies to combat IUU fishing;
5. Increasing maritime domain awareness related to IUU fishing and related crimes and developing a strategy to leverage awareness for enhanced enforcement and prosecution actions against IUU fishing;
6. Supporting the adoption and implementation of the Port State Measures Agreement in relevant countries and assessing the capacity and training needs in such countries;
7. Outlining a strategy to coordinate, increase, and use shipper agreements between the Department of Defense or the Commandant of the Coast Guard and relevant Governments;
8. Enhancing cooperation with partner governments to combat IUU fishing;
(9) identifying opportunities for increased information sharing between Federal agencies and partner governments working to combat IUU fishing;

(10) identifying and coordinating with the seafood industry and nongovernmental stakeholders that work to combat IUU fishing;

(11) supporting the work of collaborative international initiatives to make available 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 and IUU Fishing Prevention 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 date of the enactment of this title, the Working Group, after consultation with the relevant stakeholders, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Appropriations of the Senate, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Select Committee on Intelligence of the Senate, the Select Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Appropriations of the House of Representatives, and the Select Committee on Foreign Affairs of the House of Representatives 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.—In selecting priority regions, under paragraph (1), the Working Group shall select regions that—

(1) are at high risk for IUU fishing activity or the entry of illegally caught seafood into their markets; and

(2) report the information to fully address the issues described in subparagraph (A).

(3) PRIORITY FLAG STATES SELECTION CRITERIA.—In selecting priority flag states under section 219 of the Immigration and Nationality Act (8 U.S.C. 1225a), 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, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Transportation of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Foreign Affairs 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 implementation of priority regions, data sources, and strategies that would benefit from increased information sharing and recommendations for harmonization of data collection methods;

(4) an assessment of assets, including military assets and intelligence, 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 pursuant to the strategic plan developed under section 3552, including—

(A) the identification of—

(i) relevant supply routes, ports of call, methods of landing and entering illegally caught product into legal supply chains, and financial instruments 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 adherence to, or progress toward adoption of, international treaties related to IUU fishing, including the Port State Measures Agreement, by countries in priority regions;

(C) an assessment of the implementation by countries in priority regions of seafood traceability or capacity to apply traceability to verify the legality of catch and strengthen fisheries management;

(D) an assessment of the capacity of countries in priority regions to implement shipper 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 entering, leaving, and enforcing applicable laws and regulations; and


SEC. 3554. GULF OF MEXICO IUU FISHING SUB-WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this title, the Administrator of the National Oceanic and Atmospheric Administration, in coordination with the Coast Guard and the Department of State, shall establish a subworking group to address IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico.

(b) FUNCTIONS.—The subworking group established under subsection (a) shall identify—

(1) Federal actions taken and policies established in the 5-year period immediately preceding the date of the enactment of this title with respect to IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico, including such actions and policies related to—

(A) the surveillance, interdiction, and prosecution of any foreign nationals engaged in such fishing;

(B) the application of the provisions of the High Seas Driftnet Fishing Moratorium Pro-

tection Act (16 U.S.C. 1826d et seq.), to any relevant nation, including the status of any past or ongoing consultations and certification procedures;

(c) REPORT.—Not later than 1 year after the IUU Fishing Subworking Group is established under subsection (b) the United States 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 action or policy identified pursuant to subsection (b);

PART V—COMBATING HUMAN TRAFFICKING IN CONNECTION WITH THE CATCHING AND PROCESSING OF SEAFOOD PRODUCTS

SEC. 3561. FINDING.

Congress finds that human trafficking, including forced labor, 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 105(b) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(b)) is amended by inserting “the Secretary of Commerce,” after “the Secretary of Education,”.

SEC. 3563. HUMAN TRAFFICKING IN THE SEAFOOD SUPPLY CHAIN REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, the Secretary of State and the Administrator of the National Oceanic and Atmospheric Administration shall jointly submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the Senate, the Committee on Natural Resources of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Transportation of the House of Representatives that describes the existence of human trafficking, including forced labor, 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, including forced labor, 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);

(3) a description 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 processed and sold to the United States;

(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 Secretary of State and the Administrator of the National Oceanic and Atmospheric Administration jointly consider appropriate for legislative or administrative action to enhance and improve actions against human trafficking, including forced labor, in the catching and processing of seafood products outside of United States waters.

PART II—AUTHORIZATION OF APPROPRIATIONS

SEC. 3571. AUTHORIZATION OF APPROPRIATIONS.

(a) FUNDING.—Amounts made available to carry out this subtitle shall be derived from amounts appropriated or otherwise made available to the relevant agencies and departments.

(b) NO INCREASE IN CONTRIBUTIONS.—Nothing in this subtitle shall be construed to authorize an increase in required or voluntary contributions paid by the United States to any multilateral or international organization.

SEC. 3572. ACCOUNTING OF FUNDS.

By not later than 180 days after the date of enactment of this title, the head of each Federal agency receiving or allocating funds to carry out activities under this subtitle shall, to the greatest extent practicable, prepare and submit to Congress a report that provides an accounting of all funds made available under this subtitle to the Federal agency.

SA 745, Mrs. CAPITO (for herself, Mr. CARPER, Mr. BARRASSO, Mr. GARDNER, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. SULLIVAN, and Mr. TOOMEY) 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 perfluorinated compound, the Secretary of Defense may, to expend those funds, enter into a grant agreement, cooperative agreement, or contract with—

(A) the local water authority with jurisdiction over the contamination site, including—

(1) a public water system (as defined in section 1402 of the Safe Drinking Water Act (42 U.S.C. 300f)); and

(2) 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 ASSISTANCE

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 TOXICS RELEASE INVENTORY.

(a) DEFINITION OF TOXICS RELEASE INVENTORY.—In this section, the term ‘‘toxics release inventory’’ means the toxics release inventory under section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11022(c)).

(b) IMPERMISSIBLE CHEMICAL SUBSTANCES.—

(1) IN GENERAL.—Subject to subsection (e), beginning January 1 of the calendar year following the date of enactment of this Act, the following chemicals shall be deemed to be included in the toxics release inventory:

(A) Perfluoroacetic acid (commonly referred to as ‘‘PFAA’’) (Chemical Abstracts Service No. 335-67-1).

(B) The salt associated with the chemical described in subparagraph (A) (Chemical Abstracts Service No. 335-67-1).

(C) Perfluorooctane sulfonic acid (commonly referred to as ‘‘PFOS’’) (Chemical Abstracts Service No. 1785-23-1).

(D) The salts associated with the chemical described in subparagraph (C) (Chemical Abstracts Service No. 45288-90-6, 29457-72-5, 50731-42-7, 29061-56-9, 4021-76-0, 111573-35-7, and 110367-7-4).

(E) A perfluoralkyl or polyfluoroalkyl substance or class of perfluoralkyl or polyfluoroalkyl substances that is—

(i) listed as an active chemical substance in the February 2019 update to the inventory under section 313(f)(1) of the Toxic Substances Control Act (42 U.S.C. 11022(f)(1)) and

(ii) on the date of enactment of this Act, subject to the provisions of—

(I) section 721.9562 of title 40, Code of Federal Regulations;


(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)(1) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11022(f)(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. 11022(f)(2)).

(c) INCLUSION FOLLOWING ASSESSMENT.—

(1) IN GENERAL.—Subject to subsection (e), a perfluorinated compound, perfluoralkyl substance or class of perfluoralkyl or polyfluoroalkyl substances shall be automatically included in the toxics release inventory on the date of enactment of this Act, the Administrator shall determine whether the substances and classes of substances described in paragraph (2) meet the criteria described in section 313(d)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11022(d)(2)) for inclusion in the toxics release inventory.

(2) SUBSTANCES DESCRIBED.—The substances and classes of substances referred to in paragraph (1) are perfluorinated and perfluorinated substances of perfluoralkyl and polyfluoroalkyl substances, including—

(A) hexafluoropropylene oxide dimer acid (Chemical Abstracts Service No. 11229-15-6);

(B) the compounds associated with the chemical described in subparagraph (A) (Chemical Abstracts Service Nos. 62037-80-3 and 2062-98-4);

(C) perfluoro(2-pentafluoroethoxyethoxy)acetic acid (ammonium salt (Chemical Abstracts Service No. 906820-52-4));

(D) 2,3,3,3-tetrafluoro-2-(1,1,2,3,3,3-hexafluoro)-2-(trifluoromethoxy)propanoyl fluoride (Chemical Abstracts Service No. 2479-75-6);

(E) 2,3,3,3-tetrafluoroo 2-(1,1,2,3,3,3-hexafluoro)-2-(trifluoromethoxy)propionic acid (Chemical Abstracts Service No. 2479-73-4);

(F) 3H-perfluoro-3-(3-methoxy-propoxy) propionic acid (Chemical Abstracts Service No. 919005-14-4);

(G) the salts associated with the chemical described in subparagraph (F) (Chemical Abstracts Service No. 958445-14-8, 1087271-46-2, and NOCAS_892462);

(H) 1-octanesulfonic acid 3,4,5,6,7,8-hexafluoro-2-(trifluoromethoxy)- potassium salt (Chemical Abstracts Service No. 595678-38-1);
(D) Perfluoroalkyl and polyfluoroalkyl substances.—

(1) IN GENERAL.—Not later than 2 years after the date on which the Administrator makes the determination, shall propose a national primary drinking water regulation for perfluoroalkyl and polyfluoroalkyl substances that shall, at a minimum, include the following:

--(aa) the level of a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to be sufficient to protect public health with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances, which shall, at a minimum, include the chemical identity of a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances and the health risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances the chemical identity of which is subject to a restriction on disclosure from subsection (a) of section 502 of title 5, United States Code, pursuant to subsection (b)(1) of that section, the Administrator shall—

(A) review that claim of protection from disclosure; and

(B) require that person to reassert and substantiate that claim in accordance with section 14(c) of the Toxic Substances Control Act (15 U.S.C. 2614(c)).

(2) PROTECTION INFORMATION.—If the Administrator determines that the chemical identity of a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances the chemical identity of which is subject to a restriction on disclosure from subsection (a) of section 502 of title 5, United States Code, pursuant to subsection (b)(1) of that section, the Administrator shall—

(A) the date on which the Administrator finalizes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

(B) the date on which the Administrator finalizes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(II) W AIVER.—The Administrator may

(AA) waive under paragraph (1)(B)(i); and

(BB) extend—

(aa) the date on which the Administrator finalizes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(III) INCLUSIONS.—The Administrator may include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances on—

(1) the list of contaminants for consideration of regulation under paragraph (1)(B)(i); and

(2) the list of unregulated contaminants to be monitored under section 1454(a)(2)(B)(i).

(IV) MONITORING.—When establishing monitoring requirements for public water systems as part of a national primary drinking water regulation under clause (i) or clause (vi)(II), the Administrator shall tailor the monitoring requirements for public water systems in a manner that does not disclose the toxic information.

(V) HEALTH RISK REDUCTION AND COST ANALYSIS.—In meeting the requirements of paragraph (3)(C), the Administrator may rely on information available to the Administrator with respect to more specific perfluoroalkyl or polyfluoroalkyl substances to extrapolate reasoned conclusions regarding the health risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances the chemical identity of which the specific perfluoroalkyl or polyfluoroalkyl substances are a part.

(VI) REGULATION OF ADDITIONAL SUBSTANCES.—

(1) DETERMINATION.—The Administrator shall make a determination under paragraph (1)(A), using the criteria described in clauses (i) through (iii) of that paragraph, whether to include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances in the national primary drinking water regulation under clause (i) not later than 18 months after the date of—

(aa) the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is listed on the list of contaminants for consideration of regulation under paragraph (1)(B)(i); and

(bb) the date on which the Administrator has received the results of monitoring surveys for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances from a Federal or State agency that the Administrator determines to be sufficient to make a determination under paragraph (1)(A).

(2) PRIMARY DRINKING WATER REGULATIONS.—

(aa) IN GENERAL.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to regulate under subclause (i), the Administrator—

(AA) the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to regulate under subclause (i), the Administrator—

(bb) the date on which the Administrator finalizes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

(bb) the date on which the Administrator finalizes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(bb) DEADLINE.—

(AA) IN GENERAL.—Not later than 1 year after the date on which the Administrator publishes a proposed national primary drinking water regulation under item (aa)(AA) it may publish the proposed national primary drinking water regulation described in subitem (aa) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances and;

(bb) the Administrator shall take final action on the proposed national primary drinking water regulation.

(BB) EXTENSION.—The Administrator, on publication of notice in the Federal Register, may extend the deadline under subitem (AA) by not more than 6 months.

(VIII) LIFETIME DRINKING WATER HEALTH ADVISORY.—

(1) IN GENERAL.—Subject to subclause (II), the Administrator shall publish a health advisory under paragraph (1)(B)(ii) for a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not later than 1 year after the last date on which the Administrator makes the determination under paragraph (1)(A) that a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances enters the drinking water supply of a drinking water system.

(2) ANNUAL REVIEW.—The Administrator shall, not later than 2 years after the date on which the Administrator makes the determination under paragraph (1)(A), review the health advisory published under paragraph (1)(B)(ii) and, if appropriate, publish a revised health advisory under subclause (II).

(3) PROCEDURES.—The Administrator shall promulgate procedures under paragraph (1)(B)(ii) to ensure the effective implementation of the health advisory published under subclause (II).
SEC. 1459E. EMERGING CONTAMINANTS GRANTS.

(a) In general.—Subject to subsection (b), the Administrator shall establish a program to provide grants to public water systems for the purpose of addressing emerging contaminants, with a focus on perfluoroalkyl and polyfluoroalkyl substances.

(b) Requirements.—

(i) Eligibility.—The Administrator shall give priority to public water systems serving disadvantaged communities as defined in section 1452(d)(3); or

(ii) Public water systems serving fewer than 25,000 persons.

SEC. 1724. EMERGING CONTAMINANTS GRANTS.

(1) IN GENERAL.—The Administrator shall include each substance described in paragraph (2) in the list of unregulated contaminants to be monitored under section 1412(b)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300j–4(a)(2)(B)(i)).

(2) SUBSTANCES DESCRIBED.—The substances described in paragraph (1) are perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances—

(A) for which a method to measure the level in drinking water has been validated by the Administrator; and

(B) that are not 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. 300j–4(a)(2)(B)(i)) under paragraph (1) shall not count towards the limit of 30 contaminants to be monitored by public water systems under that section.

(b) APPLICABILITY.—

(1) IN GENERAL.—The Administrator shall—

(A) require public water systems serving more than 10,000 persons to monitor for the substances described in subsection (a)(2); and

(B) subject to paragraph (2) and the availability of appropriations, require public water systems serving fewer than 3,300 persons but not more than 10,000 persons to monitor for the substances described in subsection (a)(2); and

(C) subject to paragraph (2) and the availability of appropriations, ensure that only a representative number of public water systems serving fewer than 3,300 persons are required to monitor for the substances described in subsection (a)(2).

(b) REQUIREMENT.—If the Administrator determines that there is not sufficient laboratory capacity to carry out the monitoring required under subparagraphs (B) and (C) of paragraph (1), the Administrator may waive the monitoring requirements in those subparagraphs.

(c) FUNDS.—The Administrator shall pay the reasonable cost of such testing and laboratory analysis as is necessary to carry out the monitoring required under paragraph (1) from—

(A) funds made available under subsection (a)(2)(H) or (j)(5) of section 1456 of the Safe Drinking Water Act (42 U.S.C. 300j–4); or

(B) any other funds made available for that purpose.

SEC. 1725. ENFORCEMENT.

Notwithstanding any other provision of law, the Administrator may not impose financial penalties for the violation of a national primary drinking water regulation (as defined in section 1461 of the Safe Drinking Water Act (42 U.S.C. 300j–2)) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances, except that a national primary drinking water regulation has been promulgated under clause (i) or (vi) of subparagraph (D) of section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–4(a)(2)(B)(i)) earlier than the date that is 5 years after the date on which the Administrator promulgates the national primary drinking water regulation.

SEC. 1724. EMERGING CONTAMINANTS GRANTS.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j) is amended by adding at the end the following:

SEC. 1725. DEFINITIONS.

In this subtitle:

(a) IN GENERAL.—The term “perfluorinated compound” means the term “perfluorinated carbon atom” as defined in section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j–4(d)(3)); or

(b) REQUIREMENTS.—In developing the performance standard under subsection (a), the Director shall emphasize the ability to detect as many perfluorinated compounds present in the environment as possible using analytical methods that—

(A) achieve limits of quantitation (as defined in the document of the United States Geological Survey entitled “Analytical Methods for Chemical Analysis of Geologic and Other Materials, U.S. Geological Survey” and dated 2003); and

(B) are as sensitive as is feasible and practicable.

(c) REPORT.—Not later than 90 days after the completion of the sampling under subsection (a), the Administrator 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;

(2) the Committee on Energy and Commerce of the House of Representatives;

(3) the Senators of each State in which the Director conducted the sampling; and

(4) each Member of the House of Representatives who represents a district in which the Director conducted the sampling.

SEC. 1734. DATA USAGE.

(a) IN GENERAL.—The Director shall provide the sampling data collected under section 1733 to—

(1) the Administrator; and

(2) other Federal and State regulatory agencies on request.

(b) USAGE.—The sampling data provided under subsection (a) shall be used to inform and enhance assessments of exposure, likely health and environmental impacts, and remediation priorities.

SEC. 1735. COLLABORATION.

In carrying out this subtitle, the Director shall collaborate with—

(1) appropriate Federal and State regulators; and

(2) institutions of higher education; (3) research institutions; and

(4) other expert stakeholders.
SEC. 1736. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Director to carry out this subtitle—

(1) $5,000,000 for fiscal year 2020; and

(2) $10,000,000 for each of fiscal years 2021 through 2024.

Subtitle D—Safe Drinking Water Assistance

SEC. 1741. DEFINITIONS.

In this subtitle—

(1) CONTAMINANT.—The term ‘contaminant’ means any physical, chemical, biological, or radiological substance or matter in water.

(2) CONTAMINANT OF EMERGING CONCERN; EMERGING CONTAMINANT.—The terms ‘contaminant of emerging concern’ and ‘emerging contaminant’ mean a contaminant—

(A) for which the Administrator has not promulgated a national primary drinking water regulation; and

(B) that may have an adverse effect on the health of individuals.

(3) FEDERAL RESEARCH STRATEGY.—The term ‘Federal research strategy’ means the coordinated cross-agency plan for addressing critical research gaps related to detecting, assessing exposure to, and identifying the adverse health effects of emerging contaminants.

(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) understanding the strengths and limitations of the analytical methods described in clause (i);

(iii) troubleshooting the analytical methods described in clause (i); and

(B) providing advice on laboratory certification program elements;

(C) interpreting sample analysis results;

(D) providing training with respect to proper analytical techniques;

(E) identifying appropriate technology for the treatment of contaminants; and

(F) analyzing samples, if—

(i) the analysis cannot be otherwise obtained in a practicable manner otherwise; and

(ii) the capability and capacity to perform the analysis is available at a Federal facility.

(5) WORKING GROUP.—The term ‘Working Group’ means the Working Group established under section 1742(b)(1).

SEC. 1742. RESEARCH AND COORDINATION PLAN FOR ENHANCED RESPONSE ON EMERGING CONTAMINANTS.

(a) IN GENERAL.—The Administrator shall—

(1) review Federal efforts—

(A) to identify, monitor, and assist in the development of treatment methods for emerging contaminants; and

(B) in responding to the human health risks posed by contaminants of emerging concern; and

(2) submit a report with owners and operators of public water systems, States, and other interested stakeholders, establish a strategic plan for improving the Federal efforts described in paragraph (1).

(b) INTRAGENCY WORKING GROUP ON EMERGING CONTAMINANTS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator and the Secretary of Health and Human Services shall jointly establish a Working Group to coordinate the activities of the research strategies to identify and analyze the public health effects of drinking water contaminants of emerging concern.

(2) MEMBERSHIP.—The Working Group shall include representatives of the following:

(A) The Environmental Protection Agency, appointed by the Administrator.

(B) The National Institutes of Health, appointed by the Secretary of Health and Human Services.

(C) The United States Geological Survey, appointed by the Secretary of the Interior.

(D) Any other Federal agency or office of the United States, including the Director of the Office of Science and Technology Policy, in coordination with the Office of Science and Technology Policy in response to the report of the Committee on Appropriations of the House of Representatives accompanying H.R. 692 of the 115th Congress (S. Rept. 115–139).

(E) The Centers for Disease Control and Prevention.

(F) The Agency for Toxic Substances and Disease Registry.

(G) National Research Council.

(b)(3) AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated—

(1) $10,000,000 for each of fiscal years 2021 through 2024.

Subsection E—Research and Coordination Plan

SEC. 1742. RESEARCH AND COORDINATION PLAN

SEC. 1743. RESEARCH PROGRAMS

SEC. 1744. TECHNICAL ASSISTANCE AND SUPPORT FOR STATES
(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—

(I) the laboratory facilities available to the State;

(II) the availability and applicability of existing analytical methodologies;

(III) the prevalence and severity of the emerging contaminant, if known; and

(IV) the overall importance of the drinking water, wastewater, surface water, groundwater, solids, and the air.

(b) FUNDING.—There is authorized to be appropriated for each fiscal year through the Secretary of the Treasury:

(I) the resources available in Federal laboratories and materials to communicate with the public and the private sector about perfluoroalkyl and polyfluoroalkyl substances.

(c) REPORT.—Not later than January 1, 2023, the Administrator shall submit to Congress a report that includes, for each fiscal year since January 1, 2006, the information described in paragraph (2).

(d) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a proposed rule to finalize a rule that includes, for each fiscal year since January 1, 2006, the information described in paragraph (2).

(e) CONSIDERATION.—The Administrator shall consider the relative expertise and availability of—

(1) qualified contract testing laboratory facilities that conduct analyses for emerging contaminants, including—

(a) drinking water and wastewater utilities;

(b) laboratories;

(cc) Federal and State emergency responders; and

(dd) Federal, national, and local government agencies;

(ee) public health agencies; and

(ff) Federal laboratories;

(2) the potential for releases of perfluoroalkyl and polyfluoroalkyl substances during destruction or disposal, including through volatilization, air dispersion, or leachate; and

(3) potential vulnerable populations living near likely destruction or disposal sites;

(f) CONSIDERATIONS; INCLUSIONS.—The Administrator shall—

(1) take into consideration—

(A) the potential for releases of perfluoroalkyl and polyfluoroalkyl substances during destruction or disposal, including through volatilization, air dispersion, or leachate; and

(B) potentially vulnerable populations living near likely destruction or disposal sites;

(2) provide guidance on testing and monitoring for identified, and soil near potential destruction or disposal sites for releases described in paragraph (1)(A).

(g) RULEMAKING.—The Administrator shall, in consultation with the Administrator of the Office of Research and Development and the Administrator of the Environmental Protection Agency, develop and make publicly available information relating to the findings under subsection (a).
Sec. 314. Making certain policies and execution plans relating to personnel clearances available to industry partners.

Subtitle C—Inspector General of the Intelligence Community

Sec. 321. Definitions.

Sec. 322. Inspector General external review panel.

Sec. 323. Harmonization of whistleblower processes and procedures.

Sec. 324. Intelligence community oversight of agency whistleblower activities.

Sec. 325. Report on cleared whistleblower attorneys.

TITLE IV—REPORTS AND OTHER MATTERS

Sec. 401. Study on foreign employment of former personnel of intelligence community.

Sec. 402. Comprehensive economic assessment of investment in key United States technologies by companies or organizations linked to China.

Sec. 403. Analysis of and periodic briefings on major initiatives of intelligence community in artificial intelligence and machine learning.

Sec. 404. Encouraging cooperative actions to detect and counter foreign influence operations.

Sec. 405. Oversight of foreign influence in academia.

Sec. 406. Director of National Intelligence report on fifth-generation wireless network technology.

Sec. 407. Annual report by Comptroller General of the United States on cyber-battery and surveillance threats to Congress.

Sec. 408. Director of National Intelligence assessments of foreign interference in elections.

Sec. 409. Study on feasibility and advisability of establishing Geospatial-Intelligence Museum and learning center.


SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ‘congressional intelligence committees’ has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 403).

(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.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of 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.


SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts of such appropriated or authorized amounts specified in this section for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committees on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except:

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account by the account of the Director of National Intelligence for fiscal year 2020 the sum of $558,000,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2020 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2020.

TITLE III—INTELLIGENCE COMMUNITY PUBLIC-PRIVATE TALENT EXCHANGE

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authority of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. IMPROVING THE ONBOARDING METHODOLOGY FOR CERTAIN INTELLIGENCE PERSONNEL.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

(A) the Select Committee on Intelligence and the Committee on Armed Services of the Senate; and

(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 ‘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 1400.25, as in effect on the day before the date of the enactment of this Act—

(1) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report that outlines a common methodology for measuring onboarding in covered elements of the intelligence community, including human resources and security processes;

(2) not later than 1 year after the date of the enactment of this Act, issue metrics for assessing key phases in the onboarding described in paragraph (1) for which results will be reported by the date that is 90 days after the date of such issuance;

(3) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report on collaboration among covered elements of the intelligence community on their onboarding processes;

(4) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report on employment of automated mechanisms in covered elements of the intelligence community, including for tracking personnel as they pass through each phase of the onboarding process; and

(5) not later than December 31, 2020, distribute surveys to human resources offices and applicants about their experiences with the onboarding process in covered elements of the intelligence community.

SEC. 304. INTELLIGENCE COMMUNITY PUBLIC-PRIVATE TALENT EXCHANGE.

(a) POLICIES, PROCESSES, AND PROCEDURES REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Director of National Intelligence shall develop policies, processes, and procedures to facilitate the rotation of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community.

(b) DETAIL AUTHORITY.—Under policies developed by the Director pursuant to subsection (a), with the agreement of a private-sector organization, and with the consent of the employee, a head of an element of the intelligence community may arrange for the temporary detail of an employee of such element to such private-sector organization, or from such private-sector organization to such element under this section.

(c) AGREEMENT.—

(1) IN GENERAL.—A head of an element of the intelligence community exercising the authority of the head under subsection (a) shall provide for a written agreement among the appropriate element of the intelligence community, the private-sector organization, and the employee concerned regarding the terms and
conditions of the employee's detail under this section. The agreement—
(A) shall require that the employee of the element, upon completion of the detail, serve in the Department of Defense for a period of at least equal to the detail; and
(B) shall require that the employee of the element, upon completion of the detail, serve in the Department of Defense for a period of at least equal to the detail.

(2) any other provision of law, a civil-service employee of an element of the intelligence community shall accommodate an employee's leave schedule request under subsection (a), in the ordinary course of business, and without regard to any other provision of law.

(3) SMALL BUSINESS CONCERN.—The term "small business concern" means—
(A) a for-profit organization; or
(B) a not-for-profit organization.

SEC. 305. EXPANSION OF SCOPE OF PROTECTIONS FOR IDENTITIES OF COVERED AGENTS.
Section 605(4) of the National Security Act of 1947 (50 U.S.C. 3126(4)) is amended—
(1) in subparagraph (A)—
(A) by striking clause (i); and
(B) by striking ''; and'' and inserting ''; or''; and
(C) by striking ''agency whose identity''; and
(2) in subsection (b)(1), by striking ''resides and acts outside the United States'' and inserting ''acts outside the United States''.
extent that the requested leave schedule does not unduly disrupt agency operations; and

(2) to the extent that an employee’s request for leave is approved, the leave schedule described in paragraph (1) is based on medical necessity related to a serious health condition connected to the birth of a son or daughter, the employer is unable to reasonably accommodate the employee, and the scheduling of leave is not inconsistent with the treatment of employees who are using leave under subparagraph (C) or (D) of section 6382(a)(1) of title 5, United States Code.

(c) RULES RELATING TO PAID LEAVE.—Notwithstanding any other provision of law—

(1) an employee may not be required to first use any or any portion of any unpaid leave that the employee was allowed to use the paid parental leave described in subsection (a); and

(2) paid parental leave under subsection (a) shall be payable from any appropriation or fund available for salaries or expenses for positions within the employing element; it 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 substituted for subsequent paid leave and may not be converted into a cash payment;

(D) 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 not more 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 when the same child was placed with the employee for foster care in the past;

(G) is at least 2 weeks of 30 administrative workweeks equal to 480 hours for employees with a regular full-time work schedule and 30 administrative workweeks equal to 2400 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 provide the congressional intelligence committees with 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 retention, recruitment, and morale, broken down by each element of the intelligence community; and

(4) all costs or operational expenses associated with the implementation of subsections (a) through (c).

(e) DIRECTIVE.—Not later than 90 days after the date on which the Director of National Intelligence submits the implementation plan under subsection (d), the Director of National Intelligence shall issue a written directive to implement this section, which directive shall take effect on the date of issuance.

(f) ANNUAL REPORT.—The Director of National Intelligence shall transmit to the congressional intelligence committees an annual report that—

(1) details the number of employees of each element of the intelligence community who applied for and took paid parental leave under subsection (a) during the year covered by the report;

(2) includes updates on major implementation challenges or costs associated with paid parental leave.

(g) DEFINITION OF SON OR DAUGHTER.—For purposes of this section, the term ‘son or daughter’ has the meaning given the term in section 6381 of title 5, United States Code.

(h) CLAIMS.—The Department of Justice shall enforce title 5, United States Code, or for any other purpose;

(i) is published in the Federal Register; and

(iii) comply with the requirements of subsection (a).

(2) UPDATES.—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.

(i) CONSISTENCY.—(1) in general—

(A) 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:

(2) APPLICABILITY.—Section 305 of the National Security Act of 1947 (50 U.S.C. 3341(j)(1)).''.

Title 31.—Office of the Director of National Intelligence

Subtitle B—Office of the Director of National Intelligence

Section 311. Exclusivity, Consistency, and Transparency in Security Clearance Procedures

(a) EXCLUSIVITY.—Section 801 of the National Security Act of 1947 (50 U.S.C. 3161) is amended by adding at the end the following:

(4) does not violate section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3311(j)(1));

(b) CLERICAL AMENDMENTS.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 304 the following:

(3) the projected impact of the implementation challenges or costs associated with paid parental leave.

(1) AGENCY.—The term ‘agency’ has the meaning given the term ‘Executive agency’ in section 105 of title 5, United States Code.

(2) CLASSIFIED INFORMATION.—The term ‘classified information’ includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

(3) ELIGIBILITY FOR CLASSIFIED INFORMATION.—The term ‘eligibility for access to classified information’ has the meaning given such term in the procedures established pursuant to section 801(a).

(B) in GENERAL.—Each head of an agency that makes a determination regarding eligibility for access to classified information shall ensure that in making the determination, the head of the agency or any person acting on behalf of the agency—

(1) does not violate any right or protection enshrined in the Constitution of the United States, including rights articulated in the First, Fifth, and Fourteenth Amendments;

(2) does not discriminate for or against an individual based on the basis of race, color, religion, sex, national origin, age, or handicap;

(3) is not carrying out a retaliation for political activities or beliefs;

(4) is not implementing a policy that is not justified by national security interests.

SEC. 312. LIMITATION ON TRANSFER OF NA TIONAL INTELLIGENCE UNIVERSITY.

(a) LIMITATION.—Neither the Secretary of Defense nor the Director of National Intelligence may commence any activity to transfer the National Intelligence University out of the Defense Intelligence Agency until the Secretary and the Director jointly certify each of the following:

(A) The National Intelligence University has positively adjudicated its warning from the Middle States Commission on Higher Education and has its regional accreditation fully restored.

(B) The National Intelligence University will serve as the exclusive means by which advanced intelligence education is provided to the National Intelligence University.

(C) The National Intelligence University provides joint professional military education from a National Intelligence University location at a non-Department of Defense agency.

(D) The Department of Education will allow the Office of the Director of National Intelligence to grant advanced educational degrees from the National Intelligence University.

(E) A governance model jointly led by the Director and the Secretary of Defense is in place for the National Intelligence University.

(F) COST ESTIMATES.—

(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 of the Senate; and

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

(2) IN GENERAL.—Before commencing any activity to transfer the National Intelligence University out of the Defense Intelligence
such Executive Order.

(a) DEFINITION OF SECURITY EXECUTIVE AGENT.—The term "Security Executive Agent" means the officer serving as the Security Executive Agent pursuant to section 803 of the National Security Act of 1947, as added by section 605 of division B.

(b) POLICY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall issue a policy that requires the head of each Federal agency to create, not later than December 31, 2023, an electronic portal that can be used by human resources personnel and applicants for security clearances to view information about the status of an application for a security clearance and the average time required for each phase of the security clearance process.

SEC. 314. MAKING CERTAIN POLICIES AND EXECUTION PLANS RELATING TO PERSONNEL CLEARANCES AVAILABLE TO INDUSTRY PARTNERS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE INDUSTRY PARTNER.—The term "appropriate industry partner" means a contractor, licensee, or grantee (as defined in section 803 of the National Security Act of 1947) serving as the Security Executive Agent pursuant to section 803 of the National Security Act of 1947, as added by section 605 of division B.

(b) SHARING OF POLICIES AND PLANS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, each heads of agencies shall share policies and plans relating to security clearances with appropriate industry partners directly affected by such policies and plans in a manner consistent with the protection of national security as well as the goals and objectives of the National Industrial Security Program established pursuant to Executive Order 12899 (50 U.S.C. 3161 note; relating to the National Industrial Security Program).

(c) IMPLEMENTATION 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 Industrial Security Program shall jointly develop policies and procedures by which appropriate industry partners with proper security clearances and a need to know can have appropriate access to the policies and plans shared pursuant to subsection (b) that directly affect those industry partners.

Subtitle C—Inspector General of the Intelligence Community

SEC. 321. DEFINITIONS.

In this subtitle:

(1) WHISTLEBLOWER.—The term "whistleblower" means a person who makes a whistle-blowing disclosure under this subtitle.

(2) WHISTLEBLOWER DISCLOSURE.—The term "whistleblower disclosure" means a disclosure that is protected under section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) or section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3311(j)).

SEC. 322. INSPECTOR GENERAL EXTERNAL REVIEW PANEL.

(a) AUTHORITY TO CONVENE EXTERNAL REVIEW PANELS.—

(1) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 3231 et seq.) is amended by adding at the end the following new section:

"SEC. 1105. INSPECTOR GENERAL EXTERNAL REVIEW PANEL.

"(a) REQUEST FOR REVIEW.—An individual with a claim described in subsection (b) may submit to the Inspector General of the Intelligence Community a request for a review of such claim by an external review panel convened under subsection (c).

"(b) CLAIMS AND INDIVIDUALS DESCRIBED.—A claim described in this subsection is any—

"(i) claim by an individual—

"(A) that the individual has been subjected to a personnel action that is prohibited under section 1104; and

"(B) that has exhausted the applicable review process for the claim pursuant to enforcement of such section; or

"(ii) claim by an individual—

"(A) that he or she has been subjected to a reprisal prohibited by section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3311(j)); and

"(B) who has received a decision on an appeal regarding that claim under paragraph (4) of such section.

"(c) EXTERNAL REVIEW PANEL CONVENE.—

"(1) DISCRETION TO CONVENE.—Upon receipt of a request under subsection (a) regarding a claim, the Inspector General of the Intelligence Community may, at the discretion of the Inspector General, convene an external review panel under this subsection to review the claim.

"(2) MEMBERSHIP.—

"(A) COMPOSITION.—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 on a case-by-case basis from among inspectors general of Federal agencies;

"(III) The Department of Defense;

"(IV) The Department of Energy;

"(V) The Department of Homeland Security;

"(VI) The Department of Justice;

"(VII) The Department of the Treasury;

"(VIII) The National Geospatial-Intelligence Agency;

"(IX) The National Reconnaissance Office;

"(X) The National Security Agency;

"(B) LIMITATION.—An inspector general of an agency may not be selected to sit on the panel under this subsection if—

"(i) the inspector general of such agency, as nearly as practicable and reasonable, is a former employee that would have held had the reprisal not occurred; or

"(ii) the inspector general's or former employee's position is eligible for access to classified information consistent with national security;

"(B) in any other case, such other action as the external review panel considers appropriate.

"(3) PERIOD OF REVIEW.—

"(A) IN GENERAL.—Not later than 180 days after the date on which the head of each agency receives a recommendation from an external review panel convened under this subsection, the head of such agency may, at the discretion of such head, adopt any recommendation issued by the external review panel.

"(B) LIMITATION.—An inspector general of an agency may not be selected to sit on the panel convened under this subsection, the head of such agency may, at the discretion of such head, adopt any recommendation issued by the external review panel.

"(4) REMEDIES.—

"(1) PANEL RECOMMENDATIONS.—If an external review panel convened under this subsection makes a finding or recommendation on which the head of the agency determines, pursuant to a review of a claim submitted by an individual under subsection (a), that the individual was the subject of a personnel action prohibited under section 1104 or was subjected to a reprisal prohibited by section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3311(j)), the panel may recommend that the agency 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 the reprisal not occurred; or

"(ii) reconsider the employee's or former employee's eligibility for access to classified information consistent with national security;

"(B) in any other case, such other action as the external review panel considers appropriate.

"(2) AGENCY ACTION.—

"(A) IN GENERAL.—Not later than 90 days after the date on which the head of each agency receives a recommendation from an external review panel convened under this subsection, the head of such agency shall—

"(i) give full consideration to such recommendations; and

"(ii) inform the panel and the Director of National Intelligence of what action the head has taken with respect to the recommendation.

"(B) FAILURE TO INFORM.—The Director shall notify the President of any failures to comply with subparagraph (A).

"(C) ANNUAL REPORTS.—

"(1) IN GENERAL.—Not less frequently than once each year, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees and the Director of National Intelligence a report on the activities under this section during the previous year.

"(2) 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 panels.

"(D) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following item:

"Sec. 1105. Inspector General external review panel.

"(b) RECOMMENDATION ON ADDRESSING WHISTLEBLOWER APPEALS RELATING TO REPRIMALS COMMITTED AGAINST INSPECTORS GENERAL.—

"(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act,
the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a recommendation on how to ensure that—
(A) the Inspector General of the Intelligence Community who has a complaint against an inspector general in the intelligence community and who alleges a reprisal, has available the authority to request an external review panel and receive one, at the discretion of the Inspector General of the Intelligence Community.
(2) Any inspector general actions relating to such complaints.
(c) PROTECTIONS.—
(1) POLICIES AND PROCEDURES REQUIRED.—Before establishing the system required by subsection (b), the Inspector General of the Intelligence Community shall establish policies and procedures to protect the privacy of whistleblowers.
(2) CONTROL OF DISTRIBUTION.—The system established under subsection (b) shall provide whistleblowers the option of prohibiting distribution of their complaints to the Inspector General of the Intelligence Community.

SEC. 325. REPORT ON CLEARED WHISTLEBLOWER ATTORNEYS.

(a) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence 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 who sought to retain a cleared attorney and at what stage they sought such an attorney.
(2) For the 3-year period preceding the report, the following:
(A) The number of whistleblowers represented by cleared counsel.
(B) The number of whistleblowers represented by cleared counsel who also obtained legal representation from an individual or organization not cleared by the Intelligence Community.
(C) The number of whistleblowers who were represented by cleared counsel whose complaints included allegations of abuse of power, retaliation, and or in support of, foreign governments.
(D) The number of legal representative-like legally qualified personnel compensated by or in support of, foreign governments.

SEC. 324. INTELLIGENCE COMMUNITY OVERSIGHT SYSTEM AGENT WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—
(1) GENERAL.—Not later than 1 year after the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, and for the purposes described in such paragraph, to establish an oversight system by which—
(A) the Intelligence Community shall establish a hotline whereby all complaints of whistleblowers relating to the Intelligence Community are automatically referred to the Inspector General of the Intelligence Community.

SEC. 323. HARMONIZATION OF WHISTLEBLOWER PROCESSES AND PROCEDURES.

(a) IN GENERAL.—Not later than 250 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, for the purposes described in paragraph (1) and for the purposes described in such paragraph, to establish a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(b) 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. 322. INTELLIGENCE COMMUNITY OVERSIGHT SYSTEM AGENT WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—
(1) GENERAL.—Not later than 1 year after the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, to establish a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(b) 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. 321. INTELLIGENCE COMMUNITY OVERSIGHT SYSTEM AGENT WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—
(1) GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, to establish a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(b) 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. 320. INTELLIGENCE COMMUNITY OVERSIGHT SYSTEM AGENT WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—
(1) GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, to establish a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(b) 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. 319. INTELLIGENCE COMMUNITY OVERSIGHT SYSTEM AGENT WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—
(1) GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, to establish a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(b) 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. 318. INTELLIGENCE COMMUNITY OVERSIGHT SYSTEM AGENT WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—
(1) GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, to establish a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(b) 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. 317. INTELLIGENCE COMMUNITY OVERSIGHT SYSTEM AGENT WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—
(1) GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, to establish a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(b) 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. 316. INTELLIGENCE COMMUNITY OVERSIGHT SYSTEM AGENT WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—
(1) GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, to establish a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(b) 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. 315. INTELLIGENCE COMMUNITY OVERSIGHT SYSTEM AGENT WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—
(1) GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, to establish a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(b) 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. 314. INTELLIGENCE COMMUNITY OVERSIGHT SYSTEM AGENT WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—
(1) GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, to establish a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(b) 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. 313. INTELLIGENCE COMMUNITY OVERSIGHT SYSTEM AGENT WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—
(1) GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, to establish a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(b) 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.
of how the initiatives described in such paragraph—
(A) correspond with the strategy of the intelligence community entitled "Augmenting Intelligence Using Machines";
(B) complement each other and avoid unnecessary duplication;
(C) are coordinated with the efforts of the Department of Defense, the Joint Artificial Intelligence Center, including efforts at the Joint Artificial Intelligence Center (JAIC) and Project Maven; and
(D) leverage advances in artificial intelligence and machine learning in the private sector.

(p) Project Maven—Not later than 30 days after the date of enactment of this Act, the Secretary of Defense, in coordination with the Office of the Director of National Intelligence as appropriate, may facilitate, by grant or subsidy, the establishment of a social media data analysis center.

(by) Data and indicators that must be met for access and analysis—
(A) the social media companies should cooperate among themselves and with independent organizations and researchers on a sustained and regular basis to share data and indicators relevant to foreign information warfare operations within and across social media platforms, protect the privacy of the people of the United States and the world and build public understanding of the scale and scope of these foreign influences to protect the long-term health and well-being of democracy, since exposure is one of the most effective means to build resilience;
(B) the social media companies should cooperate among themselves and with independent organizations and researchers on a sustained and regular basis to share data and indicators relevant to foreign information warfare operations within and across their platforms, to facilitate countering foreign adversary threat networks from their platforms and business operations will be made available for access and analysis;
(C) Developing and making public the ethical standards for investigation of foreign adversary threat networks and use of analytic results and for protection of the privacy of the customers and users of the social media platforms and of the proprietary information of the social media companies.

(by) Developing and making public the ethical standards for investigation of foreign adversary threat networks and use of analytic results and for protection of the privacy of the customers and users of the social media platforms and of the proprietary information of the social media companies.

(by) Developing and making public the ethical standards for investigation of foreign adversary threat networks and use of analytic results and for protection of the privacy of the customers and users of the social media platforms and of the proprietary information of the social media companies.

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(by) Developing and making public the ethical standards for investigation of foreign adversary threat networks and use of analytic results and for protection of the privacy of the customers and users of the social media platforms and of the proprietary information of the social media companies.
(C) such statutory penalties as the Director
considers necessary to ensure against
misuse of data by researchers; and
(D) such changes to the Center’s mission to
fully capture broader unlawful activities that
intersect with, complement, or support
information warfare tactics; and
(2) not less frequently than once each year,
submit to the Select Committees of the Senate
(C) the Committee on Homeland Security
and Governmental Affairs of the Senate;
and
(3) the Select Committee on Homeland
Security determining that authorized, directed, sponsored, or supported by a foreign government, has acted with
the intent or purpose of interfering in that
election, or
(2) transmit the findings of the Director
with respect to the assessment conducted
under paragraph (1), along with such sup-
porting information as the Director con-
siders appropriate, to the following:
(A) the President;
(B) the Secretary of State;
(C) the Secretary of Defense;
(E) the Attorney General;
(F) the Secretary of Homeland Security;
and
(G) Congress.
(b) ELEMENTS.—An assessment conducted
under subsection (a) shall include the fol-
lowing:
(1) the threat to United States national
security posed by regional adoption of fifth-generation (5G) wireless net-
work technology built by foreign companies; and
(2) the effect of possible efforts to mitigate
the threat.
(c) CONTENTS.—The report required by sub-
section (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 citizens and corporations;
(3) the effect of possible mitigation efforts,
including:
(A) United States Government policy pro-
motions, incentives, and other measures to
reduce foreign influence and political pres-
sure in international standard-setting
bodies.
(c) FORM.—The report submitted under
subsection (a) shall be submitted in unclassi-
ﬁed form to the greatest extent practicable,
but may include a classiﬁed appendix if ne-
cessary.

SEC. 407. ANNUAL REPORT BY COMPTROLLER
GENERAL OF THE UNITED STATES ON CYBERSECURITY
AND INTELLIGENCE 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 Gen-
eral of the United States shall submit to the
congressional intelligence committees a re-
port that assesses threats to cybersecurity
and surveillance threats to Congress.
(b) STATISTICS.—Each report submitted
under subsection (a) shall include statistics
on cyberattacks and other incidents of espi-
onage or surveillance targeted against Sen-
ators or the immediate families or staff of
the Senators, in which the nonpublic com-
munications and other private information
of such targeted individuals were lost, sto-
ned, or otherwise subject to unauthorized ac-
cess by criminals or a foreign government.

(c) CONSULTATION.—In preparing a report
submitted under subsection (a), the Comptroller General shall consult with the
Director of National Intelligence, the Sec-
retary of Homeland Security, and the Ser-
geant at Arms and Oﬀcer of the Door of the
Senate.

SEC. 408. DIRECTOR OF NATIONAL INTELLIGENCE
ASSESSMENTS OF FOREIGN INFLUENCE IN ELECTIONS.

(a) ASSESSMENTS REQUIRED.—Not later
than 45 days after the conclusion of a United
States election, the Director of National
Intelligence, in consultation with the heads
of such other executive departments and agen-
cies as the Director considers appropriate,
shall—
(1) conduct an assessment of any informa-
tional operations 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 elec-
tion.
(2) transmit the findings of the assessment
under paragraph (1), along with such sup-
porting information as the Director con-
siders appropriate, to the following:
(A) the President;
(B) the Secretary of State;
(C) the Secretary of the Treasury.

(c) PUBLICATION.—In a case in which the
Director determines that a foreign govern-
ment, 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, the Director of National
Intelligence shall submit to Congress a re-
port that assesses threats to cybersecurity
and surveillance threats to Congress.

(b) ELEMENTS.—An assessment conducted
under subsection (a), with respect to an act
described in such subsection, shall iden-
tify, to the maximum extent ascertainable,
the following:
(1) the nature of any foreign interference
and any methods employed to execute the act;
(2) the persons involved.

(d) REPORT SUMMARY.—In a case in which
the Director conducts an assessment under
subsection (a)(1) with respect to an election,
the Director shall, as soon as practicable
after the date of the conclusion of such election
and not later than 60 days after the date of
such conclusion, make available to the pub-
lic, to the greatest extent possible consistent
with the protection of sources and methods,
the findings transmitted under subsection
(a)(2).
DIVISION—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS 2018 AND 2019

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:

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.
Sec. 302. Increase in employee compensation.
Sec. 303. Modification of special pay authority for intelligence community.

TITLE IV—COUNTERINTELLIGENCE AND SECURITY INTELLIGENCE ACTIVITIES

Sec. 401. Authorization for programs of the Director of National Intelligence.
Sec. 402. Designation of the program manager-information sharing environment.

TITLE V—ELECTION MATTERS

Sec. 502. Establishment of advisory board for National Reconnaissance Office.
Sec. 503. Collocation of certain Department of Homeland Security personnel at field locations.

TITLE VI—SECURITY CLEARANCES

Sec. 601. Definitions.
Sec. 602. Reports and plans relating to security clearances.
Sec. 603. Improving the process for security clearances.

TITLE VII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers
Sec. 701. Limitation relating to establishment of support of cybersecurity unit with the Russian Federation.
Sec. 702. Report on returning Russian compounds.
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 technology to 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 Influence and Threat Assessment Center.

Sec. 710—Reports on the following:

Sec. 711. Technical correction to Inspector General.

Sec. 712. Reports on authorities of the Chief Intelligence Officer of the Department of Homeland Security.

Sec. 713. Report on cyber exchange program.

Sec. 714. Review of intelligence community participation in vulnerabilities assessments.

Sec. 715. Report on role of Director of National Intelligence with respect to foreign investments.


Sec. 717. Biennial report on foreign investment risk.

Sec. 718. Modification of certain reporting requirements on travel of foreign diplomats.

Sec. 719. Semiannual reports on investigations into 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 wireline and wireless telephone calls.

Sec. 726. Modification of requirement for annual report on hiring and retention of minority employees.

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 cooperative intelligence sources.

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Sec. 744. Modification of criteria relating to the National Intelligence University.


Sec. 746. Technical amendments related to the Department of Energy.

Sec. 747. Sense of Congress on classification 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. 3 DEFINITIONS.—In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ‘‘Congressional intelligence committees’’ has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ‘‘intelligence community’’ has the meaning given such term in 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 conduct of 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 fiscal year 2018 for the conduct of the intelligence and intelligence-related activities of the elements of the United States States set forth in subsection (a) are hereby authorized.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) APPROPRIATIONS.—There are authorized to be appropriated for the Intelligence Community Retirement and Disability Fund $514,000,000 for fiscal year 2019.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated in the Intelligence Community Management Account for fiscal year 2019 additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2019.

SEC. 202. COMPUTATION OF ANNUITIES FOR EMPLOYEES OF THE CENTRAL INTELLIGENCE AGENCY.

(a) COMPUTATION OF ANNUITIES.—

(1) IN GENERAL.—Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2031) is amended—

(A) in subsection (a)(3)(B), by striking the period at the end and inserting ‘‘one year’’;

(B) in subsection (b)(4)(A), by striking ‘‘12-month’’ and inserting ‘‘2-year’’;

(C) in subsection (f)(2), by inserting ‘‘one year’’ and inserting ‘‘two years’’;

(D) in subsection (g)(2), by striking ‘‘one year’’ each place such term appears and inserting ‘‘two years’’;

(E) by redesignating subsections (h), (i), (j), (k), (l), and (m), respectively; and

(F) by inserting after subsection (g) the following:

‘‘(h) CONDITIONAL ELECTION OF INSURABLE INTEREST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT THE TIME OF RETIREMENT.—

‘‘(1) AUTHORITY TO MAKE DESIGNATION.—

Subject to the rights of former spouses under subsection (b) and section 222, at the time of retirement a married participant found by the Director to be in good health may elect to receive an annuity reduced in accordance with subsection (f)(1)(B) and designate in writing an individual having an insurable interest in the participant to receive the annuity under the system after the participant’s death, except that any such election to provide an insurable interest in the participant’s spouse shall only be effective if the participant’s spouse waives the
by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. MODIFICATION OF SPECIAL PAY AUTHORITY FOR CYBER POSITIONS.

(a) In paragraph (1) of section 1599f of title 10, United States Code, the following shall be inserted:

"(1) LIMITATION.—No rate of basic pay payable in accordance with paragraph (1) of section 1599f of title 10, United States Code, may exceed $157,000.

(b) Modification of Special Pay Authority for Cyber Positions.—The President, in consultation with the Committee on Rules and Administration, shall make such modifications as the President determines necessary to effectuate the provisions of this section.

(c) Determination by the President.—The President shall determine whether to establish, modify, or terminate a special pay authority for cyber positions under the provisions of this section.

(d) Authorization of Appropriations.—The Secretary of Defense shall, in accordance with the provisions of this section, make such modifications as necessary to effectuate the provisions of this section.

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(b) REQUIREMENT 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.

(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.

(d) SECURITY CLEARANCES.—Each member of the Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall have a security clearance at the top secret level and be able to access sensitive compartmented information.

(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.

SEC. 307. CONSIDERATION OF ADVERSARIAL TELECOMMUNICATIONS AND CYBERSECURITY INFRASTRUCTURE WHEN CONSIDERING INTELLIGENCE WITH FOREIGN GOVERNMENTS AND ENTITIES.

Whenever he has the head of an element of the intelligence community enter into an intelligence sharing agreement with a foreign government or any other foreign entity, the head of the element shall consider the pervasiveness of communications and cybersecurity infrastructure, equipment, and services provided by adversaries of the United States, particularly China and Russia, or entities in the countries in the 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 IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) DEFINITIONS.—In this section:

(1) PERSONAL ACCOUNTS.—The term ‘‘personal accounts’’ means accounts for online services, used by personnel of the intelligence community, for personal use.

(2) PERSONAL TECHNOLOGY DEVICES.—The term ‘‘personal technology devices’’ means technology devices used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community.

(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 the personal technology devices and personal accounts of the personnel described in paragraph (2).

(2) AUTHORIZED PERSONNEL.—The personnel described in this paragraph are personnel of the intelligence community—

(A) who the Director determines to be subject to cyberattacks and hostile information collection activities because of the positions occupied by such personnel in the intelligence community and

(B) whose personal technology devices or personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(c) NATURE OF CYBER PROTECTION SUPPORT.—Subject to the availability of resources, the cyber protection support provided to personnel under subsection (b) may include training, advice, assistance, and other services relating to cyber attacks and hostile information collection activities.

(d) LIMITATION ON SUPPORT.—Nothing in this section shall be construed—

(1) to encourage personnel of the intelligence community to use personal technology devices for official business; or

(2) to authorize cyber protection support for personnel using personal devices, networks, and personal accounts in an official capacity.

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the 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)(2); and

(2) guidance for the use of cyber protection support and tracking requests for 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 (Public Law 112–47; 50 U.S.C. 3329 note) 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 (f) of section 309 of the Intelligence Authorization Act for Fiscal Year 2012 (50 U.S.C. 3329 note), is further amended by inserting ‘‘as the Director considers appropriate’’ after ‘‘the date of enactment of this Act’’.

SEC. 310. LIMITATIONS ON DETERMINATIONS RELATING TO CYBER SECURITY CLASSIFICATIONS.

(a) PROHIBITION.—An officer of an element of the intelligence community who has been nominated by the President for a position that requires the advice and consent of the Senate may not make 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 described in subsection (a) has been nominated as described in such subsection and the intelligence community has designated 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 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 this section that affects the security clearances of personnel of the intelligence community, the Director or the Principal Deputy Director, as the case may be, shall submit to the congressional intelligence committees a report detailing the circumstances 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—

(1) by striking ‘‘regular’’; and

(2) by inserting ‘‘as the Director considers appropriate’’ after ‘‘Council’’.

(b) REPORT 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 information relating to the function and utility of the Council as the Director considers appropriate.

(F) The report submitted under paragraph (1) shall be classified 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 the intelligence community information technology environment as defined in section 101A of the National Security Act of 1947 (50 U.S.C. 3003), a report that details the determinations and notifications made under section 309 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–47; 50 U.S.C. 3329 note) that details the determinations and notifications made under subsection (a) of section 309 of the National Security Act of 1947 (50 U.S.C. 3003).

(3) 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 submittal of the report.”
environment” means all of the information technology services across the intelligence community, including the data sharing and protection environment across multiple classified and unclassified systems.

(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.

(B) Setting measurable performance goals exist for such environment.

(C) Documenting standards and practices of such environment.

(D) Acting as an arbiter among elements of the intelligence community related to any disagreements arising out of the implementation of such environment.

(E) Delegating responsibilities to the elements of the intelligence community and carrying out such other responsibilities as are necessary for the effective implementation of such environment.

(2) CORE SERVICE PROVIDERS.—Providers of core services shall be responsible for—

(A) providing core services, in coordination with the Director of National Intelligence; and

(B) providing the Director with information necessary to fulfill the responsibilities of the Director under paragraph (1).

(3) USE OF CORE SERVICES.—(A) IN GENERAL.—Except as provided in subparagraph (B), each element of the intelligence community shall use core services when such services are available.

(B) PROVIDING THE DIRECTOR.—The Director of National Intelligence may provide for a written exception to the requirement under subparagraph (A) if the Director determines there is a compelling financial or mission need for such exception.

(c) MANAGEMENT ACCOUNTABILITY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall designate and maintain one or more accountable executives of the intelligence community information technology environment who shall be responsible for—

(1) management, financial control, and integration of such environment;

(2) overseeing the performance of each core service, including establishing measurable service requirements and schedules;

(3) to the degree feasible, ensuring testing of each core service of such environment, including testing by the intended users, to evaluate performance against measurable service requirements and to ensure the capability meets user requirements; and

(4) coordinate transition or restructuring efforts of such environment, including phase-out of legacy systems.

(d) TESTS.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall develop and maintain a security plan for the intelligence community information technology environment.

(e) LONG-TERM ROADMAP.—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 long-term roadmap that shall include each of the following:

(1) A description of the minimum required and approved core service requirements, including—

(A) key performance parameters; and

(B) an assessment of current, measured performance.

(2) Implementation milestones for the intelligence community information technology environment, including each of the following:

(A) A schedule for expected deliveries of core service capabilities during each of the following phases:

(i) Concept refinement and technology maturity demonstration.

(ii) Development, integration, and demonstration.

(iii) Production, deployment, and sustainment.

(iv) System retirement.

(B) Dependencies of such core service capabilities.

(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 that includes 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).

(B) A uniform approach by which each element of the intelligence community shall identify the cost of legacy information technology or alternative capabilities where service of the intelligence community information technology environment will also be available.

(C) A uniform effort by which each element of the intelligence community shall identify transition and restructuring costs for new, existing, and retiring services of the intelligence community information technology environment, as well as services of such environment that have changed designations as a core service.

(g) QUARTERLY PRESENTATIONS.—Beginning not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the congressional intelligence committees quarterly updates regarding any policy changes or deficiencies in the execution of the intelligence community information technology environment as compared to the requirements in the most recently submitted security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f).

(h) ADDITIONAL NOTIFICATIONS.—The Director of National Intelligence shall provide timely notification to the congressional intelligence committees regarding any policy changes related to or affecting the intelligence community information technology environment, new initiatives or strategies related to or impacting such environment, and changes or deficiencies in the execution of the security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f).

(i) SUNSET.—The section shall have no effect on or after September 30, 2024.

SEC. 313. REPORT ON DEVELOPMENT OF SECURE MOBILE VOICE SOLUTION FOR INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency and the Director of the National Security Agency, shall submit to the congressional intelligence committees a classified report on the feasibility, desirability, cost, and required schedule associated with the implementation of a secure mobile voice solution for the intelligence community.

(b) CONTENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) The benefits and disadvantages of a secure mobile voice solution.

(2) Whether the intelligence community could leverage commercially available technology for classified voice communications that operates on commercial mobile networks in a secure manner and identifying the accompanying security risks to such networks.

(3) A description of any policies or community guidance that would be necessary to govern the potential solution, such as a process for determining the 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 standards for insider threat policies that are 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, or any successor electronic distribution mechanism, by which the Director of National Intelligence submits to the congressional intelligence committees information required by this section.

(2) POLICY.—The term “policy,” with respect to the intelligence community, includes classified—

(A) directives, policy instruments, and policy memoranda of the intelligence community;

(B) executive correspondence of the Director of National Intelligence; and

(C) any equivalent successor policy instruments.

(b) SUBMISSION OF POLICIES.—

(1) CURRENT POLICY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees any policies issued by the Director of National Intelligence for the intelligence community that are in effect as of the date of the submission.

(2) CONTINUOUS UPDATES.—Not later than 15 days after the date on which the Director of National Intelligence issues, modifies, or rescinds a policy of the intelligence community, the Director shall—

(A) notify the congressional intelligence committees of such addition, modification, or removal; and

(B) update the electronic repository with respect to such addition, modification, or removal.

SEC. 316. EXPANSION OF INTELLIGENCE COMMUNITY RECRUITMENT EFFORTS.

In order to further increase the diversity of the intelligence 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 elements of the Intelligence Community, shall create an Intelligence Community intelligence community committee for personnel recruitment purposes, that includes leaders from elements of the Intelligence Community, in order to ensure that the personnel recruitment efforts meet the requirements of the intelligence community. 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 ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. AUTHORITY FOR PROTECTION OF CURRENT AND FORMER EMPLOYEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by striking “such personnel of the Office of the Director of National Intelligence as the Director of National Intelligence may designate,” and inserting “current and former personnel of the Office of the Director of National Intelligence and their immediate families as the Director of National Intelligence may designate.”

SEC. 402. DESIGNATION OF THE PROGRAM MANAGER—INFORMATION SHARING ENVIRONMENT.

(a) INFORMATION SHARING ENVIRONMENT.—Section 1016(b) 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 striking “the President,” and inserting “the Director of National Intelligence”.

SEC. 403. TECHNICAL MODIFICATION TO THE EXECUTIVE SCHEDULE.

Section 513 of title 5, United States Code, is amended by adding at the end the following:

“Director of the National Counterintelligence and Security Center.”

SEC. 404. CHIEF FINANCIAL OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103(a) of the National Security Act of 1947 (50 U.S.C. 3034(a)) is amended by adding at the end the following new sentence: “The Chief Financial Officer shall report directly to the Director of National Intelligence.”

SEC. 405. CHIEF INTELLIGENCE OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103(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 Intelligence 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.

Subsection (c) of section 10 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506) is amended by—

(1) in paragraph (1), by striking “$50,000,” “$40,000,” and “$30,000”;

(2) in paragraph (2), by striking “2000 dollars”.

SEC. 412. EXPANSION OF SECURITY PROTECTIVE SERVICE JURISDICTION OF THE CENTRAL INTELLIGENCE AGENCY.

Subsection (a) of section 35 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(a)) is amended—

(1) in the subsection heading, by striking “Policemen” and inserting “Policemen”;

(2) in paragraph (1)—

(A) in subparagraph (B), by striking “500 dollars” and inserting “500 dollars”;

(B) in subparagraph (C), by striking “500 dollars” and inserting “500 dollars”;

(3) in paragraph (2), by adding at the end the following new paragraph (8):

“(8) Upon the approval of the Director, provide, during any fiscal year, subsistence to any personnel assigned to overseas locations designated by the Agency as an austere location.”

SEC. 421. CONSOLIDATION OF DEPARTMENT OF ENERGY AND NATIONAL SECURITY AGENCY ACT.

(a) REPEAL OF FOREIGN LANGUAGE PROFESSIONAL REQUIREMENT FOR CERTAIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGENCY.

Section 215 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(a)) is amended by—

(1) in the subsection heading, by striking “Policemen” and inserting “Policemen”;

(2) in paragraph (1), by striking “President” and inserting “Director of National Intelligence”;

(3) 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 striking “the President,” and inserting “the Director of National Intelligence”.

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 by—

(1) in the subsection heading, by striking “Policemen” and inserting “Policemen”;

(2) in paragraph (1), by striking “President” and inserting “Director of National Intelligence”;

(3) in paragraph (2), by striking “President” both places that term appears and inserting “Director of National Intelligence”;

(4) in subparagraph (B), by striking “500 dollars” and inserting “500 dollars”;

(5) by adding at the end the following new paragraph (8):

“(8) Upon the approval of the Director, provide, during any fiscal year, subsistence to any personnel assigned to overseas locations designated by the Agency as an austere location.”

(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 striking “the President,” and inserting “the Director of National Intelligence”.

(c) CLERICAL AMENDMENT.—The table of contents of the Department of Energy Organization Act is amended by adding at the end the following new item:

“215. Office of Intelligence and Counterintelligence.”

SEC. 422. REPEAL OF DEPARTMENT OF ENERGY INTELLIGENCE EXECUTIVE COMMITTEE AND BUDGET REPORTING REQUIREMENT.

Section 214 of the Department of Energy Organization Act (42 U.S.C. 714a) is amended—

(1) by striking “(a) DUTY OF SECRETARY.—”; and

(2) by striking subsections (b) and (c).

Subtitle D—Other Elements

PART I—DEPARTMENT OF DEFENSE INTELLIGENCE AND COUNTERINTELLIGENCE COMPONENT OF DEFENSE SECURITY SERVICE AS AN ELEMENT OF INTELLIGENCE COMMUNITY.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall designate the Counterintelligence component of the Defense Security Service in coordination with the Director of the National Counterintelligence and Security Center, 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 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, 2019. Such plan shall—

(1) address the implications of such designation on the authorities, governance, personnel, resources, information technology, collection, analytic products, information sharing, and business processes of the Defense Security Service and the intelligence community; and

(2) not address the personnel security functions of the Defense Security Service.

SEC. 432. NOTICE NOT REQUIRED FOR PRIVATE ENTITIES.

Section 5505 of title 44, United States Code, is amended—

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

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

“(j) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Secretary to provide notice to any private entity before the Secretary issues a binding operational directive under subsection (b).”

SEC. 433. FRAMEWORK FOR ROLES, MISSIONS, AND FUNCTIONS OF DEFENSE INTELLIGENCE AGENCY.

(a) IN GENERAL.—The Director of National Intelligence and the Secretary of Defense shall jointly establish a framework to ensure the appropriate balance of resources for the roles, missions, and functions of the Defense Intelligence Agency in its capacity as an element 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 Defense Intelligence Agency to prevent imbalanced priorities, inconsistent or misaligned resources, and the unauthorized expansion of mission parameters.
(b) MATTERS FOR INCLUSION.—The framework required under subsection (a) shall include each of the following:

(1) A lexicon providing for consistent definitions or relevant terms used by both the intelligence community and the Department of Defense, including each of the following:

(A) Defense Intelligence enterprise.

(B) Government.

(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 maintaining separate designations for the intelligence community and the Department of Defense for intelligence functional or enterprise 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 Agency, which includes:

(A) A justification for the addition, transfer, or elimination of a mission, role, or function.

(B) The identification of which, if any, element of the Federal Government performs the considered mission, role, or function.

(C) In the case of any new mission, role, or function:

(i) an assessment of the most appropriate agency or element to perform such mission, role, or function, taking into account the resources of responsibilities, primary customers, and existing infrastructure necessary to support such mission, role, or function; and

(ii) a determination of the appropriate resource profile and an identification of the projected resources needed and the proposed source of such resources over the future-years defense program, to be provided in writing to any elements of the intelligence community or the Department of Defense affected by the assumption, transfer, or elimination of any mission, role, or function.

(D) In the case of any mission, role, or function proposed to be assumed, transferred, or eliminated:

(i) information on the heads of each element affected by such assumption, transfer, or elimination, of the risks that would result from the assumption, transfer, or elimination of a mission, role, or function.

(ii) a statement of the source profiles, scope of responsibilities, priorities, and functions.

(E) A repeatable process for evaluating the addition, transfer, or elimination of any mission, role, or function.

(F) An assessment of the most appropriate agencies or elements to perform such missions or functions, including—

(i) which programs or activities are funded under one such Program to being funded under the other such Program.

(ii) which programs or activities from being funded under one such Program to being funded under another such Program.

(G) An assessment of the most appropriate agencies or elements to perform such missions or functions, and funding allocations for such programs and activities.

(H) Any other matters relevant to the mission, role, or function.

(I) Intelligence Program, including—

(i) an assessment of the most appropriate agencies or elements to perform such intelligence programs or activities and the congressional defense committees (as defined in section 10(i)(a) of title 10, United States Code) of such appointment.

(J) Terms.—Each member appointed to a term of 2 years. Except as provided by subparagraph (C), a member may not serve more than 3 terms.

(K) Vacancy.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member’s term until a successor has taken office.

(L) Chair.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

(M) 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.

(N) Executive Secretary.—The Director may appoint an executive secretary, who shall be an employee of the National Reconnaissance Office, to support the Board.

(O) Meetings.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

(P) 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.

(Q) Nonapplicability of Certain Requirements.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

(R) Termination.—The Board shall terminate on the date that is 3 years after the date of the first meeting of the Board.

(II) INITIAL APPOINTMENTS.—Not later than 180 days after the date of enactment of this Act, the Director of the National Reconnaissance Office shall appoint the initial 5 members to the advisory board under subsection (d) of section 106A of the National Security Act of 1947 (50 U.S.C. 3041a), as added by subsection (a).

SEC. 435. COLLOCATION OF CERTAIN DEPARTMENT OF HOMELAND SECURITY PERSONNEL AND ACTIVITIES.

(a) IDENTIFICATION OF OPPORTUNITIES FOR COLLOCATION.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall identify, in consultation with the Commissioner of U.S. Customs and Border Protection, the Administrator of the Transportation Security Administration, the Director of U.S. Immigration and Customs Enforcement, and the heads of such other elements of the Department of Homeland Security as the Under Secretary considers appropriate, opportunities for collocation of personnel and activities of the Office of Intelligence and Analysis in the field office of the greater Washington, District of Columbia, area in order to support operational units from U.S. Customs and Border Protection, the Transportation Security Administration, U.S. Immigration and Customs Enforcement, and other elements of the Department of Homeland Security.

(b) PLAN FOR COLLOCATION.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary shall submit to congressional committees a report that includes a plan for collocation as described in subsection (a).

TITLE V—ELECTION MATTERS

SEC. 501. REPORT ON CYBER ATTACKS BY FOREIGN GOVERNMENTS AGAINST UNITED STATES ELECTION INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ‘congressional leadership’ includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(E) The majority leader of the House of Representatives.

(3) STATE.—The term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall submit to congressional leadership and the appropriate congressional committees a report on cyber attacks and attempted cyber attacks by foreign governments against United States election infrastructure in States and localities in connection with the 2016 Presidential election in the United States and such cyber attacks or attempted cyber attacks as the Under Secretary anticipates against such infrastructure. Such report shall identify the states and localities affected and shall include cyber attacks and attempted cyber attacks against voter registration databases, voting machines, voting-related computer networks, and the networks of Secretaries of State and other election officials of the various States.

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

SEC. 502. REVIEW OF INTELLIGENCE COMMUNITY PERSONNEL AND ACTIVITIES.

(a) REVIEW REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) complete an after action review of the posture of the 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 applicable authorities necessary to collect on any such efforts and any deficiencies in those authorities.
(5) A review of the use of open source material to inform analysis and warning of such efforts.
(6) A review of the use of alternative and predictive analysis.
(c) FORM OF REPORT.—The report required by subsection (a)(2) shall be submitted to the congressional intelligence committees in a classified form.

SEC. 505. ASSESSMENT OF 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, overt, or both, undertaken by the Government of Russia or entities directed or controlled by the Government of Russia, or individuals associated with the Government of Russia or entities directed or controlled by the Government of Russia, to interfere with the conduct of, or to influence, on behalf of or at the request of the Russian government, the activities of the United States electorate prior to, during, or after elections or referenda.
(b) REQUIREMENT FOR A STRATEGY.—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 report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—
(1) a description of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, any being conducted that are likely to be conducted, appropriate, and the specific goal of each such campaign;
(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;
(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and
(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).
(c) FORM.—The report required by subsection (b) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.

SEC. 506. FOREIGN COUNTERINTELLIGENCE AND CYBERSECURITY THREATS TO ELECTION CAMPAIGNS.
(a) REPORTS REQUIRED.—
(1) IN GENERAL.—As provided in paragraph (2)(A) of subsection (b) of section 601 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3101), the Director of National Intelligence shall annually submit to the appropriate congressional committees a report containing an assessment of any significant Russian influence campaign, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—
(1) a description of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, any being conducted that are likely to be conducted, appropriate, and the specific goal of each such campaign;
(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;
(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and
(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).
(b) REQUIREMENT FOR A STRATEGY.—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 report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—
(1) a description of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, any being conducted that are likely to be conducted, appropriate, and the specific goal of each such campaign;
(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;
(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and
(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).
(c) FORM.—The report required by subsection (b) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.

SEC. 507. FOREIGN COUNTERINTELLIGENCE AND CYBERSECURITY THREATS TO ELECTION CAMPAIGNS.
(a) REPORTS REQUIRED.—
(1) IN GENERAL.—As provided in paragraph (2)(A) of subsection (b) of section 601 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3101), the Director of National Intelligence shall annually submit to the appropriate congressional committees a report containing an assessment of any significant Russian influence campaign, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—
(1) a description of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, any being conducted that are likely to be conducted, appropriate, and the specific goal of each such campaign;
(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;
(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and
(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).
(b) REQUIREMENT FOR A STRATEGY.—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 report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—
(1) a description of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, any being conducted that are likely to be conducted, appropriate, and the specific goal of each such campaign;
(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;
(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and
(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).
(c) FORM.—The report required by subsection (b) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.

SEC. 508. FOREIGN COUNTERINTELLIGENCE AND CYBERSECURITY THREATS TO ELECTION CAMPAIGNS.
(a) REPORTS REQUIRED.—
(1) IN GENERAL.—As provided in paragraph (2)(A) of subsection (b) of section 601 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3101), the Director of National Intelligence shall annually submit to the appropriate congressional committees a report containing an assessment of any significant Russian influence campaign, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—
(1) a description of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, any being conducted that are likely to be conducted, appropriate, and the specific goal of each such campaign;
(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;
(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and
(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).
(b) REQUIREMENT FOR A STRATEGY.—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 report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—
(1) a description of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, any being conducted that are likely to be conducted, appropriate, and the specific goal of each such campaign;
(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;
(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and
(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).
(c) FORM.—The report required by subsection (b) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.
(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 date of the election.

(3) IDENTIFICATION.—A report under this subsection shall reflect the most current information available to the Director of National Intelligence regarding foreign cyberintelligence and cybersecurity threats.

(b) TREATMENT OF CAMPAIGNS SUBJECT TO.Heightened 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 protection of sources and methods, may make available to the appropriate congressional committees, and the appropriate representatives of such committees.

SEC. 507. INFORMATION SHARING WITH STATE AND LOCAL GOVERNMENTS.

(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) SECURITY CLEARSANCES.—(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall support the Under Secretary of Homeland Security for Intelligence and Analysis, and any other official of the Department of Homeland Security designated by the Secretary of Homeland Security, in sponsoring a security clearance up to the top secret level for an individual eligible designee of such election official, as appropriate, at the time that such election official assumes such position.

(2) COORDINATION.—The Under Secretary of Homeland Security shall assist the Under Secretary of Homeland Security for Intelligence and Analysis and any other official of the Department of Homeland Security designated by the Secretary of Homeland Security, in sponsoring a security clearance up to the top secret level for each eligible chief election official of a State or the District of Columbia, and eligible designees of such election official as appropriate, at the time that such election official assumes such position.

(c) INFORMATION SHARING.—(1) IN GENERAL.—The Director of National Intelligence may issue term clearances, for a period to be determined by the Director, to a chief election official as described in paragraph (1) and to 1 designee of such official under such paragraphs.

(2) Coordination.—Consistent with applicable policies and directives, the Director of National Intelligence may issue term clearances, for a period to be determined by the Director, to a chief election official as described in paragraph (1) and to 1 designee of such official under such paragraphs.

(3) INFORMATION TO BE INCLUDED.—A report to the appropriate congressional committees, and the appropriate representatives of such committees, shall include—

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(E) Any other information such Directors and the Secretary jointly determine appropriate.

(4) CYBER INTRUSION.—The term ‘‘cyber intrusion’’ means an occurrence 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 ‘‘electronic election infrastructure’’ means a high-quality information from multiple sources.

(6) MODERATE CONFIDENCE.—The term ‘‘moderate confidence’’, with respect to a determination, means that a determination is based on high-quality information from multiple sources.

(7) HIGH CONFIDENCE.—The term ‘‘high confidence’’, with respect to a determination, means that a determination is based on sufficient quality or corroborated sufficiently to warrant a higher level of confidence.

(8) OTHER APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘other appropriate congressional committees’’ means—

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

(B) The Committee on Armed Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(b) Determination of Significant Foreign Cyber Intrusions and Active Measures Campaigns.—(1) IN GENERAL.—The term ‘‘significant foreign cyber intrusion or active measures campaign’’ means an occurrence that actually or imminently jeopardizes, without lawful authority, electronic election infrastructure, or the integrity, confidentiality, or availability of information within such infrastructure.

(2) MODERATE CONFIDENCE.—The term ‘‘moderate confidence’’, with respect to a determination, means that information is based on high-quality information from multiple sources.

(3) HIGH CONFIDENCE.—The term ‘‘high confidence’’, with respect to a determination, means that a determination is based on sufficient quality or corroborated sufficiently to warrant a higher level of confidence.

(4) COORDINATION.—The term ‘‘coordinated determination’’ means a determination by the appropriate congressional committees and the appropriate representatives of such committees. The briefing shall be classified and address, at a minimum, the following:

(A) Description of the significant foreign cyber intrusion or active measures campaign, as the case may be, covered by the determination.

(B) Identification of the foreign state or foreign nonstate person, group, or other entity, to which such intrusion or campaign has been attributed.

(C) The desirability and feasibility of the public release of information about the cyber intrusion or active measures campaign.

(D) Any other information such Directors and the Secretary jointly determine appropriate.

(2) ELECTRONIC ELECTION INFRASTRUCTURE BRIEFINGS.—With respect to a significant foreign cyber intrusion covered by a determination under subsection (b), the Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Director of the Federal Bureau of Investigation, shall, to the extent practicable, including steps that may be taken to mitigate such intrusion, such briefing may be classified and made available only to individuals with appropriate security clearances.

(3) PROTECTION OF SOURCES AND METHODS.—This subsection shall be carried out in a manner that is consistent with the protection of sources and methods.

SEC. 509. DESIGNATION OF COUNTERINTELLIGENCE OFFICER TO LEAD ELECTION SECURITY MATTERS.

(a) IN GENERAL.—The Director of National Intelligence shall designate a national counterintelligence officer within the National Counterintelligence Center to lead, manage, and coordinate counterintelligence matters relating to election security.

(b) ADDITIONAL RESPONSIBILITIES.—The person designated under subsection (a) shall also lead, manage, and coordinate 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.

(5) Such other Government services and services as the Director of National Intelligence considers appropriate.

TITLE VI—SECURITY CLEARANCES

SEC. 601. DEFINITIONS.

In this title:

(A) The congressional intelligence committees;

(B) The Committee on Armed Services of the House of Representatives;

(C) The Committee on Appropriations of the House of Representatives;

(D) The Committee on Homeland Security and Governmental Affairs of the Senate;

(E) The Committee on Appropriations of the Senate;

(F) The Committee on Oversight and Reform of the House of Representatives;

(G) The Committee on Homeland Security of the House of Representatives; and

(H) The Committee on Appropriation of the House of Representatives.

(2) APPROPRIATE INDUSTRY PARTNERS.—The term ‘‘appropriate industry partner’’ means
a contractor, licensee, or grantee (as defined in section 101(a) of Executive Order 12829 (50 U.S.C. 3161 note; relating to National Industrial Security Program) that is participating in the National Industrial Security Program established by such Executive Order.

(3) CONTINUOUS VETTING.—The term ‘continuous vetting’ has the meaning given such term in Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information).

(4) COUNCIL.—The term ‘Council’ means the Director of the Office of Personnel Management, 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 report’s framework and recommendations submitted under paragraph (2)(A).

(5) SECURITY EXECUTIVE AGENT.—The term ‘Security Executive Agent’ means the officer serving as the Security Executive Agent pursuant to section 89 of the National Security Act of 1947, as added by section 605.

(6) SUITABILITY AND CREDENTIALING EXECUTIVE AGENT.—The term ‘Suitability and Credentialing Executive Agent’ means the Director of the Office of Personal Management, in an adequate manner acting as the Suitability and Credentialing Executive Agent in accordance with Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information), or any successor entity.

SEC. 602. REPORTS AND PLANS RELATING TO SECURITY CLEARANCES AND BACKGROUND INVESTIGATIONS.

(a) SENATE CONGRESS.—It is the sense of Congress that—

(1) ensuring the trustworthiness and security of the workforce, facilities, and information of the Federal Government is of the highest priority to national security and public safety;

(2) the President and Congress should prioritize the modernization of the personnel security framework to improve its efficiency, effectiveness, and accountability;

(3) the current system for security clearance, suitability, and fitness for employment, and credentialing lacks efficiencies and capabilities to meet the current threat environment, recruit and retain a trusted workforce, and capitalize on modern technologies; and

(4) changes to policies or processes to improve this system should be vetted through the Council and standardized for portability, and reciprocity in security clearances across the Federal Government.

(b) ACCOUNTABILITY PLANS AND REPORTS.—(1) PLANS.—Not later than 90 days after the date of the enactment of this Act, the Council shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that includes the following:

(A) provides for periodic reinvestigations of personnel security, to prevent, detect, and monitor threats.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) A risk framework for granting and renewing access to classified information.

(ii) A discussion of the use of technologies to detect, prevent, and monitor threats.

(iii) A discussion of efforts to address reciprocity and portability.

(iv) A discussion of the characteristics of effective insider threat programs.

(v) An analysis of how to integrate data from continuous evaluation, insider threat programs, and background investigations associated with Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to National Industrial Security Program).

(vi) Recommendations on interagency governance.

(2) PLAN FOR IMPLEMENTATION.—Not later than one year 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 report’s framework and recommendations submitted under paragraph (2)(A). (A) provides for periodic reinvestigations of personnel security, to prevent, detect, and monitor threats.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) 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 any such information currently collected is unnecessary to support the adjudicative guidelines.

(ii) An assessment of whether such Questionnaire, Standards, and guidelines should be revised to account for the prospect of a holder of a security clearance becoming an insider threat.

(iii) Recommendations to improve the background investigation process by—

(A) providing funding for National Security Positions (Standard Form 86) and increasing customer support to applicants completing such Questionnaire;

(B) using standardized questionnaires and central locations to support or replace field investigations.

(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 circumstances.

(b) POLICY, STRATEGY, AND IMPLEMENTATION PLANS.—Not later than one year 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 issue to initiate the process for a security clearance;

(C) digitization of background investigation-related forms;

(D) use of the polygraph; and

(E) recognition of clearances across agencies and departments of the United States, regardless of status of periodic re-investigation;

(F) tracking of timelines for movement of contractors across agencies and departments;

(G) reporting on security incidents and job performance, consistent with section 552a of title 5, United States Code (commonly known as the ‘‘Privacy Act of 1974’’), that may affect the ability to hold a security clearance;

(J) any recommended changes to the Federal Acquisition Regulations (FAR) necessary to ensure that information affecting security clearances is appropriately and expeditiously shared between and among agencies and contractors; and

(K) portability of contractor security clearances between or among contracts at the same agency and between or among contracts at different agencies that require the same level of clearance.

(2) A strategy and implementation plan that—

(A) provides for periodic reinvestigations as part of a security clearance determination on an as-needed, risk-based basis;

(B) includes actions to assess the extent to which automated records checks and other continuous evaluation methods may be used to verify or focus reinvestigations; and

(C) provides an exception for certain populations if the Security Executive Agent—

(i) determines such populations require reinvestigations less frequently than currently required; and

(ii) provides written justification to the appropriate congressional committees for any such determination.

(3) A policy and implementation plan for agencies and departments of the United States, as a part of the security clearance process, to accept automated records checks for persons purporting to hold a security clearance at applicant’s employment with a prior employer.
(5) A policy for the use of certain background materials on individuals collected by the private sector for background investigation purposes.

(6) Uniform standards for agency continuous evaluation programs to ensure quality and reciprocity in accepting enrollment in a continuous vetting program as a substitute for a periodic investigation for continued access to classified information.

SEC. 604. GOALS FOR PROMPTNESS OF DETERMINATIONS REGARDING SECURITY CLEARANCES.

(a) RECIPROCITY DEFINED.—In this section, the term ‘reciprocity’ means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) IN GENERAL.—The Council shall reform the security clearance process with the objective that, by December 31, 2021, 90 percent of all determinations, other than determinations regarding populations identified under section 603(b)(3)(C), regarding—

(1) security clearances—

(A) at the secret level are issued in 30 days or fewer; and

(B) at the top secret level are issued in 90 days or fewer; and

(2) reciprocity of security clearances at the same level are recognized in 2 weeks or fewer.

(c) CERTAIN REINVESTIGATIONS.—The Council shall reform the security clearance process with the goal that by December 31, 2021, reinvestigations for current or former eligibility to hold a sensitive position be conducted on a periodicity determined in accordance with Executive Order 12968 (50 U.S.C. 3033(j)(4)(A)).

(d) EQUIVALENT METRICS.—

(1) IN GENERAL.—If the Council develops a set of performance metrics that it certifies to the appropriate congressional committees should achieve substantially equivalent outcomes—

(A) described in subsections (b) and (c), the Council may use those metrics for purposes of compliance within this provision.

(2) NOTICE.—If the Council uses the authority provided by paragraph (1) to use metrics as described in such paragraph, the Council shall, not later than 30 days after communicating such metrics to departments and agencies, notify the appropriate congressional committees that it is using such authority.

(e) GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Council shall submit to the appropriate congressional committees a plan to implement a plan described in subsection (d) and such plan shall include recommended interim milestones for the goals set forth in subsections (b) and (c) for 2019, 2020, and 2021.

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 801 and 805, respectively; and

(2) by inserting after section 802 the following:

‘‘SEC. 803. SECURITY EXECUTIVE AGENT. ‘‘(a) IN GENERAL.—The Director of National Intelligence, or such other officer of the United States as the President may designate, shall be known 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 direct the oversight of investigations, reinvestigations, adjudications, and, as applicable, polygraphs for eligibility for access to classified information or eligibility to hold a sensitive position made by any Federal agency.

(2) To review the national security background investigation and adjudication programs of Federal agencies to determine whether such programs are being implemented in accordance with this section.

(3) To develop and issue uniform and consistent policies and procedures to ensure the effective, efficient, timely, and secure completion of continuous evaluation programs to determine whether such persons satisfy the criteria for obtaining and retaining access to classified information or eligibility to hold a sensitive position, as applicable.

(4) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to conduct investigations of persons who are proposed for access to, or eligibility for, or 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, as applicable.

(5) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to determine eligibility for access to classified information or eligibility to hold a sensitive position in accordance with Executive Order 12968 (50 U.S.C. 3033(j)(4)(A)) regarding—

(A) the secret level are issued in 30 days or fewer; and

(B) at the top secret level are issued in 90 days or fewer; and

(2) reciprocity of security clearances at the same level are recognized in 2 weeks or fewer.

(5) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to determine eligibility for access to classified information or eligibility to hold a sensitive position in accordance with Executive Order 12968 (50 U.S.C. 3033(j)(4)(A)) regarding—

(A) the secret level are issued in 30 days or fewer; and

(B) at the top secret level are issued in 90 days or fewer; and

(2) reciprocity of security clearances at the same level are recognized in 2 weeks or fewer.

(3) have the authority to assign, in whole or in part, to the head of any Federal agency (solely or jointly) any of the duties of the Council described in subsection (a) of this section, in subsection (b) or the authorities described in paragraphs (1) and (2), provided that the exercise of such assigned duties or authorities is subject to the oversight of the Security Executive Agent, including such terms and conditions (including approval by the Security Executive Agent) as the Security Executive Agent determines appropriate; and

(4) define and set standards for continuous evaluation for continued access to classified information or eligibility to hold a sensitive position, including such matters as investigations, polygraphs, adjudications, and reciprocity;

(4) CLEARANCE IN PERSON CONCEPT.—The Security Executive Agent shall—

(1) issue guidelines and instructions to the appropriate departments and agencies to ensure appropriate uniformity, centralization, efficiency, effectiveness, timeliness, and security in processes relating to determinations by such agencies of eligibility for access to classified information or eligibility to hold a sensitive position, including such matters as investigations, polygraphs, adjudications, and reciprocity;

(2) have the authority to assign exceptions to, or waivers of, national security investigations, reviews, or investigations requiring access to classified information; and

(3) have the authority to assign, in whole or in part, to the head of any Federal agency (solely or jointly) any of the duties of the Security Executive Agent described in subsection (a) of this section, in subsection (b) or the authorities described in paragraphs (1) and (2), provided that the exercise of such assigned duties or authorities is subject to the oversight of the Security Executive Agent, including such terms and conditions (including approval by the Security Executive Agent) as the Security Executive Agent determines appropriate; and

(5) the risks of such implementation, in- and (4) define and set standards for continuous evaluation for continued access to classified information or eligibility to hold a sensitive position, including such matters as investigations, polygraphs, adjudications, and reciprocity;

(2) have the authority to assign exceptions to, or waivers of, national security investigations, reviews, or investigations requiring access to classified information; and

(3) have the authority to assign, in whole or in part, to the head of any Federal agency (solely or jointly) any of the duties of the Security Executive Agent described in subsection (a) of this section, in subsection (b) or the authorities described in paragraphs (1) and (2), provided that the exercise of such assigned duties or authorities is subject to the oversight of the Security Executive Agent, including such terms and conditions (including approval by the Security Executive Agent) as the Security Executive Agent determines appropriate; and

(5) the risks of such implementation, in-
of the intelligence community for the fiscal year covered by the report, the following:

(A) The total number of initial security clearance background investigations sponsored for new employees;

(B) The total number of security clearance periodic reinvestigations sponsored for existing employees;

(C) The number of initial security clearance background investigations for new applicants that were adjudicated with notice of a determination provided to the prospective applicant, including:

(i) the total number of such adjudications that were adjudicated favorably; and

(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance;

(D) The total number of security clearance periodic background investigations that were adjudicated with notice of a determination provided to the existing employee, including:

(i) the total number of such adjudications that were adjudicated favorably; and

(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

SEC. 611. INTELLIGENCE COMMUNITY REPORTS ON SECURITY CLEARANCES.

Section 16(b)(2) of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A)(i), by adding “and the end;”;

(B) in subparagraph (B)(i), by striking “,”; and

(C) by striking subparagraph (C);

(2) redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(d) INTELLIGENCE COMMUNITY REPORTS.—

(1)(A) Not later than March 1 of each year, 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 of the House of Representatives, and the Committee on Oversight and Reform of the House of Representatives regarding the security clearances processed by each element of the intelligence community during the preceding fiscal year.

(B) The Director shall submit to the Committee on Homeland Security and Governmental Affairs 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 addresses elements of the intelligence community that are within the Department of Defense.

(2) Each report submitted under paragraph (1)(A) shall include, for each element of the intelligence community for the fiscal year covered by the report, the following:

(A) The total number of initial security clearance background investigations sponsored for new employees;

(B) The total number of security clearance periodic reinvestigations sponsored for existing employees;

(C) The number of initial security clearance background investigations for new applicants that were adjudicated with notice of a determination provided to the prospec- tive applicant, including:

(i) the total number of such adjudications that were adjudicated favorably; and

(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance;

(D) The total number of security clearance periodic background investigations that were adjudicated with notice of a determination provided to the existing employee, including:

(i) the total number of such adjudications that were adjudicated favorably; and

(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

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 Secretary of Defense shall develop and implement a program to share and coordinate the operations of the Federal Government and industry partners 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.

(b) DESIGNATION.—The Program established under paragraph (1) shall be known as the “Trusted Information Provider Program” (in this section referred to as the “Program”).
the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate stakeholders a plan for the implementation of a pilot program to assess 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.

(2) 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 submit to the appropriate congressional committees a review of the plans submitted under subsections (e)(1) and (f)(1) and the utility and effectiveness of the programs described in such plans.

Title VII—Reports and Other Matters

Subtitle A—Matters Relating to Russia and Other Foreign Powers

Section 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 1232 of the National Defense Authorization Act for Fiscal Year 2017 and shall be subject to the certification by section 1231 of the National Defense Authorization Act for Fiscal Year 2018 (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.

(4) Such counterintelligence concerns associated with the agreement as the Director expects to be taken to mitigate such concerns.

(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 the Director of the National Security Agency to establish an element of the intelligence community, to share or receive foreign intelligence on a case-by-case basis.

Section 702. Report on Returning Russian Compounds

(a) COVERED COMPounds DEFINED.—In this section, the term "covered compounds" means—

(1) the reporting requirement, the 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 by the Government of Russia in the 2016 election;

(b) REQUIREMENT FOR REPORT.—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 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 risks of returning the covered compounds to Russia.

(c) FORM OF REPORT.—The report required by this section shall be submitted in classified and unclassified forms.

Section 703. Assessment of Threat Finance Related 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 domestically or 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 congressional intelligence committees a report containing an assessment of Russian threat finance. The assessment shall be based on intelligence from all sources, including from the Office of Terrorism and Financial Intelligence of the Department of the Treasury.

(c) ELEMENTS.—If 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 submittal 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 activity 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.

(d) Identification of any resource and collection gaps.

(7) Any other matters the Director determines appropriate.

Section 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; and

(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 or Ranking Member of each of the appropriate congressional committees, and of other relevant committees of jurisdiction, each time the Director of National Intelligence determines the 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) DEPT OF NOTIFICATION.—Each notification required by subsection (b) shall include information concerning actions taken by the United States to expose or halt an attack.

SEC. 705. NOTIFICATION OF TRAVEL BY ACCREDITED DIPLOMATIC AND CONSULAR PERSONNEL OF THE RUSSIAN FEDERATION IN 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 115–31; 131 Stat. 823; 22 U.S.C. 254a note), the Secretary of State shall—

(1) ensure 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; and

(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 ADVISED BY THE UNITED STATES ADVERSARIES 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 industries, scientific communities, and academic communities on matters relating to the efforts of adversaries of the United States to acquire critical United States technologies, 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 obtained.

(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 capability and advisability of granting security clearances to company or community leadership, when necessary and appropriate, to allow for tailored classified briefings on strategic threats to the United States.

(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 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 the 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.

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

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—

(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) ARMS OR RELATED MATERIAL.—The term ‘arms or related material’ means—

(a) nuclear, biological, chemical, or radiological weapons or materials or components of such weapons;

(b) ballistic or cruise missile weapons or materials or components of such weapons;

(c) destabilizing numbers and types of advanced conventional weapons;

(d) defense articles or defense services, as those terms are defined in section 24 of the Foreign Assistance Act of 1961 (22 U.S.C. 2394); and

(e) any other entity or country the Director determines to be relevant.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) The amount spent in such calendar year on activities of the Islamic Revolutionary Guard Corps, including activities providing support for—

(A) Hizballah;

(B) Houthis in Yemen;

(C) Hamas;

(D) proxy forces in Iraq and Syria; and

(E) any other entity or country the Director determines to be relevant.

(2) 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.

(c) MATTERS FOR INCLUSION.—The report required under subsection (a) shall include information relating to the following matters, as determined by the Director:

(1) A description of arms or related material transfers to Hizballah since March 2011, including the number of such arms or related materiel and whether such transfers was by land, sea, or air, as well as financial and additional technological capabilities transferred by Iran to Hizballah.

(2) A description of Iranian and Iran-backed personnel, including Hizballah, Shi'ite militias, and Iran's Revolutionary Guard Corps forces, operating within Syria, including the number and geographic distribution of such personnel who were stationed within 30 kilometers of the Israeli borders with Syria and Lebanon.

(3) An assessment of Hizballah's operational posture and personnel based on its recent experiences in Syria.

(4) A description of any rocket-producing facilities in Lebanon and Syria, including whether such facilities were assessed to be built at the direction of Hizballah leadership, Iran's leadership, or in consultation with Iranian leadership and Hizballah leadership.

(5) An analysis of the foreign and domestic supply chains that significantly facilitate, support, or otherwise aid Hizballah, including the provision or development of missile production facilities, including the geographic distribution of such foreign and domestic supply chains.

(6) An assessment of the provision of goods, services, or technology transferred by Iran or its affiliates to Hizballah to independently manufacture or otherwise support Hizballah.

(7) An identification of foreign persons that are based on credible information, facilitating the transfer of significant financial support or arms or related material to Hizballah.

(8) A description of the threat posed to Israel and other United States allies in the Middle East by the transfer of arms or related material or other support offered to Hizballah and other proxies from Iran.

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

SEC. 708. ANNUAL REPORT ON IRANIAN EXPENDITURES SUPPORTING FOREIGN MILITARY AND TERRORIST ACTIVITIES.

(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 expenditures in the previous calendar year on military and terrorist activities, within the country, including each of the following:

(1) The amount spent in such calendar year on activities by the Islamic Revolutionary Guard Corps, including activities providing support for—

(A) Hizballah;

(B) Houthi rebels in Yemen;

(C) Hamas;

(D) proxy forces in Iraq and Syria; and

(E) any other entity or country the Director determines to be relevant.

(2) 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.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) A description of arms or related material transfers to Hizballah since March 2011, including the number of such arms or related materiel and whether such transfers was by land, sea, or air, as well as financial and additional technological capabilities transferred by Iran to Hizballah.

(2) A description of Iranian and Iran-backed personnel, including Hizballah, Shi'ite militias, and Iran's Revolutionary Guard Corps forces, operating within Syria, including the number and geographic distribution of such personnel who were stationed within 30 kilometers of the Israeli borders with Syria and Lebanon.

(3) An assessment of Hizballah's operational posture and personnel based on its recent experiences in Syria.

(4) A description of any rocket-producing facilities in Lebanon and Syria, including whether such facilities were assessed to be built at the direction of Hizballah leadership, Iran's leadership, or in consultation with Iranian leadership and Hizballah leadership.

(5) An analysis of the foreign and domestic supply chains that significantly facilitate, support, or otherwise aid Hizballah, including the provision or development of missile production facilities, including the geographic distribution of such foreign and domestic supply chains.

(6) An assessment of the provision of goods, services, or technology transferred by Iran or its affiliates to Hizballah to independently manufacture or otherwise support Hizballah.

(7) An identification of foreign persons that are based on credible information, facilitating the transfer of significant financial support or arms or related material to Hizballah.

(8) A description of the threat posed to Israel and other United States allies in the Middle East by the transfer of arms or related material or other support offered to Hizballah and other proxies from Iran.

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

SEC. 709. EXPANSION OF COMMITTEE TO COUNTER ACTIVE MEASURES AND REPORT ON ESTABLISHMENT OF FOREIGN MALIGN INFLUENCE CENTER.

(a) SCOPE OF COMMITTEE TO COUNTER ACTIVE MEASURES.—

(1) IN GENERAL.—Section 501 of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31; 50 U.S.C. 5001 note) is amended—

(A) by inserting ‘‘, the People’s Republic of China, the Islamic Republic of Iran, the
Democratic People’s Republic of Korea, or other nation state” after “Russia Federation” each place it appears; and

(ii) by inserting “, China, Iran, North Korea, or other nation state” after “Russia” each place it appears; and

(B) in the section heading, by inserting “, THE PEOPLE’S REPUBLIC OF CHINA, THE ISLAMIC REPUBLIC OF IRAN, the Democratic People’s Republic of Korea, and other nation states” after “RUSSIAN FEDERATION”.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 501 and inserting the following new item:

“Sec. 501. Committee to counter active measures by the Russian Federation, the People’s Republic of China, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, and other nation states to exert covert influence over peoples and governments.”

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with such elements of the intelligence community as the Director considers relevant, shall submit to the congressional intelligence committees, in the form of a report, the following:

(A) a discussion of the desirability of the establishment of such a center, to be known as the “Foreign Malign Influence Response Center”, that—

(i) is comprised of analysts from all appropriate elements of the intelligence community, including elements with related diplomatic and law enforcement functions;

(ii) has access to all intelligence and other reporting acquired by the United States Government on foreign efforts to influence, through overt and covert malign activities, United States political processes and elections;

(iii) provides comprehensive assessment, and indications and warnings, of such activities; and

(iv) provides for enhanced dissemination of such assessment to United States policy makers.

(B) CONTENTS.—The Report required by paragraph (1) shall include the following:

(A) A discussion of the desirability of the establishment of such center and any barriers to such establishment.

(B) Such recommendations and other matters as the Director considers appropriate.

Subtitle B—Reports

SEC. 711. TECHNICAL CORRECTION TO INSPECTOR GENERAL STUDY. Section 1101(d) of title 5, United States Code, is amended—

(1) in the subsection heading, by striking “AUDIT” and inserting “REVIEW”; and

(2) in paragraph (1), by striking “audit” and inserting “review”;

and

(3) in paragraph (2), by striking “audit” and inserting “review.”

SEC. 712. REPORTS ON AUTHORITIES OF THE CHIEF INTELLIGENCE OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) Definitions.—In this section:

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(b) Homeland Security Intelligence Enterprise.—The term “Homeland Security Intelligence Enterprise” has the meaning given such term in Department of Homeland Security Instruction Number 264-01, or successor authority.

(c) Report Required.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Under Secretary of Homeland Security for Intelligence and Analysis, the Inspector General, and the appropriate committees of Congress, report a report on the authorities of the Under Secretary.

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

(1) An analysis of whether the Under Secretary has the legal and policy authority necessary to direct the Homeland Security Intelligence Enterprise, with respect to intelligence and, if not, a description of—

(A) the obstacles to exercising the authorities of the Chief Intelligence Officer of the Department and the Homeland Security Intelligence Council, of which the Chief Intelligence Officer is the chair; and

(B) the legal and policy changes necessary to effectively coordinate, organize, and lead intelligence activities of the Department of Homeland Security.

(2) A description of the actions that the Secretary has taken to address the inability of the Under Secretary to require comprehensive assessment, and the sufficiency of resources and personnel to conduct such assessment, by the Office of Intelligence and Analysis of the Department—

(A) coordinate intelligence programs; and

(B) integrate and standardize intelligence products produced by such other components.

SEC. 713. REPORT ON CYBER EXCHANGE PROGRAM.

(a) Report.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, in consultation with the heads of the elements of the intelligence community that would result from the establishment of a fully voluntary exchange program between elements of the intelligence community and private technology companies under which—

(C) the sufficiency of resources and personnel to conduct such assessment, by the Office of Intelligence and Analysis of the Department;

(1) an employee of an element of the intelligence community with demonstrated expertise and experience in cybersecurity or related disciplines may elect to be temporarily detailed to a private technology company that has elected to receive the details; 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 details.

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

(1) An assessment of the feasibility of establishing the exchange program described in such subsection;

(2) Identification of any challenges in establishing the exchange program;

(3) An evaluation of the benefits to the intelligence community that would result from the exchange program.

SEC. 714. REVIEW OF INTELLIGENCE COMMUNITY ANALYSIS OF CYBERSECURITY THREATS AND WHISTLEBLOWER MATTTERS.

(a) Review of The Inspector General Of The Intelligence Community.—

The Inspector General of the Intelligence Community, in consultation with the inspectors general for the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, the National Counterintelligence and Security Center, the National Counterterrorism Center, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, the National Counterintelligence and Security Center, the National Counterterrorism Center, and the other elements of the intelligence community, and the Director of National Intelligence, submit to the congressional intelligence committees a report on the role of the Director of National Intelligence in conducting an independent and objective investigation and resolution of such matters.

(b) Report Required.—Not later than 120 days after the date of the 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 preparing an analytic materials in connection with the evaluation by the Federal Government of national security risks associated with potential foreign investments into the United States.

(c) Recommendations to improve such process.

SEC. 715. REPORT ON ROLE OF DIRECTOR OF NATIONAL INTELLIGENCE IN CONDUCTING A REVIEW OF SECURITY RISKS ASSOCIATED WITH CERTAIN FOREIGN INVESTMENTS.

(a) Report.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community, shall submit to the congressional intelligence committees a report on the role of the Director in preparing an analytic materials in connection with the evaluation by the Federal Government of national security risks associated with potential foreign investments into the United States.

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

(1) a description of the current process for the provision of the analytic materials described in subsection (a);

(2) an identification of the most significant benefits and drawbacks of such process with respect to the role of the Director, including the sufficiency of resources and personnel to personnel to conduct such an analysis; and

(3) recommendations to improve such process.

SEC. 716. REPORT ON SURVEILLANCE BY FOREIGN GOVERNMENTS AGAINST UNITED STATES TELECOMMUNICATIONS NETWORKS.

(a) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional intelligence committees;

(2) The Committee on the Judiciary and the Committee on Oversight and Governmental Affairs of the Senate;

(3) The Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(b) Report.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in consultation with the Inspector General of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the National Geospatial-Intelligence Agency, the Director of National Intelligence, the Secretary of Homeland Security, and the Secretary of Defense, 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 surveillance United States persons, including employees of the Federal Government; and
(2) any actions, as of the date of the enactment of this Act, taken by the intelligence community to protect agencies and personnel of the United States Government from surveillance conducted by foreign governments.

SEC. 717. BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.

(a) INTELLIGENCE COMMUNITY INTERAGENCY WORKING GROUP.—
(1) REQUIREMENT TO ESTABLISH.—The Director of National Intelligence shall establish an intelligence community interagency working group to prepare the biennial report required by subsection (b).
(2) CHAIRPERSON.—The Director of National Intelligence shall serve as the chairperson of such interagency working group.
(3) MEMBERSHIP.—Such interagency working group shall be composed of representatives of each element of the intelligence community that the Director of National Intelligence determines appropriate.
(b) BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.—
(1) REPORT REQUIRED.—Not later than 180 days after the date of the 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 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, with respect to the preceding 6-month period, the following:

(A) The number of investigations opened by the covered official regarding any unauthorized public disclosure of classified information.

(B) The number of investigations completed by the covered official regarding any unauthorized public disclosure of classified information.

(C) Of the number of such completed investigations described in subparagraph (B), the number referred to the Attorney General for criminal investigation.

(D) DEPARTMENT OF JUSTICE REPORTING.—

(i) 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 and the Committees 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 disclosed classified information made during the most recent 365-day period or any referral that has not yet been closed, regardless of the date the referral was made.

(ii) 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 disclosed described in the referral was substantiated by the Department of Justice.

(C) A statement indicating the highest level of classification of the 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.

(2) CHANGES TO PROCESS OR CRITERIA.—Not later than 30 days after any significant change is made to the process and criteria used by any element of the intelligence community for determining whether to submit a vulnerability for review under the Vulnerabilities Equities Policy and Process document, each executive branch department or agency 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.

(C) CLOSURE OF CLASSIFIED INFORMATION.—

Any determination made under subparagraph (A) may be appealed to the Intelligence Community Interagency Review Board. Any classification of classified information made during the most recent 365-day period or any classification that has not yet been closed, regardless of the date the classification was made, shall be declassified no earlier than 72 hours after the determination is made.
(3) FORM OF REPORTS.—Each report submitted under this subsection shall be submitted in unclassified form, but may include a classified annex.

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Not less frequently than once each calendar year, the Director of National Intelligence shall submit to the congressional intelligence committees a classified report containing, with respect to the previous year—

(A) the number of vulnerabilities submitted for review under the Vulnerabilities Equities Process;

(B) the number of vulnerabilities described in subparagraph (A) disclosed to each vendor responsible for correcting the vulnerability, or to the public pursuant to the Vulnerabilities Equities Process; and

(C) the aggregate number, by category, of the vulnerabilities excluded from review under the Vulnerabilities Equities Process, as described in paragraph 5.4 of the Vulnerabilities Equities Policy and Process document.

(2) UNCLASSIFIED INFORMATION.—Each report submitted under paragraph (1) shall include an unclassified appendix that contains—

(A) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process; and

(B) an aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process known to have been patched.

(3) CONSULTATION.—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 congressional intelligence committees in writing that, with respect to the same calendar year, an annual report required by 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 of the Inspector General, analyses of the following:

(1) The accuracy of the application of classification and handling markers on a representative sample of finished reports, including such reports that are compartmented.

(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 Inspectors General listed in this subsection are as follows:

(1) The Inspector General of the Intelligence Community.

(2) The Inspector General of the Central Intelligence Agency.

(3) The Inspector General of the National Security Agency.


(5) The Inspector General of the National Reconnaissance Office.

(6) The Inspector General of the National Geospatial-Intelligence Agency.

SEC. 723. REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS AND BRIEFING ON EMERGING INFECTIOUS DISEASE AND PANDEMICS.

(a) 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 of the United States, including consideration of social, economic, agricultural, and environmental factors.

(b) ASSESSMENT SCOPE AND FOCUS.—Each report submitted under paragraph (1) shall include an assessment of water insecurity described in such subsection with a global scope, but focus on areas of the world—

(A) of strategic, economic, or humanitarian interest to the United States;

(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) where challenges relating to water insecurity are likely to imperil the national security interests of the United States or allies of the United States.

(2) CONSULTATION.—In researching a report required by paragraph (1), the Director shall consult with—

(A) such stakeholders within the intelligence community, the Department of Defense, and the Department of State as the Director considers appropriate;

(B) such additional Federal agencies and persons in the private sector as the Director considers appropriate.

(3) 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.

(2) 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 on the anticipated geopolitical effects of infectious disease (including deliberate, accidental, and naturally occurring infectious disease threats) and pandemics, 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 the risks of emerging infectious disease and a possible transnational pandemic under paragraph (3), the Director of National Intelligence shall examine in the briefing 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 and a possible transnational pandemic;

(C) the effectiveness of current international frameworks, agreements, and health systems to respond to emerging infectious diseases and a possible transnational pandemic.

(c) BRIEFING.—The briefing under paragraph (2) may be classified.

SEC. 724. ANNUAL REPORT ON MEMORANDUM OF UNDERSTANDING BETWEEN ELEMENTS OF THE UNITED STATES GOVERNMENT AND OTHER ENTITIES OF THE UNITED STATES GOVERNMENT REGARDING SIGNIFICANT OPERATIONAL ACTIVITIES OR POLICY.

Section 311 of the Intelligence Authorization Act for Fiscal Year 2017 (50 U.S.C. 3313) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by striking subsection (a) and inserting the following:

‘‘(a) IN GENERAL.—Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, United States Code, each head of an element of the intelligence community shall submit to the congressional intelligence committees a report that lists each memorandum of understanding or other agreement regarding significant operational activities or policy entered into during the most recently completed calendar year or among such element and any other entity of the United States Government.

‘‘(b) PROVISION OF DOCUMENTS.—Each head of an element of an intelligence community who receives a request from the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives for a copy of a memorandum of understanding or other document listed in a report submitted by the head under subsection (a) shall submit to such committee the requested copy as soon as practicable after receiving such request.’’

SEC. 725. STUDY ON 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 study on the feasibility of encrypting unclassified wireline and wireless telephone calls between personnel in the intelligence community.

(b) REPORT.—Not later than 90 days after the date on which the Director completes the study required by subsection (a), the Director shall submit to the congressional intelligence committees a report on the Director’s findings with respect to such study.
(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 disaggregation of data.—Subsection (b) of section 114 of the National Security Act of 1947 (50 U.S.C. 3051) is amended, in the matter before paragraph (1), by striking “disaggregated data by category of covered person and by element of the intelligence community” and inserting—

“data, disaggregated by category of covered person and by element of the intelligence community.”

SEC. 727. REPORTS ON INTELLIGENCE COMMUNITY-LINKED REPAYMENT AND RELATED PROGRAMS.

(a) Sense of congress.—It is the sense of Congress that—

(1) there should be established, through the issuing of an Intelligence Community Directive or otherwise, an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, for employees of the intelligence community;

(2) such a program would enhance the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions;

(3) such a program, including with respect to eligibility requirements, should be designed to maximize the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions; and

(4) to the extent possible, such a program should be uniform throughout the intelligence community and publicly promoted by each element of the intelligence community to both current employees of the element as well as to prospective employees of the element.

(b) Report on potential intelligence community-wide program.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency, shall submit to the congressional intelligence committees a report on a potential intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, as described in subsection (a).

(2) Matters included.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of the financial resources that the elements of the intelligence community would require to establish and initially carry out the program specified in paragraph (1);

(B) A description of the practical steps to establish and carry out such a program;

(C) The identification of any legislative action that the Director of National Intelligence considers necessary to establish and carry out such a program;

(D) Annual reports on established programs.

(i) Covered programs defined.—In this subsection, the term ‘covered programs’ means any loan repayment program, loan forgiveness program, financial counseling program, or other program established pursuant to title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) or other provision of law that may be administered or used by an element of the intelligence community.

(ii) Annual reports required.—Not less frequently than annually, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the covered programs. Each such report shall include—

(A) The number of personnel from each element of the intelligence community who used each covered program;

(B) The total amount of funds each element expended for each such program;

(C) A description of the efforts made by each element to reduce or prevent such program pursuant to both the personnel of the element and the intelligence community and to prospective personnel.

SEC. 729. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REPORT ON SENIOR EXECUTIVE SERVICE POSITIONS.

(a) Correcting long-standing material weaknesses.—Section 368 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111–295; 50 U.S.C. 3051 note) is hereby amended—

(1) there should be established, through the Intelligence Community, a program to report on every offer the intelligence community makes such offers;

(2) A description of the financial resources that the elements of the intelligence community would require to establish and initially carry out the program specified in paragraph (1); and

(3) in subsection (c) as redesignated—

(A) in paragraph (1), by striking “; and” and inserting “; and”;

(B) by redesigning subsections (d) through (h) as subsections (c) through (h), respectively; and

(c) Inspector general report.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App. 8H) is amended—

(1) by striking subsection (c); and

(2) by redesigning subsections (d) and (e) as subsections (g) and (h), respectively.

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 alternative to the offer of permanent residence within the United States to foreign individuals who are sources or cooperators in counterintelligence or other national security-related investigations.

The briefing shall address the following:

(1) The extent to which the Bureau may make such offers, whether independently or 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. 3508), and any other provision of law 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 required.—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 produce an intelligence assessment 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, nickel, zinc, or rare earth minerals, and other stores of value.

(4) Trade in textiles.

(5) Sales of conventional defense articles and services.

(6) Sales of controlled goods, ballistic missiles, and other associated items.

(7) Other types of manufacturing for export, as the Director of National Intelligence considers appropriate.

(8) The exportation of workers from North Korea in a manner intended to generate significant revenue, directly or indirectly, for use by the government of North Korea.

(9) The provision of nonhumanitarian goods such as food, agronomic devices and services by other countries.

(10) The provision of services, including basic goods 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 nonfinancial networks, including supply chain management, 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 services business, 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.

(1) 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, 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 energy sector, 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 an identification of any gaps 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 7(b) of the Public Interest Declassification Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note) is amended by striking "December 31, 2018" and inserting "December 31, 2021".

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) COVERED ENTITY.—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 infrastructures and cybersecurity incidents that could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

(3) "Exploit" means a software tool designed to take advantage of a security vulnerability.

(4) INDUSTRIAL CONTROL SYSTEM.—The term "industrial control system" means an operational technology used to measure, control, or manage industrial functions, and includes supervisory control and data acquisition systems, distributed control systems, and programmable logic or embedded controllers.

(5) NATIONAL LABORATORY.—The term "National Laboratory" has the meaning given in the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(b) PROGRAM.—The term "Program" means the pilot program established under subsection (b).

(c) FORM OF REPORT.—The report required under subsection (b) shall be submitted to the appropriate committees of Congress.

(d) REPORTS ON THE PROGRAM.—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) EXEMPTION 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 502 of title 5, United States Code, or any provision of any State, Tribal, or local 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) shall not lie or be maintained in any court; and

(2) VERSUS THE FEDERAL GOVERNMENT.—Nothing in this section subjects any covered entity to liability for not engaging in the voluntary activities authorized under subsection (b).

(g) AUTHORIZATION OF SPENDING.—

(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).

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 an approved computer security specialist or security researcher is temporarily
authorized to identify and report vulnerabilities within the information system of an agency or department of the United States in exchange for compensation.

(3) In general.—The term ‘information system’ has the meaning given that term in section 5012 of title 44, United States Code.

(b)Bug Bounty Program.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a strategic plan for 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 sector 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 RELATING TO THE NATIONAL INTELLIGENCE UNIVERSITY.

(a)CIVILIAN FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.—

(1) In general.—Section 1595(c) of title 10, United States Code, is amended by adding at the end the following:

‘‘(5) The National Intelligence University.’’.

(2) Compensation Plan.—The Secretary of Defense shall—

(A) establish a compensatory program for each position filled at any one time by a civilian employee who is employed as a full-time professor, instructor, or lecturer at the National Intelligence University on the date of the enactment of this Act an opportunity to net to be paid under titles within the information systems of the Department of Defense; and

(B) recommendations on the feasibility of initiating bug bounty programs at appropriate agencies and departments of the United States.

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 101; and

(3) by striking the item relating to section 113B and inserting the following new item:

‘‘Sec. 113B. Special pay authority for science, technology, engineering, or mathematics positions.’’;

(4) by striking the items relating to sections 202, 203, 204, 208, 209, 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)Amending title 5.—Sections 312 and 313 of title 5, United States Code, shall be applicable to the Department of Defense.

(c)Amendments.—

(1) in section 202—

(A) by inserting ‘‘Sec. 206’’ before ‘‘(a);’’ and

(B) in paragraph (1) of subsection (b), by moving the margins of such subparagraph 2 ems to the left;

(2) in section 203, by striking ‘‘(a);’’ and

(3) in section 205, by redesigning subsections (b) and (c) as subsections (a) and, respectively;

(4) in section 206, by striking ‘‘(a);’’

(5) in section 207, by striking ‘‘(c);’’

(6) in section 308, by adding ‘‘10-103, and 103(c)(7)’’ and inserting ‘‘section 102A(1);’’

(7) in section 309, by striking ‘‘the Act’’ and inserting ‘‘sections 101, 102, 103, and 214’’;

(8) in section 311, by striking ‘‘as subsection (a);’’

(9) in section 312, by striking ‘‘Sec. 113B’’ and inserting ‘‘sections 2, 113B and 214’’;

(10) in section 313, by striking ‘‘section 113B’’ and inserting ‘‘sections 2, 101, 102, 103, and 214 of this Act’’;

(11) by redesigning subsection 411 as section 312;

(12) in section 503, by striking ‘‘(c)’’

(13) in paragraph (5) of subsection (c)—

(A) by moving the margins of such paragraph 2 ems to the left; and

(B) by inserting ‘‘(a);’’

(C) in paragraph (6), by inserting ‘‘(a);’’

(D) by striking ‘‘(b)’’; and

(E) by striking ‘‘(c).’’;

(14) by striking ‘‘(a)’’ and inserting ‘‘(b)’’;

(15) by inserting ‘‘10-103, and 103(c)(7)’’ and inserting ‘‘sections 102A(1);’’

(16) in section 309, by adding ‘‘10-103, and 103(c)(7)’’ and inserting ‘‘sections 102A(1);’’

(17) by striking ‘‘the Act’’ and inserting ‘‘sections 101, 102, 103, and 214’’;

(18) in section 311, by striking ‘‘as subsection (a);’’

(19) in section 312, by striking ‘‘Sec. 113B’’ and inserting ‘‘sections 2, 101, 102, 103, and 214 of this Act’’;

(20) by redesigning subsection 411 as section 312;
(ii) by moving the margins of subparagraph (B) of such paragraph 2 ems to the left; and
(B) in paragraph (2) of subsection (d), by moving the margins of such paragraph 2 ems to the right.

(13) in subparagraph (B) of paragraph (3) of subsection (a) of section 504, by moving the margins of such paragraph 2 ems to the right.

SEC. 746. TECHNICAL AMENDMENTS RELATED TO THE DEPARTMENT OF ENERGY.

(a) National Nuclear Security Administration Act.—Section 3223(b) of the National Nuclear Security Administration Act (50 U.S.C. 2223(b)) is amended—
(1) by striking “Administration” and inserting “Department”;
(2) by inserting “Intelligence and” and after the Office of;
(3) by redesignating subparagraphs (G), (H), (I), (J), and (K) as subparagraphs (F), (G), (H), and (I), respectively;
(4) in paragraph (I), as so redesignated, by redesignating the margin of such subparagraph 2 ems to the left.

SEC. 747. SENSE OF CONGRESS ON NOTIFICATION OF SECTION 3233(b) OF NATIONAL SECURITY ACT OF 1947 OF NOTIFICATIONS TO UNITED NATIONS MISSION.

It is the sense of the Congress that the Secretary of Defense shall—
(1) consider whether there is a suitable, cost-effective, commercial capability available that can meet any or all of the Department's requirements;
(2) if a suitable, cost-effective, commercial capability is available as described in paragraph (1), determine whether it is in the national interest to develop a governmental intelligence capability is available as described in paragraph (1), and, if so, the likely cost and the cost-effectiveness of such capability;
(3) include, as part of the established acquisition requirements for the future acquisition of Department of Defense systems, the decision to procure a governmental intelligence capability whenever the Secretary determines that an appropriate combination of commercial and governmental intelligence assets is likely to be cheaper than a wholly governmental capability.

SEC. 748. SENSE OF CONGRESS ON CONSIDERATION OF ESPIONAGE ACTIVITIES.

It is the sense of the Congress that the Secretary of Defense, 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, shall—
(1) known and suspected espionage activities, consciousness constituting precursors to espionage, carried out by the individual against the United States, foreign allies of the United States, or foreign partners of the United States;
(2) the status of an individual as a known or suspected intelligence officer for a foreign adversary.

SEC. 749. SENSE OF CONGRESS ON WIKILEAKS.

It is the sense of Congress that WikiLeaks and the senior_Private WikiLeaks resemble a nonstate hostile intelligence service often abetted by state actors and should be treated as such a service by the United States.

SEC. 750. MR. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. EXTENSION OF POSTAGE STAMP FOR BREAST CANCER RESEARCH.

Section 414(b) of title 39, United States Code, is amended by striking “2019” and inserting “2027”.

SEC. 751. 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 title V, add the following:


(a) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall authorize the inclusion on the Vietnam Veterans Memorial Wall in the District of Columbia of the names of the soldiers who died on Flying Tiger Flight 739 when it crashed in the Pacific Ocean en route to Vietnam on March 16, 1962.

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

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

SA 752. Mr. BURR submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of 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 231(d)(3), after subparagraph (D), insert the following:

(E) An assessment of risk when considering foreign sources of foundational research of biotechnology for application by the Department.

SA 753. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 1086. POWERS OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION IN PERFORMANCE OF FUNCTIONS.

Section 20131(b)(1) of title 51, United States Code, is amended—

(1) by striking "425" and inserting "1325"; and

(2) by striking "not in excess of the rate of basic pay payable for level III of the Executive Schedule" and inserting "at a rate that does not exceed the per annum rate of salary of the Vice President of the United States under section 104 of title 5".

SA 754. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military 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. 3409. REPORT ON AMOUNTS AVAILABLE FOR CONTRACTED SHIP MAINTENANCE.

(a) In General.—If amounts authorized to be appropriated for fiscal year 2020 for operation and maintenance of the Department of Defense for the Navy to contract for maintenance, repair, or replacement of submarine cables are appropriated in the Other Procurement, Navy account, not later than November 1 of each fiscal year in which either of those conditions exist, the Secretary of the Navy shall submit to the congressional defense committees a report on the status of contracted ship maintenance conducted by the Secretary of Defense during the immediately preceding fiscal year.

(b) ELEMENTS.—The report required under subsection (a) shall include the following with respect to contracted ship maintenance included in the report:

(1) The name and hull number of the ship.

(2) The date of contract award.

(3) The period of performance for the contract.

(4) The contract type.

(5) The amount of funding awarded for the contract at the time of contract award.

(6) The maximum contract funding amount.

(7) The projected and actual dates and amounts of contract funding obligations and expenditures.

(8) The name and location of the contractor performing the maintenance.

(9) The scope of contracted work.

(10) A description of the effect on such maintenance activity of funds described in subsection (a) remaining available after September 30, 2020.

(11) A general assessment of and related recommendations with respect to private contracted ship maintenance funds remaining available for more than one year.

(12) Such other matters as the Secretary of the Navy considers appropriate.

SEC. 3408. REPORT ON CONTRACTED SHIP MAINTENANCE.

(a) REPORT REQUIRED.—Not later than November 1, 2019, the Secretary of Transportation shall, in consultation with the Secretary of Defense, submit to the appropriate committees of Congress a report on the contracts entered into by the Department of Transportation for the repair or replacement of submarine cables, including Government cables and commercial cables.

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

(1) A description and assessment of the threats to submarine cables.

(2) A description of current United States capabilities to install, maintain, and repair submarine cables described in subsection (a), including Government capabilities and private-sector capabilities.

(3) A description and assessment of any gaps in the capabilities referred to in paragraph (2).

(4) A description and assessment of options to address the gaps referred to in paragraph (3), including the establishment of a program for cable vessels modeled on the Maritime Security Program.

(5) Such recommendations as the Secretary of Transportation considers appropriate in light of the matters set forth in the report, including, if applicable, the postponement (per vessel) for a program for cable vessels modeled on the Maritime Security Program.

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

(d) DEFINITIONS.—In this section:

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

(A) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives.

(e) "Cable vessels" means any vessel as follows:

(A) A vessel that is classed as a cable ship or cable vessel by, and designed in accordance with the rules of, the American Bureau of Shipping, or another classification society accepted by the Secretary of Transportation.

(B) Any other vessel that is capable of installing, maintaining, and repairing submarine cables.

(f) The term "Maritime Security Program" means the program in connection with the Maritime Security Fleet under chapter 51 of title 46, United States Code.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 8 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate.

COMMITTEE ON INFRASTRUCTURE AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate.

COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate.

COMMITTEE ON EDUCATION, LABOR, AND PUBLIC WELFARE

The Committee on Education, Labor, and Public Welfare is authorized to meet during the session of the Senate.

COMMITTEE ON THE ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate.

COMMITTEE ON THE Senate...
COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, June 18, 2019, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, June 18, 2019, at 10:15 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 Tuesday, June 18, 2019, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, June 18, 2019, at 9:30 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, June 18, 2019, at 2:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON SECURITY

The Subcommittee on Security of the Committee on Commerce is authorized to meet during the session of the Senate on Tuesday, June 18, 2019, at 10:15 a.m., to conduct a hearing.

SUBCOMMITTEE ON THE CONSTITUTION

The Subcommittee on the Constitution of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, June 18, 2019, at a time to be determined, to conduct a hearing.

REQUESTING THE SECRETARY OF THE INTERIOR TO AUTHORIZE UNIQUE AND ONE-TIME ARRANGEMENTS FOR DISPLAYS ON THE NATIONAL MALL AND THE WASHINGTON MONUMENT DURING THE PERIOD BEGINNING ON JULY 16, 2019 AND ENDING ON JULY 20, 2019

Mr. MCCONNELL. Madam President, I ask unanimous consent that the joint resolution be considered read a third time and passed, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (H.J. Res. 60) was ordered to a third reading, was read the third time, and passed.

WOMEN VETERANS APPRECIATION DAY

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 235 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 235) designating June 12, 2019, as "Women Veterans Appreciation Day."

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Madam President, I further ask that the resolution be agreed to: the Booker amendment to the preamble at the desk be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 235) was agreed to.

The amendment (No. 750) was agreed to; the Booker amendment to the preamble, as amended, reads as follows:

S. Res. 235

WHEREAS, throughout all periods of the history of the United States, women have proudly served the United States to secure and preserve freedom and liberty for—

(1) the people of the United States; and

(2) the allies of the United States;

WHEREAS women have formally been a part of the United States Armed Forces since the establishment of the Army Nurse Corps in 1901, but have informally served since the inception of the United States military;

WHEREAS women veterans have unique stories and should be encouraged to share their recollections through the Veterans History Project, which has worked since 2000 to collect and share the personal accounts of wartime veterans in the United States; and

WHEREAS, by designating June 12, 2019, as "Women Veterans Appreciation Day," the Senate can—

(1) highlight the growing presence of women in the Armed Forces and the National Guard; and

(2) pay respect to women veterans for their dutiful military service: Now, therefore, be it

Resolved, That the Senate Designates June 12, 2019, as "Women Veterans Appreciation Day" to recognize the service and sacrifices of women veterans who have served valiantly on behalf of the United States.

ORDERS FOR WEDNESDAY, JUNE 19, 2019

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, June 19; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the Kacsmaryk nomination under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate at 6:29 p.m., adjourned until Wednesday, June 18, 2019, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:
FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO
ANDREW GEORGE BOSIG, OF OREGON, TO BE A MEMBER OF THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO FOR THE REMAINDER OF THE TERM EXPIRING AUGUST 30, 2019. (NEW POSITION)
JOSÉ ROQUE CABRERA, OF PUERTO RICO, TO BE A MEMBER OF THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO FOR THE REMAINDER OF THE TERM EXPIRING AUGUST 30, 2019. (NEW POSITION)
CARLOS M. GARCIA, OF MASSACHUSETTS, TO BE A MEMBER OF THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO FOR THE REMAINDER OF THE TERM EXPIRING AUGUST 30, 2019. (NEW POSITION)

THOMAS EDWARD BURKE
TERRY JOHN BRENNAN
JONATHAN LEE BINGHAM
MICHAEL D. BELARDO
GREGORY E. BARASCH
ELIZABETH A. BAKER
NATHAN PAUL AYSTA

UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:
GAYLAN A. GRAY

FORCE UNDER TITLE 10, U.S.C., SECTION 624:
JUDY A. RATTAN

TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 601 AND 8084:
MAJ. GEN. DAVID G. BELLON

RETURN OF THE ARMY TO THE GRADE INDICATED IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:
LT. GEN. BRYAN P. FENTON

FOR PUERTO RICO FOR THE REMAINDER OF THE TERM EXPIRING AUGUST 30, 2019. (NEW POSITION)
ARTHUR J. GONZALEZ, OF NEW YORK, TO BE A MEMBER OF THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO FOR THE REMAINDER OF THE TERM EXPIRING AUGUST 30, 2019. (NEW POSITION)
ANDY RIEGEL, OF CALIFORNIA, TO BE A MEMBER OF THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO FOR THE REMAINDER OF THE TERM EXPIRING AUGUST 30, 2019. (NEW POSITION)

IN THE ARMY
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

LT. GEN. RONALD J. PLACE
THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES TO PROVIDE SERVICE IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C. SECTIONS 12200 AND 12211:

COL. ROBERT T. WOOLBRIDGE II
IN THE MARINE CORPS
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, MARINE FORCES RESERVE, AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINES RESERVE WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 461 AND 484:

Maj. GEN. DAVID G. BELLON
IN THE AIR FORCE
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

Robert K. Rankin, Jr.
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

Judu A. Rattan
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

Robert B. Goss
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

Gaylana A. Gray
THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12200 AND 12212:

RANS ERIC ANNE
WENDY SUSAN AMARLO
NATHAN PAUL AYSTA
ELIZABETH A. BAKER
GREGORY R. BARASH
MICHAEL D. BELARDO
BRIAN A. BEER</request>
ANNUAL OBSERVANCE OF JUNETEENTH

HON. KATIE HILL
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Ms. HILL of California. Madam Speaker, I rise today to recognize the WOW Flower Project participating in the annual observance of Juneteenth.

Whereas the staff and volunteers of WOW Flower Project have agreed to devote their time, resources and energy to this united effort to bring attention to this important day of celebration.

Whereas Juneteenth is an annual observance on June 19th to remember when Union soldiers enforced the Emancipation Proclamation and freed all remaining enslaved people in Texas on June 19, 1865. This day is an opportunity for people to celebrate freedom and equal rights for the African Americans.

Whereas WOW Flower Project will hold a public Juneteenth Celebration with the goals of bringing our neighbors together to remember the millions of African Americans who suffered the evils of slavery and celebrate the community’s commitment to working toward a more fair and just society. Together, we honor the unbreakable spirit and countless contributions of generations of African Americans to the story of American greatness.

Whereas WOW Flower Project leads us today and every day in recommitting ourselves to defending the self-evident truth, boldly declared by our Founding Fathers, that all people are created equal.

On this day, we rise to declare June 19th, National Juneteenth Awareness Day. Dating back to 1865, Juneteenth is the oldest known celebration commemorating the ending of slavery in the United States. We are fortunate to have passionate, forward-thinking, dedicated organizations like the WOW Flower Project who work tirelessly to enact change and educate our community.

Therefore, let it be proclaimed the Antelope Valley declares that every 19th of June is the celebration commemorating the 50th Anniversary of the Stonewall Riots on June 21, 2019.

TRIBUTE FOR ELVIS DURAN AND ALEX CARR

HON. MAX ROSE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. ROSE of New York. Madam Speaker, I rise today to ask all of my colleagues to join me in honoring two outstanding individuals who share an unquestionable commitment to improving the lives of Staten Islanders and to supporting our borough’s LGBTQ community—2100’s Elvis Duran, and his fiancé, the Staten Island Zoo’s own Alex Carr.

If there’s one thing Staten Islanders know all too well, it’s sitting in traffic in the morning lis-

tening to the radio. The work that Elvis Duran does every day to make that commute just a little less grueling deserves recognition all by itself. But Elvis is so much more than a New York City radio legend. Whether he is contributing to the Robin Hood Foundation which fights poverty in New York City by supporting the LGBTQ community through his work with GLAAD and The Trevor Project, or generously supporting local Staten Island causes with his fiancé, Alex, Mr. Duran has continually shown a commitment to helping those in need.

Our borough is known for its sense of community and through it, the people who make it one of the best places to raise a family. It is that commitment to community and supporting our borough in ways, both big and small, that Alex has exemplified. When there is someone struggling—whether a close friend or stranger—there’s a good chance Alex will be there to help in some capacity. It’s who he is, and Staten Island has been made better because of his efforts.

And so it should be no surprise that when Staten Island’s own LGBTQ community needed help with a fundraiser, Elvis and his fiancé Alex went above and beyond to help out. They offered to do a dollar for dollar match of donations to the Staten Island Pride Center, raised awareness of the Pride Center’s work on social media, and helped raise over $25,000.

Their philanthropic efforts have impacted many lives, but there is nothing more powerful than individuals with large platforms sharing their stories and helping others feel accepted. Elvis and Alex have opened their lives to Staten Island, the City, and the country whether it’s through the Morning Show, the Staten Island Zoo, or just the extraordinary acts of kindness they have demonstrated time and time again.

Staten Island is a place where we look out for each other and where we never hesitate to help those in need. Few people embody that more than Elvis Duran and Alex Carr. For that reason, the Pride Center of Staten Island will be honoring Alex and Elvis at its celebration commemorating the 50th Anniversary of the Stonewall Riots on June 21, 2019.

Madam Speaker, today I ask my colleagues in the House to join me in recognizing Alex as everything a Staten Islander ought to be, Elvis Duran as an honorary Staten Islander and in thanking them for their many years of selfless and compassionate service to Staten Island, and all of New York City.

SONIA RAMIREZ

HON. DONALD NORCROSS
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. NORCROSS. Madam Speaker, today I rise to honor the staff, instructors, and mento-
s of the Montana Youth ChalleNGe Academy in Dillon for helping thousands of at-risk youth turn around their lives toward a more promising, productive future.

Celebrating its 20th year, the Montana Youth ChalleNGe Academy (MYCA) provides young Montanans from 16 to 18 the opportunity to develop academically and hone workforce and social skills in a secure, structured setting.

The 22-week program, sponsored by the Montana National Guard and the State of Montana, focuses on academics, responsibility, service, leadership, and health. Nearly 3,000 students have graduated from MYCA since 1999, with volunteer mentors supporting and guiding them following graduation.

Every cadet in the academy has a story of personal struggle and perseverance. Many
have faced circumstances that put them at risk of not completing high school. One such cadet is 17-year-old Crystal Whitedirt.

Placed in foster care as a child, Crystal struggled with learning disabilities. As a high school junior, she was informed she was unlikely to meet graduation requirements. Crystal decided to enter MYCA.

Though her first attempt at graduating MYCA was unsuccessful, she reentered the academy eleven months later. Through perseverance and the assistance provided by MYCA, Crystal graduated MYCA on June 15 as part of the academy’s 40th graduating class.

“People always told me it would be tough, but to push through and do things because you’ll have your family right beside you,” Crystal said. “I never knew what they meant. I never had that, but now I do. I never thought my family would be so big.”

Crystal plans on joining the Job Corps program. She hopes to someday enter the military and become a role model for her community.

Madam Speaker, for twenty years of helping Montana’s at-risk youth develop the skills and abilities they need to overcome challenges and turn their lives around, I recognize the staff, instructors, and mentors of the Montana Youth ChalleNGe Academy for their spirit of community. The Center offers educational programs and performances in dance and music as well as exhibits of fine arts and crafts in the community. The Center offers educational programs for people of all ages and skill levels, providing the community opportunities to share in the joy of the arts.

171 Cedar Arts Center gets its name from 171 Cedar Street in Corning, New York, the address of the old Knights of Columbus house where the Center was founded. Community members consisting of artists advocates, artists, and business entrepreneurs came together to form an organization to provide a place for artists and community members to come together, fostering artistic growth. From this foundation the Center has grown into the award-winning cultural hub that it is today.
HONORING JOHN SHACKFORD
HON. MIKE THOMPSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Mr. John Shackford for his contribution to our Napa Valley community as a local business owner and dedicated community member.

Mr. Shackford was born in Los Angeles, California, and received a Bachelor of Arts in Political Science from Whittier College. He served in the Air Force from 1951 to 1958 as a distinguished fighter pilot and is a Korean War veteran. Mr. Shackford married the late Ms. Donna Shackford and in 1960 they moved to Napa County.

For forty-three years, Mr. Shackford owned Shackford’s Kitchen Store, the beloved culinary store located in downtown Napa. The store employed countless people from our community and served local businesses, home chefs, and culinary students. Prior to establishing Shackford’s Kitchen Store, Mr. Shackford was the owner and chief head pilot at the Nut Tree in Vacaville from 1967 to 1974.

Mr. Shackford has been active in our community through the programs he and Ms. Shackford sponsored over the last thirty years. He sponsored Babe Ruth baseball teams, girls softball teams, Slow Pitch teams, 4-H, and Derby cars for kids. Mr. Shackford is a family oriented man and he has shown with his generosity and involvement that he considers Napa to be part of his family.

Madam Speaker, Mr. Shackford is an important member of our Napa County community. He is a kind and giving person who has served the people of Napa for over forty-three years. It is therefore fitting and proper that we honor him here today.

HONORING THE LIFE AND CAREER OF ROBERT A. GANLEY
HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. HIGGINS of New York. Madam Speaker, I rise today to honor the career and accomplishments of Robert A. Ganley, a local leader in the private sector who has played an influential role in the revitalization of the Buffalo-Niagara region, upon the occasion of his retirement.

For nearly 30 years, Robert Ganley has served as the President of Ivoclar Vivadent, a Buffalo-Niagara based dental technology business with global reach. The company is a wholly owned subsidiary of Ivoclar Vivadent AG, a Liechtenstein based company with subsidiaries in 25 countries, and employs about 3,500 people worldwide.

Under the excellent leadership of Mr. Ganley, the company has had an immense economic impact on Western New York, growing from roughly 20 employees in 1990 to about 230 today. Mr. Ganley has also overseen tremendous growth in the company’s sales, transforming it from a struggling company in the 1980s into a successful business with over 300 million dollars in sales today.

During his tenure at Ivoclar Vivadent, Mr. Ganley has sponsored numerous special initiatives to promote community outreach and mission, including Give Kids a Smile Day and the Wisdom Tooth Project. His main priority as the company’s president has always been giving back to the community and providing essential services to patients in need in Western New York and around the world.

Over the course of his career, Mr. Ganley has received numerous awards for his outstanding leadership and expertise in the field of dental technology. In 2013, he was inducted as an Honorary Trustee of the International College of Dentists, and he received the Visionary Award from the American College of Prosthodontics in 2018.

In March of this year, Business First awarded Mr. Ganley with the Excellence in Healthcare Award for his visionary leadership of Ivoclar Vivadent and his steadfast commitment to providing underserved populations with access to oral healthcare. This April, Mr. Ganley also received the Lifetime Achievement Award from the American Academy of Cosmetic Dentistry.

Madam Speaker, I thank you for allowing me a few moments to recognize Robert A. Ganley, a leader in the healthcare industry who has devoted his entire career to contributing to the growth and development of the Buffalo-Niagara region.

RECOGNIZING THE SAN ANGELO MUSEUM OF FINE ARTS EXHIBIT AT THE EUROPEAN UNION AMBASSADOR’S RESIDENCE IN WASHINGTON, D.C.
HON. K. MICHAEL CONAWAY
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. CONAWAY. Madam Speaker, I rise today to recognize the unveiling of over thirty pieces of art from the San Angelo Museum of Fine Arts in the European Union Ambassador’s Residence in Washington, D.C. on June 20, 2019.

These works date back to the 1920’s and represent a variety of creative approaches and artistic styles. The ceramic pieces, by renowned artists from all over the world, range from functional to sculptural to abstract, and the paintings and sculptures by Texas artists are hallmark examples of movements such as surrealism, American regionalism, minimalism, and impressionism.

Texas has a rich, multicultural history that is well-represented through this collection. I am incredibly honored to have these pieces from Texas’ 11th District on display in the Ambassador’s home where they will be viewed and appreciated by individuals from across the world. It is a historic feat for art from an American museum to be displayed in a foreign diplomatic residence, and I am proud to have San Angelo and Texan artists represented on the world stage in this way.

I would like to specifically recognize the artists from Texas who will have their work displayed: Randy Brodnax, Vorakit Chinoosawong, Fidencio Duran, Altha Leona Edge, Juan Granados, W. Frederick Jarvis, Chapman Kelley, Lebeth Lammers, Ben Livingston, Otis Lumpkin, Patricia Nix, and one of San Angelo’s very own world-renowned artists, René Alvarado, who also assisted with the transport and installation of the art.

This exhibition is a testament to the excellent leadership of the museum, and the commitment of the community to strive for excellence. I would like to thank the Director of the San Angelo Museum of Fine Arts, Howard Taylor, as well as the Museum’s board and staff members. I also want to recognize the European Ambassador to the United States, for his generosity in displaying these works and opening his home to Texas art and culture.
It is my privilege to recognize Molly Pinta for her extraordinary initiative—"recognizing Molly Pinta."
Mr. BERGMAN. Madam Speaker, it’s my honor to recognize Mike Sheehan, also known as “The Professor,” upon the occasion of the 900th episode of his program Words to the Wise on WTCM NewsTalk 580 in Traverse City, Michigan. Through his exceptional insight, expert knowledge of the English language, and unique ability to teach with accuracy and humor, The Professor has become an indispensable part of Michigan’s First District.

Born and raised in the southside of Chicago, Sheehan spent much of his early life as a monk in the Order of St. Augustine, being ordained as a priest in 1965. He would later leave the priesthood to become an instructor of English at the Olive-Harvey College of the City Colleges of Chicago, where he taught for 26 years and wrote three textbooks, a dictionary, and two novels. Upon retirement, he and his late wife decided to make Northern Michigan their home. Deciding to stay active in his retirement, Sheehan has served on the state of Michigan’s Commission on Services to the Aging and is a member of the Society of Midland Authors, the Dictionary Society of North America, the American Dialect Society, and Michigan Writers. He also received the Distinguished Senior of the National Cherry Festival award in 2013.

For the past 18 years Mike has also hosted a weekly radio show, Words to the Wise, on WTCM NewsTalk 580. This show, which is heard by listeners in 19 counties throughout Michigan, dives into the interesting, humorous, and sometimes bizarre world of grammar, spelling, punctuation, and etymology. His unique passion and sense of humor have resulted in his show being beloved by students, retirees, and everyone in between. The 900th episode of Words to the Wise will air live from the City Opera House in Traverse City, Michigan, on July 16.

Madam Speaker, it’s my honor to recognize “The Professor” for hitting the milestone of 900 episodes full of entertainment and education. Michiganders can take great pride in the unique passion and sense of humor that have resulted in his show being beloved by students, retirees, and everyone in between. The 900th episode of Words to the Wise will air live from the City Opera House in Traverse City, Michigan, on July 16.

HONORING EDGAR J. CURTIS FOR RECEIVING THE ORDER OF LINCOLN AWARD

HON. DARIN LAHOOD OF ILLINOIS IN THE HOUSE OF REPRESENTATIVES Tuesday, June 18, 2019

Mr. LAHOOD. Madam Speaker, I would like to recognize Edgar J. Curtis for receiving the Order of Lincoln award from the Office of the Governor. This prestigious award is the highest honor that the state of Illinois can present for professional achievement and public service.

Ed currently sits as the President and Chief Executive Officer of Memorial Health Systems in Springfield. He is also a member of the Southern Illinois University Board of Trustees, and a Southern Illinois University—Edwardsville School of Nursing Hall of Fame member. Throughout his professional career and philanthropic efforts, Ed has had tremendous impact on the medical community in Illinois.

Ed has always had a passion for helping others and improving the lives of those around him. Since junior high, he has wanted to make a difference in the lives of others. Ed attended Southern Illinois University—Edwardsville, where he received his bachelor’s degree in nursing. Later Ed earned an MBA from the University of Illinois at Champaign-Urbana, who also named him an Honorary Doctor of Humane Letters. After his schooling, Ed turned his focus to helping others, and has done just that throughout his career.

Again, I extend my sincere congratulations to Edgar J. Curtis for receiving the Order of Lincoln award.

HONORING MICHAEL NGUYEN

HON. TED S. YOHO OF FLORIDA IN THE HOUSE OF REPRESENTATIVES Tuesday, June 18, 2019

Mr. YOHO. Madam Speaker, I would like to bring attention to the unjust detention of an American citizen, Mr. Michael Phuong Minh Nguyen, in the Socialist Republic of Vietnam.

Mr. Nguyen was arrested on July 7, 2018 while visiting elderly relatives in Vietnam. He has since been held at the Phan Dang Luu Detention Center in Ho Chi Minh City. While the Vietnamese government still has not provided any evidence of wrongdoing that would justify his arrest, the Vietnamese government has confirmed they are charging Mr. Nguyen with allegedly violating Article 109 of Vietnam’s Penal Code, engaging in activity against the government.

I have worked with my colleagues in Congress, the Administration, our embassy personnel, as well as with Mr. Nguyen’s family, to encourage the government of Vietnam to find a fast, transparent, and fair resolution to this case. Unfortunately, Mr. Nguyen is still being held in Vietnam. It is disheartening that an American citizen be detained for such a prolonged time before a trial is held.

Over the past four decades, our two countries have built a strong relationship based on trade, trust and mutual respect. My hope is that we can continue this relationship without the distraction of these kind of events. I will continue to urge a just resolution for Mr. Nguyen until he can return to his family and friends in the United States.
CONGRATULATING THE QUAD CITI- 

dies Vet Center on 40 Years of Service

HON. CHERI BUSTOS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2019

Mrs. BUSTOS. Madam Speaker, I rise today to recognize the Quad Cities Vet Center on 40 years of assisting the veterans of this community. As a member of the House Appropriations Subcommittee on Military Construction and Veterans Affairs, I’m committed to serving the men and women who’ve worn our country’s uniform—making sure they have the resources they deserve and have earned.

The Quad Cities Vet Center was established in 1979 as a response to the lack of services that veterans received after the Vietnam War. Today, the center provides a wide range of social and psychological services, such as individual, group, marriage and family counseling. I am proud to represent a community that provides such essential services to veterans and their families, and I look forward to the continuation of their program. I join the Quad Cities community to celebrate this milestone and commend them on all of their efforts to improve the lives of those who have served our nation.

It is because of philanthropic services such as this that I am especially proud to serve Illinois’ 17th Congressional District. Madam Speaker, I would like to again formally congratulate the Quad Cities Vet Center on their 40th Anniversary and all that they do to enrich our community.

IN HONOR OF MS. SUE SWANN

HON. ROBERT J. WITTMAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2019

Mr. WITTMAN. Madam Speaker, I rise today in recognition of Ms. Sue Swann’s forty years of service to the Essex County Department of Social Security.

Ms. Swann was known as a diligent and determined employee who gave everyone she worked with countless reasons to admire her work ethic. Not only did she dedicate four decades of her life to the Department, but she worked three years in other state offices as well.

At work, she was frequently requested personally by clients for face-to-face meetings to discuss graduation entitled to them. She did her job with unmatched compassion and care. Over forty years, she decided to stay in her position and reject countless promotions. Had she chosen to move to other localities, she could have been a Benefit Program Specialist or 4 or 5, but because of the passion she has for what she did, she remained a Specialist.

Ms. Swann plans to go into retirement now after decades of her tremendous work, and I wish her the best of luck in her future endeavors.

Madam Speaker, I ask you to join me in honoring the service of this great woman, Ms. Sue Swann, to the people of Virginia’s 1st District, to the Commonwealth of Virginia, and to the entirety of our great nation. May God bless Sue and her family for her countless hours of labor in service to her country.

PERSONAL EXPLANATION

HON. F. JAMES SENSENBRENNER, JR.
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2019

Mr. SENSENBRENNER. Madam Speaker, due to illness, I was physically absent from the House of Representatives on June 10, 2019. On that day, I missed 3 recorded votes. I include in the Record how I would have voted had I been present for those votes.

On Roll Call No. 242 on the Passage of H.R. 542, I would have voted “Yea.” On Roll Call No. 243 on the Passage of H.R. 2599, I would have voted “Yea.” On Roll Call No. 244 on the Passage of H.R. 2590, I would have voted “Yea.”

CONGRATULATING RICH AND JUDY BUCHANAN

HON. RODNEY DAVIS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2019

Mr. DAVIS of Illinois. Madam Speaker, I rise today to congratulate Rich and Judy Buchanan of Bloomington, Illinois who were among the honorees named as 2019 History Makers by the McLean County Museum of History.

Rich’s career in public service started shortly after his marriage to Judy and spanned nearly fifty years. He was first appointed to the Regional Planning Commission in 1971 and shortly after was elected to the Bloomington City Council at the age of 31. He then served as Bloomington’s mayor from 1977 to 1985.

His final elected position was as a member of the McLean County Board from 2012 to 2017. Judy was also active in politics at nearly every level: her own husband’s campaign for mayor, state legislative races, congressional campaigns, and the campaign of former President George H.W. Bush, introducing him on his campaign stop in McLean County. Although, she is perhaps most well-known for her fierce advocacy on behalf of the Alzheimer’s Association. Having lost her own mother to the disease at a young age, she spent countless hours at the Illinois State Capitol bringing awareness to mental health issues and funding for Alzheimer’s centers across the state.

I am proud to call the Buchanans friends. They deserve to be recognized and thanked for their decades of leadership and service to their community.

Congratulations to Rich and Judy, on this wonderful accomplishment.

CELEBRATING THE 130TH ANNIVERSARY OF THE CITY OF MANISTEE FIRE STATION

HON. JACK BERGMAN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2019

Mr. BERGMAN. Madam Speaker, it is my honor to recognize the City of Manistee Fire Station upon the occasion of its 130th anniversary and designation as the “Oldest Continuously Manned Operating Fire Station” by Guinness World Records. Through its extraordinary history and commitment to the public good, the Manistee Fire Station has become an indispensable part of Michigan’s First District.

First constructed in 1889, the Manistee Fire Station has been manned continuously—24 hours a day, 7 days a week—ever since. The hundreds of firefighters that have served in the station’s 130 years have devoted themselves to protecting the lives and well-being of the residents of Manistee, and the impact of their heroism cannot be understated.

Efforts to receive recognition from Guinness World Records were spearheaded by Fred LaPoint, who first joined the fire department in 1979. The approval process required more than two years of verification and was only possible thanks to the tireless effort of community leaders like Mark Fedder, executive director of the Manistee County Historical Museum. The fire station was finally awarded the title of “Oldest Continuously Manned Operating Fire Station” on its 130th anniversary—the very first time Guinness World Records has ever made this award designation.

Madam Speaker, the celebration of the Manistee Fire Station’s 130th Anniversary and designation as the oldest continuously manned operating fire station is the perfect opportunity for us to appreciate its unique history, cultural impact, and significance to Northern Michigan. Michiganders can take immense pride in knowing that the First District is home to such an important landmark. On behalf of my constituents, I wish the City of Manistee Fire Station all the best in its future endeavors.

CELEBRATING THE LIFE OF RUPERT M. BARKOFF

HON. DOUG COLLINS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2019

Mr. COLLINS of Georgia. Madam Speaker, I rise today to celebrate the life and work of Rupert M. Barkoff, a leader in Atlanta and the franchise business community.

Rupert M. Barkoff was born May 7, 1948, in New Orleans, Louisiana, to Martha and Samuel Barkoff. He graduated from the Isidore Newman School in New Orleans and later went on to graduate from the University of Michigan Ann Arbor and the University of Michigan Law School.

The graduating from law school, Barkoff moved to Atlanta where he practiced law for 46 years with Kilpatrick Townsend and established himself as a prominent and beloved member of the firm. With his creation of the Fundamentals of Franchising program and book, Barkoff transformed the way in which lawyers new to franchising are introduced to the business model.

Known for his generosity of spirit and knowledge in franchisor and franchisee practices, Barkoff taught a franchise law course at the University of Georgia. He was devoted to his students and took a personal interest in each one. He even made a point of meeting with them individually to discuss their interests and mentor them toward their goals.
Barkoff was not only a mentor to his students, but also to so many involved with the franchise bar. Countless lawyers admired his leadership in guiding them through the franchising business model. Those who had the pleasure to work with Barkoff will remember him for his gentleness, intelligence, and great sense of humor.

As an early pioneer of franchise law, Barkoff laid the fabric of franchising in Atlanta. The Southeast Franchise Forum, of which he was a founding member, is a regional organization in Atlanta as part of the International Franchise Association established to foster professional relationships throughout the franchise community and to enhance the reputation of franchising through the exchange of information, ideas and solutions.

Our home state of Georgia is a thriving franchise hub containing 26,500 establishments, creating 275,800 jobs, and producing $22.7 billion in economic output. There are 345 franchise companies headquartered in Georgia today, and Barkoff directly contributed to this economic boom in our city by ensuring these well-known brands operated with the highest standards of compliance in franchising.

Rupert will always be remembered by his family, friends, and colleagues as a trusted friend, a great mind, and a devoted family man. His children and his grandchildren, who affectionately call him “Umps,” cherished the many Michigan football games they attended together. He is survived by his wife Susan, his two sisters, his three children and their spouses, and his many grandchildren, nieces and nephews. Our condolences go out to Rupert’s family and friends.

HONORING THE WORK OF LONNIE G. BUNCH III

HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Ms. NORTON. Madam Speaker, I rise today to ask the House of Representatives to join me in recognizing Lonnie G. Bunch III in his new position as the Secretary of the Smithsonian Institution, one of the highest positions in the museum world. He will be the 14th Secretary of the Smithsonian, responsible for 19 museums, nine research centers and the National Zoo, together employing 7,000 people.

In 2002, Bunch was appointed by President George W. Bush to the Committee for the Preservation of the White House and re-appointed by President Barack Obama in 2010. In 2005, he was named one of the most influential museum professionals of the 20th century by the American Association of Museums.

Madam Speaker, I ask the House of Representatives to join me in recognizing Lonnie G. Bunch III for his many achievements and in congratulating him on his new role as the Secretary of the Smithsonian Institution.

HONORING AVIS WARNER, LEON SMITH, JOHN PLANTIER AND PATRICE CIANCI FOR THEIR DEDICATED COMMUNITY SERVICE AND FOR BEING AWARDED SENIOR OF THE YEAR

HON. ELISE M. STEFANIK
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Ms. STEFANIK. Madam Speaker, I rise today to recognize four North Country residents for their selfless dedication to their communities. Each of these individuals was awarded the Senior of the Year recognition by their respective Warren and Hamilton County Offices at their annual Office for the Aging Luncheon on June 7, 2019.

Avis Warner of Hamilton County has been a tireless volunteer with the Wells Volunteer Ambulance Corps where she currently serves as its Capitol. Additionally, she volunteers with the Wells Senior Club, the Wells Volunteer Fire Company, the Wells Improvement Club, the Wells Fish and Game Club, the Wells Snowmobile Club, The Wells Central School Board and The Wesleyan Church.

John Plantier of Warren County has served the Hadley Luzerne Library for over two decades. He spent many of those years as the library’s President and as a member of the board. As President, he exhibited a very hands-on management style that saw him perform tasks at all levels as often presiding over board meetings as he was helping with routine maintenance. He was always ready to literally go the extra mile: giving rides to doctors’ appointments to those without transportation, and delivering books and meals to homebound residents. John is also a member of the Lions Club and the Hadley Luzerne Historical Society.

Patrice Cianci volunteers with the Bolton Health Committee to deliver meals to homebound seniors in the northern Lake George area. She also helps deliver gifts to these seniors during the holiday season. Patrice has made herself a crucial asset to the team at the Warren County Office for the Aging that helps ensure seniors around the Lake George area can comfortably remain in their homes.

These four individuals have made a lasting impact on their communities and have positively impacted the lives of many North Country residents. I am proud to serve such amazing and generous people in Congress and I hope to live up to their example on day. On behalf of New York’s 21st Congressional District, I would like to thank Patrice, John, Lee, and Avis for their service to the North Country and congratulate them on this well-deserved award.

HONORING OONI ADEYEYE ENITAN BABTUNDE OGUNWUSI, OJAJA II

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. THOMPSON of Mississippi. Madam Speaker, I rise today to honor His Imperial...
Majesty Ooni Adeyeye Enitan Babtunde Ogunwusi, Ojaaj II, Ooni of Ife.

Ojaaj II is a Nigerian monarch; since coronation he has been able to harmonize the relationships between all the Yoruba Royal leaders and with the Nigerian government. He is a member of the Institute of Chartered Accountants of Nigeria. He is an Associate Accounting Technician. Oba Ogunwusi is a certified member of the Institute of Directors. He is also a member of the Global Real Estate Institute. He holds multiple honorary doctorate degrees: one in Public Administration from the University of Nigeria, Nsukka and another in Law from Igbinedion University. Oba Ogunwusi is the Chancellor at the University of Nigeria, Nsukka.

He has been described as an astute entrepreneur driven by the need to turn impossibilities into possibilities. He is an advocate for the empowerment and emancipation of women and young people. He is a renowned philanthropist who is committed to humanity and an advocate for the less privileged.

Madam Speaker, I ask my colleagues to join me in recognizing His Imperial Majesty Ooni Adeyeye Enitan Babtunde Ogunwusi, Ojaaj II for his endeavors to the citizens of Nigeria and for visiting the “Jewel of the Delta,” Mound Bayou, MS.

PERSONAL EXPLANATION

HON. F. JAMES SENSENBRENNER, JR.
OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2019

Mr. SENSENBRENNER. Madam Speaker, due to illness, I was physically absent from the House of Representatives on June 12, 2019. On that day, I missed 46 recorded votes. I include in the RECORD how I would have voted had I been present for those votes.

On Roll Call No. 249 on the Motion to Adjourn, I would have voted “Yea.”

On Roll Call No. 250 on the Motion to Adjourn, I would have voted “Yea.”

On Roll Call No. 251 on the Passage of Amendment No. 2 offered by Mr. MCGOVERN (D–MA), I would have voted “Yea.”

On Roll Call No. 252 on the Passage of Amendment No. 4 offered by Ms. SHALALA (D–FL), I would have voted “Nay.”

On Roll Call No. 253 on the Passage of Amendment No. 5 offered by Mr. DESAULNIER (D–CA), I would have voted “Yea.”

On Roll Call No. 254 on the Passage of Amendment No. 6 offered by Mr. DESAULNIER (D–CA), I would have voted “Yea.”

On Roll Call No. 255 on the Passage of Amendment No. 7 offered by Mr. DESAULNIER (D–CA), I would have voted “Yay.”

On Roll Call No. 256 on the Passage of Amendment No. 8 offered by Mr. DESAULNIER (D–CA), I would have voted “Yea.”

On Roll Call No. 257 on the Passage of Amendment No. 11 offered by Mr. SMITH (R–NJ), I would have voted “Yea.”

On Roll Call No. 258 on the Passage of Amendment No. 13 offered by Mr. SCOTT (D–VA), present, I would have voted “Nay.”

On Roll Call No. 259 on the Passage of Amendment No. 13 offered by Mr. DEFAZIO (D–OR), I would have voted “Yea.”

On Roll Call No. 260 on the Passage of Amendment No. 14 offered by Ms. JACKSON LEE (D–TX), I would have voted “Yea.”

On Roll Call No. 261 on the Passage of Amendment No. 15 offered by Ms. JACKSON LEE (D–TX), I would have voted “Nay.”

On Roll Call No. 262 on the Passage of Amendment No. 17 offered by Mr. PASCRELL (D–NJ), I would have voted “Yea.”

On Roll Call No. 263 on the Passage of Amendment No. 17 offered by Mr. DAVIS (D–IL), I would have voted “Yea.”

On Roll Call No. 264 on the Ordering of the Previous Questions I would have voted “Nay.”

On Roll Call No. 265 on the Adoption of H. Res. 436, I would have voted “Nay.”

On Roll Call No. 266 on the Passage of Amendment No. 1 offered by Mr. COLE (R–OK), I would have voted “Yea.”

On Roll Call No. 267 on the Passage of Amendment No. 9 offered by Mrs. ROBY (R–AL), I would have voted “Yea.”

On Roll Call No. 268 on the Passage of Amendment No. 18 offered by Mr. BUCHANAN (R–FL), I would have voted “Nay.”

On Roll Call No. 269 on the Passage of Amendment No. 19 offered by Mr. LANGEVIN (D–RI), I would have voted “Yea.”

On Roll Call No. 270 on the Passage of Amendment No. 20 offered by Mr. FOSTER (D–IL), I would have voted “Nay.”

On Roll Call No. 271 on the Passage of Amendment No. 21 offered by Mr. FOSTER (D–IL), I would have voted “Yea.”

On Roll Call No. 272 on the Passage of Amendment No. 22 offered by Mr. FOSTER (D–IL), I would have voted “Yea.”

On Roll Call No. 273 on the Passage of Amendment No. 23 offered by Mr. FOSTER (D–IL), I would have voted “Yea.”

On Roll Call No. 274 on the Passage of Amendment No. 24 offered by Mr. SCHIFF (D–CA), I would have voted “Yea.”

On Roll Call No. 275 on the Passage of Amendment No. 25 offered by Mr. MCKINLEY (R–WV), I would have voted “Yea.”

On Roll Call No. 276 on the Passage of Amendment No. 26 offered by Mr. BUTTERFIELD (D–NC), I would have voted “Yea.”

On Roll Call No. 277 on the Passage of Amendment No. 27 offered by Mr. JOHNSON (R–OH), I would have voted “Yea.”

On Roll Call No. 278 on the Passage of Amendment No. 28 offered by Ms. MOORE (D–WI), I would have voted “Yea.”

On Roll Call No. 279 on the Passage of Amendment No. 29 offered by Ms. MOORE (D–WI), I would have voted “Yea.”

On Roll Call No. 280 on the Passage of Amendment No. 32 offered by Ms. MATSU (D–CA), I would have voted “Yea.”

On Roll Call No. 281 on the Passage of Amendment No. 33 offered by Mr. BARR (R–KY), I would have voted “Yea.”

On Roll Call No. 282 on the Passage of Amendment No. 34 offered by Mr. CLEAVER (D–MO), I would have voted “Yea.”

On Roll Call No. 283 on the Passage of Amendment No. 36 offered by Ms. CASTOR (D–FL), I would have voted “Nay.”

On Roll Call No. 284 on the Passage of Amendment No. 36 offered by Mr. HILL, FRENCH (R–AK), I would have voted “Yea.”

On Roll Call No. 285 on the Passage of Amendment No. 38 offered by Mr. HILL, FRENCH (R–AK), I would have voted “Yea.”

On Roll Call No. 286 on the Passage of Amendment No. 39 offered by Ms. PRESSLEY (D–MA), I would have voted “Yea.”

On Roll Call No. 287 on the Passage of Amendment No. 40 offered by Mr. KHANNA (D–CA), I would have voted “Nay.”

On Roll Call No. 288 on the Passage of Amendment No. 41 offered by Mr. RICHMOND (D–LA), I would have voted “Nay.”

On Roll Call No. 289 on the Passage of Amendment No. 42 offered by Mr. BANKS (R–IN), I would have voted “Yea.”

On Roll Call No. 290 on the Passage of Amendment No. 43 offered by Mr. KEATING (D–MA), I would have voted “Yea.”

On Roll Call No. 291 on the Passage of Amendment No. 44 offered by Mrs. MILLER (R–WV), I would have voted “Nay.”

On Roll Call No. 292 on the Passage of Amendment No. 45 offered by Mr. CICILLINE (D–RI), I would have voted “Nay.”

On Roll Call No. 293 on the Passage of Amendment No. 46 offered by Mr. BEA (D–CA), I would have voted “Yea.”

On Roll Call No. 294 on the Passage of Amendment No. 47 offered by Mr. CASTRO (D–TX), I would have voted “Nay.”

JOSEPH M. LANE AMERICAN LEGION POST 136 CENTENNIAL

HON. JOSH GOTTHEIMER
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2019

Mr. GOTTHEIMER. Madam Speaker, I rise today to mark the centennial celebration of the American Legion. On March 15, 1919, the American Legion was founded in Paris, France by U.S. military personnel in the aftermath of World War I. Today, 100 years later, The American Legion is the world’s largest veterans’ organization and has been at the forefront of efforts to improve the lives of veterans including the Department of Veterans Affairs, the creation of the U.S. Flag Code, and passage of the G.I. Bill.

The irreplaceable impact of the American Legion continues 100 years later. Every year, The American Legion provides assistance on more than $181,000 VA claims and cases, awards more than $4 million in scholarships, and is the nation’s single largest donor of blood.

Specifically, I would like to recognize the Joseph M. Lane American Legion Post 136 in my District in Lodi, New Jersey. The inaugural meeting of what would today become the Joseph M. Lane American Legion Post 136 was held on September 9, 1919, at the Liberty Street Fire House in Lodi. The Post’s namesake was Lodi resident, United States Army Private Joseph M. Lane, who died in the service in France.

As the Representative for the Fifth Congressional District of New Jersey, I am proud to recognize the Joseph M. Lane American Legion Post 136 for its countless contributions to the Lodi community and its veterans.

Madam Speaker, I ask my colleagues to join me in recognizing the American Legion for reaching this amazing milestone and look forward to many great years ahead.
HONORING THE SERVICE OF CORPORAL DAVID WOLMAN

HON. LEE M. ZELDIN
NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. ZELDIN. Madam Speaker, I rise today to honor the life and service of a distinguished New Yorker and proud World War II Veteran, Corporal David Wolman of the 412th Air Service Group. Born in Brooklyn, New York, Mr. Wolman began his life of service to our nation in 1942, when he elected to pursue a job in air traffic operations with the U.S. military. He served as an Air Traffic Controller, assisting with operations during the D-Day invasion of Normandy.

Corporal Wolman began his service by training across the United States, starting on Long Island at Camp Upton. After months of specialized training he was stationed on the Thoro Abbey Field in England, where he would communicate with pilots of the 8th Army Air Force, 100th Bomb Group. Corporal Wolman communicated with pilots before, during, and after missions, directing them during takeoff and landing, and getting returning planes any desperately needed emergency services upon landing. In addition to serving his country, Corporal Wolman was a servant of his faith, helping conduct Jewish services upon landing. In addition to serving our country, Corporal Wolman was a servant of his faith, helping conduct Jewish services upon landing.

Coral Wolman was with the 100th Bomb Group through some of their most difficult operations, on the October 10, 1943, mission to Munster, Germany. Corporal Wolman’s proudest and most memorable experience during his time at Thoro Abbots came on June 6, 1944—D-Day. He worked tirelessly for three days to ensure air traffic operations during that crucial turning point in history went smoothly. Returning home, Corporal Wolman continued to pursue his passion, serving several years as an Air Traffic Control Specialist with the Federal Aviation Administration. Corporal Wolman remained a loyal friend, always keeping in touch with his former Lieutenant, James Pound. He was also a loyal husband and father, married to his wife Gladys for 66 years.

Corporal David Wolman is a distinguished American hero, dedicated to his family, his faith, and his country. For his service to our nation, we will be forever grateful.

HONORING JIM SELLS AND HIS 40 YEAR CAREER

HON. RICHARD HUDSON
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. HUDSON. Madam Speaker, I rise today to honor Jim Sells on his 40 years of service to our community as Emergency Management Administrator for the City of Concord, located in North Carolina’s Eighth Congressional District. Over the last 40 years, Jim has made countless contributions to our area. He started his career in 1979 as a volunteer firefighter for the Concord Fire Department and is retiring on July 1st as the Emergency Management Coordinator. His strong character and leadership enabled him to advance within the City of Concord Fire Department, culminating as Emergency Management Coordinator.

Jim has earned the reputation for leading the vital improvements to the City of Concord’s emergency response infrastructure. Through his leadership, he developed the initial Concord Emergency Management Ordinance which created the division of Emergency Management within the Concord Fire Department. Exemplary of his passion for service, Jim created the City’s first emergency operations plan and has saved countless lives. In honor of his tireless innovations, he was recognized by the Executive Steering Committee for the Democratic National Convention in 2012. The City of Concord now stands as a premier model of emergency management and readiness across the state of North Carolina.

Jim has led by example over the years and is someone for whom I have everlasting respect and admiration. I know I speak for everyone in the community when I say we are truly grateful for all of his service and cannot thank him enough. I would like to offer my sincerest appreciation and wish him a long and happy retirement.

Madam Speaker, please join me today in honoring Jim Sells on his 40 years of service to our community.

RECOGNIZING WILLIAM GULLIFORD

HON. JOHN H. RUTHERFORD
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. RUTHERFORD. Madam Speaker, I rise today to recognize City Councilman William Gulliford of Jacksonville, Florida, who is retiring after serving as Atlantic Beach Mayor, Atlantic Beach Commissioner, and President of the Jacksonville City Council. Today we honor Bill’s outstanding public service to our community.

Aside from his role in local government, Bill is also a longtime business owner who is sincerly appreciated and respected for his contributions to our community. He is a respected and honorable, collegial leader who is known for bringing people in government and the private sector together to solve problems. Most recently, Bill worked to focus the City’s attention on the opioid crisis and worked with numerous partners on solutions. This is just one example of his leadership and value to our community.

Besides his electoral contributions, Bill is a founding Board Member of Habitat for Humanity of the Jacksonville Beaches, and past president of the Beaches Boys Club, the Beaches Quarterback Club and the Rotary Club of Mandarin. He presently is a member of the Oceanside Rotary Club and has received numerous awards, including the Charles D. Webb for Extraordinary Commitment to Public Service and the Mary L. Singleton for his work on City Council.

Bill has also served in both President Carter’s and President Reagan’s Small Business Councils. Bill has been a resident of Jacksonville since 1954 and of Atlantic Beach since 1972. He graduated from Bishop Kenny High School and the University of Florida. Bill and his wife Harriet have four children, Trip, Thad, Katherine and Elizabeth, and nine grandchildren.

His dedication to his community, his strong work ethic, and his generosity of spirit are reasons to celebrate Bill Gulliford’s public life and to honor his service.

RECOGNIZING JIM SELLS AND HIS 40 YEAR CAREER

HON. RICHARD HUDSON
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. HUDSON. Madam Speaker, I rise today to honor Jim Sells on his 40 years of service to our community as Emergency Management Administrator for the City of Concord, located in North Carolina’s Eighth Congressional District. Over the last 40 years, Jim has made countless contributions to our area. He started his career in 1979 as a volunteer firefighter for the Concord Fire Department and is retiring on July 1st as the Emergency Management Coordinator. His strong character and leadership enabled him to advance within the City of Concord Fire Department, culminating as Emergency Management Coordinator.

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Madam Speaker, please join me today in honoring Jim Sells on his 40 years of service to our community.

RECOGNIZING THE AUBURN HIGH SCHOOL GIRLS SOCCER TEAM

HON. H. MORGAN GRIFFITH
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. GRIFFITH. Madam Speaker, it is my honor to recognize the Auburn High School Girls Soccer Team.
girls soccer team for earning a class 1 state title on June 8, 2019. The girls soccer team earned their championship, the first conducted by the Virginia High School League for Class 1 soccer, in a close match with Stonewall Jackson-Quicksburg at Christiansburg High School.

The state championship clinched an 18–1 season for the Eagles. It was a close-run thing on a windy and rainy day, with a tie broken after four sudden victory periods and nine successful penalty kicks alternating between each team. The Eagles competed with discipline, skill, and coolness under pressure. Congratulations are in order for Coach Ashley Moreno and the team, especially its seniors. Auburn's parents, teachers, students, and fans also should take pride in this wonderful accomplishment.

CONGRATULATING THE BIG SANDY WILDCATS ON THEIR BASEBALL STATE CHAMPIONSHIP VICTORY

HON. BRIAN BABIN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. BABIN. Madam Speaker, I rise today to congratulate Big Sandy High School on winning the University Interscholastic League (UIL) baseball state championship for the 2018–2019 school year.

On Thursday, June 6, 2019, Big Sandy High School claimed their second UIL Class 2A baseball state title with a 7–1 win over Linden-Kildare High School. This triumph marks the end of an incredible four-year run for nine seniors: Graden Emmons, Bryan Duff, Brandon Hendrix, Broch Holmes, McKane Maxwell, Garret Lilley, Brayden Lennox, Seth Lalumandier, and Bryan Moseley. Since Big Sandy Head Coach Jacob Hooker arrived four years ago, these senior Wildcats were first a freshman year, then state runners-up their sophomore year, and now are back-to-back state champions of Class 2A baseball.

Big Sandy High School ends a season to remember with a record of 36–4, losing only one Class 2A game all year to Refugio High School during the playoffs. They are only the 19th school in Texas history to win the baseball state championship two years in a row. I would like to personally recognize each student as well as their coaches. It is an honor to represent these young men in Congress, and I am so elated to say that they have made our community so proud.

I wish each of these talented athletes continued success on and off the field. Go Wildcats.

CALLING ON THE SOCIALIST REPUBLIC OF VIETNAM TO ENSURE A FAIR TRIAL FOR MICHAEL NGUYEN

HON. HARLEY ROUDA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. ROUDA. Madam Speaker, I rise today to highlight the case of Michael Nguyen, an American citizen and Orange County resident who has been imprisoned by the Vietnamese government for nearly a year.

Mr. Nguyen is a husband, a father, and a leader in his community. He has lived his life in the United States in accordance with our laws, and he owns a small business where he works to provide for his wife and four daughters.

For the past eleven months, Mr. Nguyen has been held at the Phan Dang Luu Detention Center in Ho Chi Minh City, where he has not been allowed to contact family or friends. Mr. Nguyen was held without charge until recently, when the charges against him were announced and a trial was scheduled for June 24th and 25th.

As a signatory to the International Covenant on Civil and Political Rights, Vietnam must uphold its commitment to the rights to due process and a fair trial.

I join my colleagues in calling upon the Socialist Republic of Vietnam to uphold their international commitment to human rights by ensuring a fair trial for Michael Nguyen so that he may be reunited with his family.

HONORING TUCSON’S NATIONAL HISTORY DAY WINNERS

HON. RAÚL M. GRIJALVA
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. GRIJALVA. Madam Speaker, I rise today in honor of Tucson, Arizona’s four students who won first place at the National Endowment for the Humanities’ National History Day contest. The young history buffs, Sean Choudhry, Elias Rice-Bensch, Zia Rice-Bensch, and Keona Walien all attend the Accelerated Learning Laboratory in my district. Their website Radium Girls: From Jaw-Dropping Discovery to Glowing Triumph won the top prize in the contest that featured more than 3,000 students from across the country.

National History Day began in the 1970s and is the culmination of a yearlong academic program for students in grades 6 through 12 to engage in historical research. Students produce essays, exhibitions, films, performances, or websites to enter into local and state competitions. State winners move on to compete in the national finals at the University of Maryland at College Park. The National Endowment for the Humanities has been a sponsor and partner of National History Day for more than 30 years.

The theme for this year’s competition was “Triumph and Tragedy in History” and more than a half million students submitted entries. On their website, Sean, Elias, Zia, and Keona state, “The radium girls were young factory workers who unknowingly consumed lethal amounts of radium, often resulting in slow, painful deaths. Despite their tragic circumstances, their desire for change and persistence in court caused revolutionary change to workplace safety regulations and sparked monumental scientific advancements regarding radium and radioactivity.”

The students go on to document how radium was commonly used and recommended. At the focus of their website is the story of the women who, at the start of the 20th century, were exposed to high levels of radium in their work as they painted watch dials. Such exposure proved quickly fatal and resulted in physical deformities and cancer. The legal battles that followed were tumultuous and provided minor relief for the women who had been exposed to radium. Their legacy, however, lives on today as workplace protections continue to be a focus on Capitol Hill.

These four incredible students have demonstrated truly admirable talent and skill in their deep dive into history. I am moved by their desire to shed light on an overlooked and long-forgotten story that still resonates today. I want to congratulate Sean, Elias, Zia, Keona, their families, and the educators who have helped them get where they are today. I expect great things from each of them in the near future and look forward to the positive impact they will have on our district and abroad.

HAPPY 89TH BIRTHDAY TO RICHARD G. BRISTOL

HON. JOE CUNNINGHAM
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 2019

Mr. CUNNINGHAM. Madam Speaker, I rise today to wish my friend, Richard G. Bristol, a happy 89th birthday. I hope Richard is enjoying his special day at his new home in Vero Beach, Florida with a properly chilled Sam Adams. Lots of love and warmest wishes from everyone in the Cunningham clan.
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3631–S3805

Measures Introduced: Seventeen bills were introduced, as follows: S. 1875–1891. Pages S3651–52

Measures Passed:

Authorizing unique and one-time arrangements for displays on the National Mall and Washington Monument: Senate passed H.J. Res. 60, requesting the Secretary of the Interior to authorize unique and one-time arrangements for displays on the National Mall and the Washington Monument during the period beginning on July 16, 2019 and ending on July 20, 2019. Page S3804

Women Veterans Appreciation Day: Committee on the Judiciary was discharged from further consideration of S. Res. 235, designating June 12, 2019, as “Women Veterans Appreciation Day”, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto:

McConnell (for Booker/Blackburn) Amendment No. 750, to amend the preamble. Page S3804

Measures Considered:

Proposed Transfer of Certain Defense Articles and Services: Senate began consideration of the motion to discharge the Committee on Foreign Relations of S.J. Res. 36, providing for congressional disapproval of the proposed transfer to the Kingdom of Saudi Arabia, the United Kingdom of Great Britain and Northern Ireland, the Kingdom of Spain, and the Italian Republic of certain defense articles and services. Pages S3633–37

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13219 of June 26, 2001, with respect to the Western Balkans; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–20) Page S3651

Kacsmaryk Nomination—Cloture: By 52 yeas to 44 nays (Vote No. EX. 168), Senate agreed to the motion to close further debate on the nomination of Matthew J. Kacsmaryk, to be United States District Judge for the Northern District of Texas. Page S3640

A unanimous-consent agreement was reached providing that at approximately 9:30 a.m., on Wednesday, June 19, 2019, Senate resume consideration of the nomination, post-cloture, under the order of Thursday, June 13, 2019. Page S3804

Winsor Nomination—Cloture: By 54 yeas to 42 nays (Vote No. EX. 169), Senate agreed to the motion to close further debate on the nomination of Allen Cothrel Winsor, to be United States District Judge for the Northern District of Florida. Pages S3640–41

Cain, Jr. Nomination—Cloture: By 76 yeas to 20 nays (Vote No. EX. 170), Senate agreed to the motion to close further debate on the nomination of James David Cain, Jr., to be United States District Judge for the Western District of Louisiana. Page S3641

Guidry Nomination—Cloture: Senate resumed consideration of the nomination of Greg Gerard Guidry, to be United States District Judge for the Eastern District of Louisiana. Pages S3642–47

During consideration of this nomination today, Senate also took the following action:

By 53 yeas to 43 nays (Vote No. EX. 171), Senate agreed to the motion to close further debate on the nomination. Page S3641

Nomination Confirmed: Senate confirmed the following nomination:

By 59 yeas to 37 nays (Vote No. EX. 167), Sean Cairncross, of Minnesota, to be Chief Executive Officer, Millennium Challenge Corporation. Pages S3637–40, S3805

During consideration of this nomination today, Senate also took the following action:

By 59 yeas to 37 nays (Vote No. EX. 166), Senate agreed to the motion to close further debate on the nomination. Page S3639

Nominations Received: Senate received the following nominations:

Andrew George Biggs, of Oregon, to be a Member of the Financial Oversight and Management
Board for Puerto Rico for the remainder of the term expiring August 30, 2019.

Jose Baldomero Carrion, of Puerto Rico, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019.

Carlos M. Garcia, of Massachusetts, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019.

Arthur J. Gonzalez, of New York, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019.

Jose R. Gonzalez, of New York, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019.

Ana Matosantos, of California, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019.

David Skeel, of Pennsylvania, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019.

3 Army nominations in the rank of general.
1 Marine Corps nomination in the rank of general.
Routine lists in the Air Force, Army, Marine Corps, and Navy.

Executive Reports of Committees: Page S3651
Additional Cosponsors: Pages S3652–58
Statements on Introduced Bills/Resolutions: Page S3658
Additional Statements: Pages S3650–51
Amendments Submitted: Pages S3658–S3803
Authorities for Committees to Meet: Pages S3803–04

Record Votes: Six record votes were taken today. (Total—171)

Adjournment: Senate convened at 10 a.m. and adjourned at 6:29 p.m., until 9:30 a.m. on Wednesday, June 19, 2019. (For Senate’s program, see the remarks of the Majority Leader in today’s RECORD on page S3804.)

Committee Meetings
(Committees not listed did not meet)

BUSINESS MEETING
Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Thomas Peter Feddo, of Virginia, to be Assistant Secretary of the Treasury for Investment Security, Ian Paul Steff, of Indiana, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, Michelle Bowman, of Kansas, to be a Member of the Board of Governors of the Federal Reserve System, Paul Shmotolokha, of Washington, to be First Vice President of the Export-Import Bank of the United States, and Allison Herren Lee, of Colorado, to be a Member of the Securities and Exchange Commission.

TERRORISM RISK INSURANCE PROGRAM
Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the reauthorization of the Terrorism Risk Insurance Program, after receiving testimony from Baird Webel, Specialist in Financial Economics, Congressional Research Service, Library of Congress; and Tarique Nageer, Marsh, and Howard Kunreuther, University of Pennsylvania Wharton School Risk Management and Decision Processes Center, both of New York, New York.

DRONE SECURITY
Committee on Commerce, Science, and Transportation: Subcommittee on Security concluded a hearing to examine drone security, focusing on enhancing innovation and mitigating supply chain risks, after receiving testimony from Angela H. Stubblefield, Deputy Associate Administrator for Security and Hazardous Materials Safety, Federal Aviation Administration; Harry Wingo, Faculty, College of Information and Cyberspace, National Defense University, Department of Defense; Catherine F. Cahill, University of Alaska Center for Unmanned Aircraft Systems Integration, Fairbanks; Brian Wynne, Association for Unmanned Vehicle Systems International, Arlington, Virginia; and Harold H. Shaw, Massachusetts Port Authority, East Boston.

FEDERAL LANDS
Committee on Energy and Natural Resources: Committee concluded a hearing to examine deferred maintenance needs and potential solutions on Federal lands administered by the Department of the Interior and the Department of Agriculture Forest Service, after receiving testimony from Scott Cameron, Principal Deputy Assistant Secretary of the Interior for Policy, Management and Budget; Lenise Lago, Associate Chief, Forest Service, Department of Agriculture; Dan Puskar, Public Lands Alliance, Silver Spring, Maryland; Elizabeth Archuleta, Coconino County, Flagstaff, Arizona, on behalf of the National Association of Counties; and Jessica Wahl, Outdoor Recreation Roundtable, Washington, D.C.
TRADE POLICY AGENDA AND THE USMCA
Committee on Finance: Committee concluded a hearing to examine the President's 2019 trade policy agenda and the United States-Mexico-Canada Agreement, after receiving testimony from Robert E. Lighthizer, United States Trade Representative.

UKRAINE
Committee on Foreign Relations: Subcommittee on Europe and Regional Security Cooperation concluded a hearing to examine Ukraine’s progress and Russia’s malign activities five years after the revolution of dignity, after receiving testimony from Kurt Volker, Special Representative for Ukraine Negotiations, Department of State; and John E. Herbst, Atlantic Council Eurasia Center, Alina Polyakova, Brookings Institution, and James Jay Carafano, Heritage Foundation, all of Washington, D.C.

LOWER HEALTH CARE COSTS ACT
Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the Lower Health Care Costs Act, after receiving testimony from Marilyn Bartlett, Office of the Montana State Auditor, Helena; Sean Cavanaugh, Aledade, Benedic Ippolito, American Enterprise Institute, Tom Nickels, American Hospital Association, and Frederick Isasi, Families USA, all of Washington, D.C.; and Elizabeth Mitchell, Pacific Business Group on Health, San Francisco, California.

TERM LIMITS IN THE U.S.
Committee on the Judiciary: Subcommittee on the Constitution concluded a hearing to examine keeping Congress accountable, focusing on term limits in the United States, after receiving testimony from former Senator Jim DeMint; Nick Tomboulides, U.S. Term Limits, Melbourne, Florida; Lynda W. Powell, University of Rochester, Rochester, New York; John David Rausch, Jr., West Texas A and M University, Canyon; and Casey Burgat, R Street Institute, Washington, D.C.

INTELLIGENCE
Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.
Committee recessed subject to the call.

House of Representatives

Chamber Action
Public Bills and Resolutions Introduced: 34 public bills, H.R. 3298–3331; and 2 resolutions, H. Res. 446 and 447 were introduced. Pages H4769–71

Additional Cosponsors: Pages H4772–74

Reports Filed: Reports were filed today as follows:
H.R. 2109, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs, in awarding a contract for the procurement of goods or services, to give a preference to offerors that employ veterans (H. Rept. 116–117);
H.R. 2196, to amend title 38, United States Code, to reduce the credit hour requirement for the Edith Nourse Rogers STEM Scholarship program of the Department of Veterans Affairs (H. Rept. 116–118); and
H. Res. 445, providing for consideration of the bill (H.R. 3055) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; and providing for proceedings during the period from June 28, 2019, through July 8, 2019 (H. Rept. 116–119).

Speaker: Read a letter from the Speaker wherein she appointed Representative Beyer to act as Speaker pro tempore for today. Page H4769

Recess: The House recessed at 12:06 p.m. and reconvened at 2 p.m. Page H4703

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, June 19th. Page H4704

Recess: The House recessed at 2:16 p.m. and reconvened at 2:45 p.m. Page H4706

Suspensions: The House agreed to suspend the rules and pass the following measure:

Empowering Beneficiaries, Ensuring Access, and Strengthening Accountability Act of 2019: H.R. 3253, amended, to provide for certain extensions with respect to the Medicaid program under title XIX of the Social Security Act, by a 2⁄3 yea-and-nay vote of 371 yeas to 46 nays, Roll No. 333.

Pages H4706–10, H4751
Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2020: The House considered H.R. 2740, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020. Consideration is expected to resume tomorrow, June 19th.


Agreed to the Visclosky motion that the Committee rise by a recorded vote of 317 ayes to 82 noes with one answering “present”, Roll No. 323.

Pages H4731–32

Agreed to:

González-Colón (PR) amendment (No. 41 printed in part A of H. Rept. 116–111) that increases and decreases funding for the Innovative Readiness Training Program by $4.356 million, for the purpose of supporting DOD’s efforts to produce mission-ready forces through military training opportunities and simultaneously provide key services for American communities;

Pages H4722–23

Norman amendment (No. 43 printed in part A of H. Rept. 116–111) that increases and decreases $15 million from the Weapons Procurement, Navy to allow for the funding of one Expeditionary Sea Base Classed ship upgrade pilot program to reduce the amount of escort missions required to be conducted by Destroyer class ships;

Page H4723

Jackson Lee amendment (No. 79 printed in part B of H. Rept. 116–109) that was debated on June 13th that increases by $1,000,000 and decreases by $1,000,000 to combat the practice of Female Genital Mutilation (by a recorded vote of 414 ayes to 6 noes, Roll No. 325);

Page H4733

Jackson Lee amendment (No. 80 printed in part B of H. Rept. 116–109) that was debated on June 13th that increases by $1,000,000 and decreases by $1,000,000 to combat the trafficking of endangered species (by a recorded vote of 359 ayes to 79 noes, Roll No. 326);

Pages H4733–34

Grijalva amendment (No. 82 printed in part B of H. Rept. 116–109) that was debated on June 13th that decreases then increases funding within the International Border and Water Commission for the use of taking responsibility for the International Outfall Interceptor (IOI) (by a recorded vote of 310 ayes to 109 noes, Roll No. 328);

Page H4735

Speier amendment (No. 84 printed in part B of H. Rept. 116–109) that was debated on June 13th that increases by $40 million and decreases by $40 million from Assistance for Europe and Eurasia to fund Armenian democracy assistance (by a recorded vote of 268 ayes to 152 noes, Roll No. 330);

Pages H4736–37

Meadows amendment (No. 85 printed in part B of H. Rept. 116–109) that was debated on June 13th that increases assistance withheld from Pakistan over the imprisonment of Dr. Shakil Afridi from $33,000,000 to $66,000,000 (by a recorded vote of 387 ayes to 33 noes, Roll No. 331); Page H4737

Lowey en bloc amendment No. 1 that was debated on June 13th consisting of the following amendments printed in part B of H. Rept. 116–109: Cohen (No. 86) that prohibits the use of funds to enter into any new contract, grant, or cooperative agreement with any Trump related business listed in the President Trump’s Annual Financial Disclosure Report submitted to the Office of Government Ethics as well as certain Trump related properties listed on the Trump Organization’s website; Foster (No. 88) that reduces the NADR account by $10,000,000 and increases the account by the same amount, to be used for the Synchrotron-Light for Experimental Science and Applications project in order to promote scientific diplomacy and peace in the Middle East; Connolly (No. 90) that prohibits the use of funds for International Military Education and Training for Saudi Arabia; Cicilline (No. 95) that prohibits funds from being used to establish the proposed Department of State Commission on Unalienable Rights; Brendan F. Boyle (PA) (No. 97) that increases by and decreases by $1.5 million for the International Fund for Ireland; Panetta (No. 99) that prohibits any funds from being used to withdraw the United States from NATO; Krishnamoorthi (No. 100) that prohibits the use of funds in violation of the Export Control Act of 2018 (subtitle B of title XVII of Public Law 115–232); Murphy (No. 101) that provides that, of the $2,153,763,000 in funds provided under Title IV, International Security Assistance, Department of State, Economic Support Fund, funding made available for programs to promote democracy and the rule of law in Venezuela shall be increased by $3,000,000, from $17,500,000 to $20,500,000; Espaillat (No. 102) that increases the appropriated amount to the Caribbean Basin Security Initiative by $2,000,000; Cox (No. 103) that ensures continued funding for de-mining projects in Nagorno-Karabakh, and support for regional rehabilitation services for infants, children, and adults with physical and cognitive disabilities; Cunningham (No. 104) that increases and then decreases the Development Assistance account by $5 million to combat illegal, unreported, unregulated fishing in foreign waters; Spanberger (No. 105) that increases and decreases $1 in the Administration of Foreign Affairs Diplomatic Programs account for the purpose of encouraging the Department of State to implement recommendations of the Government Accountability Office study GAO–19–220, which found that the
Foreign Service vacancies at the Department of State may undermine U.S. foreign policy objectives and increase national security risks; and Levin (MI) (No. 106) that prohibits the use of funds in this Act for assistance to Forces Armées d’Haïti (FAdH)—in English, the Armed Forces of Haiti (by a recorded vote of 231 ayes to 187 noes, Roll No. 332);

Lowey en bloc amendment No. 1 that was debated on June 13th consisting of the following amendments printed in part A of H. Rept. 116–111: Sherman (No. 1) that increases funding for the United States Agency for Global Media International Broadcasting Operations account by $1.5 million, to broadcast Radio Free Europe/Radio Liberty in the Sindhi language in Pakistan, and decreases funding by $2.1 million in the Capital Investment Fund account; and Kildee (No. 3) that increases funding by $500,000 for the Great Lakes Fisheries Commission to address grass carp (by a recorded vote of 283 ayes to 144 noes, Roll No. 339);

Visclosky en bloc amendment No. 2 consisting of the following amendments printed in part A of H. Rept. 116–111: Stewart (No. 6) that ensures that military working dogs are returned to the United States upon completion of their service to our soldiers abroad; Young (No. 7) that reduces the Defense Wide Operations and Maintenance Account by $8,500,000 and increases the Air Force Operations and Maintenance account by the same amount, for the ISR Innovation Office to support Mission Defense Teams; Smith (NJ) (No. 9) that redirects $2 million from Operations and Maintenance, Defense-Wide to the Congressionally Directed Medical Research Programs for Tickborne Disease research; Eshoo (No. 10) that increases and decreases the Research, Development, Test and Evaluation, Air Force account by $9.5 million in order to develop flexible imaging technologies, wearable bio-chemical sensing, point-of-care in low-resource environments, and en-route medical technologies to treat wounded warfighters; Eshoo (No. 11) that increases funding for Peer-reviewed pancreatic cancer research in the Department of Defense’s Defense Health Program by $2 million, offset by a $2 million decrease from Defense-wide Operation and Maintenance; Jackson Lee (No. 12) that increases and decreases the Department of Defense Military Retirement Fund by $2 million to provide the Secretary of Defense the flexibility needed for technical assistance for U.S. military women to military women in other countries combating violence targeting women and children as a weapon of war, terrorism, human trafficking, and narcotics trafficking; Langevin (No. 14) that increases funding for the Spinal Cord Injury Research Program within the Congressionally Directed Medical Research Programs by $10 million; Graves (MO) (No. 16) that increases and decreases the Operation and Maintenance, Defense wide account by $5 million in order to reserve $5 million to commemorate the 75th anniversary of World War II; Moore (No. 17) that increases funding for Air National Guard Facilities Sustainment, Restoration, and Modernization by $2.5 million; Wilson (SC) (No. 18) that provides $4.8 million to support mitigating musculoskeletal injury risk and optimizing bone and muscle adaptation for military physical training; Walberg (No. 20) that prohibits any funds under the Defense Division to be made available for the Taliban; Schweikert (No. 22) that increasing funding for the Research, Development, Test and Evaluation, Defense-Wide by $1 million for the purpose of improving efforts to research and develop distributed ledger technologies for defense applications; Carson (IN) (No. 23) that increases and decreases the Defense-wide Research, Development, Test and Evaluation account by $4 million in order to fund DoD’s HBCU program; will further help facilitate DoD’s investments in the physical science, mathematics, and engineering programs at Historically Black Colleges and Universities and their corresponding national security benefits; Barr (No. 26) that increases funding for Army Reserve Operation and Maintenance, for Army Operation and Maintenance, and for Army National Guard Operation and Maintenance by $2 million each to be used for training support, such as the training of National Guard and Reserve components by Army in order to improve readiness; Cicilline (No. 27) that increases funding for the Defense Established Program to Stimulate Competitive Research (DEPSCoR) program by $1.5 million; Dingell (No. 28) that provides for an additional $5 million for the Fisher House Foundation which is offset by an outlay neutral reduction in the Operation and Maintenance, Defense-wide account; Bera (No. 30) that increases DoD funding to partner nations to help them prevent, detect, and respond to biological threats and infectious disease before they come to the U.S. by $20 million, reducing Defense Wide Operation and Maintenance by the same amount; Moulton (No. 31) that increases and decreases the Navy’s Operation and Maintenance account by $4.3 million in order to restore the United States Sea Cadet Corps’ funding to historic levels; Moulton (No. 32) that increases and decreases the Drug Interdiction and Counter-Drug Activities, Defense account by $3 million funding in order to restore funding for the Young Marines to historic levels; Emmer (No. 33) that allocates an increase of $3 million to Defense-wide Demilitarization Systems to develop a feasible waterjet system to defeat a munition’s chemical, biological, or explosive ordnance
without removing the munition in theater, in accordance with Department of Defense recommendations; Allen (No. 37) that increases and decreases the Defense-wide Operation and Maintenance account by $10 million in order to assist in identifying unclaimed remains missing since the Korean conflict; Kildee (No. 42) that increases funding for the Army, Air Force, and Navy Environmental Restoration funds by $15 million to clean up PFAS contamination in and around military bases offset by a $16 million cut to DoD wide Operations and Maintenance; Panetta (No. 46) that increases funding for Navy research by $8 million to achieve future capabilities to maintain maritime superiority and ensure national security; Carbajal (No. 48) that increases funding for more Improved Outer Tactical Vests for female service members by $5 million; Carbajal (No. 49) that increase RDTE, Army by $4 million to fund university and industry research centers to pursue research in areas of biotechnology such as advances in materials, neuroscience, systems, synthetic biology, nanotechnology and immersive technology; O’Halleran (No. 52) that increases the Navy Research, Development, Test and Evaluation account by $5 million in order to fund for Electromagnetic Systems Applied Research to better enable the Naval Research Laboratory to fully contribute to the U.S. Naval Observatory mission in providing the U.S. Navy and Department of Defense spacial Positioning, Navigation, and Timing (PNT); Brown (MD) (No. 53) that reduces Navy Operation & Maintenance Account by $3,000,000 and increases the Defense Wide Research, Development, Test, and Evaluation account by $3,000,000 for cyber resiliency efforts in the Central Test and Evaluation Investment Program (CTEIP); Brindisi (No. 54) that increases funding for Research, Development, Test and Evaluation, Air Force by $5 million for the purpose of improving research and development of Quantum Information Sciences; Pappas (No. 55) that supports funding for PFOA/PFOS Study and Analysis by increasing and decreasing the Defense-wide Operation and Maintenance account by $2 million; Pappas (No. 56) that increases funding for the Army’s Research, Development, Test and Evaluation account by $2.5 million; Sherrill (No. 57) that Increases funding for Defense-wide RDTE by $3 million to strengthen efforts to secure science and technology research; Sherrill (No. 58) that increases and decreases the Navy Research, Development, Test and Evaluation account by $5 million in order to support the certification/qualification process to enable the Navy to integrate 3-D printed parts more efficiently into the submarine fleet; and Torres Small (NM) (No. 62) that increases and decreases funding in the Defense-wide Operation and Maintenance account by $5 million in order to support a pilot program to provide broadband access to military families and medical facilities on or near remote and isolated bases (by a recorded vote of 381 ayes to 46 noes, Roll No. 341);

Langevin amendment (No. 13 printed in part A of H. Rept. 116–111) that increases by $10,000,000 the Naval Railgun for common mount development, decreases by $10,000,000 the Strategic Capabilities Office (by a recorded vote of 355 ayes to 73 noes, Roll No. 342);

Langevin amendment (No. 15 printed in part A of H. Rept. 116–111) that increases funding by $2 million for civics education grants under the National Defense Education Program. Grants will fund the development and evaluation of civics education programs at Department of Defense domestic schools (by a recorded vote of 277 ayes to 151 noes, Roll No. 343);

Brown (MD) amendment (No. 21 printed in part A of H. Rept. 116–111) that prevents DOD from spending funds to implement ban on open transgender service (by a recorded vote of 243 ayes to 183 noes, Roll No. 344);

Kuster (NH) amendment (No. 34 printed in part A of H. Rept. 116–111), as modified, that increases and decreases the defense-wide Research, Development, Test and Evaluation account by $5 million in order to support funding to develop lead-free defense electronics to ensure the defense industry can integrate cutting edge civilian technology to meet military requirements (by a recorded vote of 324 ayes to 101 noes, Roll No. 346);

Visclosky amendment (No. 38 printed in part A of H. Rept. 116–111) that increases funding for the Future Vertical Lift Advanced Technologies program from $16 million to $25 million (by a recorded vote of 389 ayes to 39 noes, Roll No. 347);

Visclosky amendment (No. 40 printed in part A of H. Rept. 116–111) that increases and decreases the Department of Defense Operation and Maintenance, Defense-Wide Fund by $500,000 to provide funding for additional reporting on the immediate risks to U.S. national security posed by climate change and its impacts to the Department and its ability to defend the nation (by a recorded vote of 254 ayes to 174 noes, Roll No. 348);

Ted Lieu (CA) amendment (No. 44 printed in part A of H. Rept. 116–111) that prohibits funds from being used to issue export licenses for any defense article or service as described in 22 enumerated certification transmittal documents designated by the Department of State (by a recorded vote of 237 ayes to 191 noes, Roll No. 349);
Blunt Rochester amendment (No. 50 printed in part A of H. Rept. 116–111) that increases and decreases by $1,000,000 Operations & Maintenance, Defense-wide account which funds the Space-Available flights program and for the purpose of instructing the Department to provide Congress with an assessment of possible concerns or issues in expanding eligibility for the Space-A program to include caregivers and spouses when accompanying 100% disabled veterans (by a recorded vote of 424 ayes to 3 noes, Roll No. 352); Pages H4726–27, H4764–65

Crow amendment (No. 59 printed in part A of H. Rept. 116–111) that increases and decreases the Defense-wide Operation and Maintenance account by $13 million in order to support the Department of Defense’s Readiness and Environmental Protection Integration program (by a recorded vote of 277 ayes to 151 noes, Roll No. 354); and

Pages H4728–29, H4765–66

Cox (CA) amendment (No. 61 printed in part A of H. Rept. 116–111) that reduces funds for the Operation and Maintenance Account, Defense-Wide by $10 million and increases funds for medical research concerning traumatic brain injury, posttraumatic stress disorder, and psychological health by a similar amount (by a recorded vote of 404 ayes to 22 noes, Roll No. 355). Rejected:

Lesko amendment (No. 78 printed in part B of H. Rept. 116–109) that was debated on June 13th that sought to strike the requirement that not less than $750,000,000 of Global Health Programs shall be made available for family planning/reproductive health (by a recorded vote of 188 ayes to 225 noes, Roll No. 334); Pages H4729–30, H4766–67

Gosar amendment (No. 81 printed in part B of H. Rept. 116–109) that was debated on June 13th that sought to prohibit the use of funds appropriated or otherwise made available to any Federal department or agency by this Act may be used to make assessed or voluntary contributions on behalf of the United States to or for the Intergovernmental Panel on Climate Change, the United Nations Framework Convention on Climate Change, the Green Climate Fund (by a recorded vote of 174 ayes to 225 noes, Roll No. 324); Pages H4732–33

Gosar amendment (No. 83 printed in part B of H. Rept. 116–109) that was debated on June 13th that sought to prohibit funds from being used for the United Nations Framework Convention on Climate Change (by a recorded vote of 170 ayes to 248 noes, Roll No. 329); Pages H4735–36

Grothman amendment (No. 87 printed in part B of H. Rept. 116–109) that was debated on June 13th that sought to reduce the amount of funding provided by Division D by 2.1 percent across-the-board (by a recorded vote of 131 ayes to 292 noes, Roll No. 334); Page H4752

Walker amendment (No. 89 printed in part B of H. Rept. 116–109) that was debated on June 13th that sought to eliminate $19.1 billion in funding for the bi-lateral economic assistance and independent agency programs within the Department of State (by a recorded vote of 110 ayes to 315 noes, Roll No. 335); Pages H4752–53

Palmer amendment (No. 91 printed in part B of H. Rept. 116–109) that was debated on June 13th that sought to strike the paragraph that prevents the U.S.’ withdraw from the Paris Climate Agreement and strikes the paragraph that allows for payments for the agreement (by a recorded vote of 184 ayes to 241 noes, Roll No. 336); Pages H4753–54

Arrington amendment (No. 94 printed in part B of H. Rept. 116–109) that was debated on June 13th that sought to prevent funds from being used to contribute to the United Nations Framework Convention on Climate Change (by a recorded vote of 174 ayes to 251 noes, Roll No. 337); Page H4754

Banks amendment (No. 98 printed in part B of H. Rept. 116–109) that was debated on June 13th that sought to reduce spending for each amount in Division D, except those amounts made available to the Department of Defense, by 14 percent (by a recorded vote of 123 ayes to 303 noes, Roll No. 338); Pages H4754–55

Allen amendment (No. 2 printed in part A of H. Rept. 116–111) that was debated on June 13th that sought to reduce spending in Division D, State, Foreign Operations, and Related Agencies, by 1 percent (by a recorded vote of 134 ayes to 293 noes, Roll No. 340); Pages H4756–57

Amash amendment (No. 24 printed in part A of H. Rept. 116–111) that sought to limit the warrantless collection of Americans- communications under section 702 of FISA (by a recorded vote of 175 ayes to 253 noes, Roll No. 345); Pages H4718–20, H4759–60

Gallagher amendment (No. 45 printed in part A of H. Rept. 116–111) that sought to restore $96 million in research and development funds for INF-range conventional missile systems, offset by corresponding reduction to defense-wide operation and maintenance (by a recorded vote of 203 ayes to 225 noes, Roll No. 350); Pages H4724–25, H4763

Gallagher amendment (No. 47 printed in part A of H. Rept. 116–111) that sought to increase funding for the Weapons Procurement, Navy account by $19.6 million (by a recorded vote of 192 ayes to 236 noes, Roll No. 351); and Pages H4725–26, H4763–64

Jayapal amendment (No. 51 printed in part A of H. Rept. 116–111) that sought to specify that none of the funds made available by this act may be used
for research on the Long Range Stand Off Weapon (LRSO) (by a recorded vote of 138 ayes to 239 noes with one answering “present”, Roll No. 353).

Withdrawn:

Lipinski amendment (No. 19 printed in part A of H. Rept. 116–111) that was offered and subsequently withdrawn that would have increased and decreased the Research, Development, Test and Evaluation, Defense-wide account by $10 million in order to redirect $10 million within the RDTE account to be used for the National Security Innovation Network, for the purpose of expanding the Hacking for Defense course to more universities across the United States; Pages H4727–28, H4765

Dingell amendment (No. 29 printed in part A of H. Rept. 116–111) that was offered and subsequently withdrawn that would have increased funding for research, development, test and evaluation by $20 million for arthritis research within the Congressionally Directed Medical Research Program (CDMRP); Page H4720

Kuster (NH) amendment (No. 33 printed in part A of H. Rept. 116–111) that was offered and subsequently withdrawn that would have increased funding to upgrade oxygen life support systems on Ohio Class submarine by $11,969,000; and Page H4720

Proceedings Postponed:

Burgess amendment (No. 63 printed in part A of H. Rept. 116–111) that seeks to reduce spending in Division E by 5 percent; Pages H4738–39

Burgess amendment (No. 64 printed in part A of H. Rept. 116–111) that seeks to strike Section 108 in Division E that prohibits any funding being used for border security infrastructure along the southern border; Pages H4739–41

Kaptur en bloc amendment No. 3 consisting of the following amendments printed in part A of H. Rept. 116–111: Fleischmann (No. 66) that seeks to increase and decrease the Weapons Activities account by $123 million for construction of critical infrastructure in NNSA; Norton (No. 67) that seeks to increase and decrease $5 million from the Investigations fund to instruct USACE to prioritize funding for the Anacostia Watershed Restoration Program; Wilson (SC) (No. 68) that seeks to increase and decrease by $6.5 million from the Defense Environmental Cleanup account to highlight the Savannah River Community and Regulatory Support under the Savannah River Site; Velázquez (No. 69) that seeks to increase and decrease the Army Corps of Engineers construction projects account by $45,000,000 to support Cano Martin Pena environmental restoration project in San Juan, Puerto Rico and combat the environmental degradation and persistent flooding that disadvantages communities abutting the channel, as evidenced by Hurricanes Irma and Maria; Graves (MO) (No. 70) that moves $4 million from the Bureau of Reclamation and add $4 million to the Army Corps funding for investigations; the intent of this amendment is for the $4 million added to conduct investigations be used to study natural disasters that occurred in 2019, such as flooding in the Midwest; Walberg (No. 72) that seeks to increase funding for the office of Cybersecurity, Energy Security, and Emergency Response (CESER) at the
Department of Energy by $3 million to improve cybersecurity and emergency response for the bulk power system; Richmond (No. 74) that seeks to increase the Army Corps of Engineers Operations and Maintenance accounts by $4,000,000 and decrease the Administration Expenses account by the same amount; Richmond (No. 75) that seeks to increase and decrease funding to the Army Corps of Engineers Operation and Maintenance Accounts by $75,000,000 for dredging activities; Richmond (No. 76) that seeks to provide $5 million for construction projects under the Army Corps of Engineers for the construction of Louisiana Coastal Area Beneficial Use of Dredged Material restoration projects with an offset from Corps of Engineers expenses; Lipinski (No. 77) that seeks to redirect $15,000,000 within the Department of Energy Office of Science account towards the Argonne Leadership Computing Facility; McKinley (No. 78) that seeks to transfer $3 million from the Departmental Administration account to the Fossil Energy Research and Development account; Loebssack (No. 79) that seeks to increase and then reduce the Energy Efficiency and Renewable Energy account by $5,000,000 with the intent of supporting the advancement of distributed wind technologies and research; Welch (No. 81) that seeks to increase and decrease by $40 million funding within the Army Corps Construction account (Division E) to fund dam rehabilitation work authorized by Section 3202 of the 2018 America’s Water Infrastructure Act; Kuster (NH) (No. 82) that seeks to increase funding to the Northern Border Regional Commission, a rural economic development agency that supports job creation efforts and infrastructure projects in economically distressed rural communities; Perry (No. 84) that seeks to decrease funding for departmental administration by $2 million and increase money for the Water Power Technologies Office within the Energy Efficiency and Renewable Energy Program by the same amount; Foster (No. 85) that seeks to add and remove a dollar from this account for the purpose of instructing the National Academies of Sciences, Engineering, and Medicine to include a review of accelerator driven systems in its evaluation of the merits and viability of different nuclear fuel cycles and technology options, including both existing and future technologies; Hudson (No. 86) that seeks to increase and decrease $1,317,808,000 from the Department of Energy’s Office of Nuclear Energy for the purpose of creating a pilot program to provide energy resilience to Department of Defense and Department of Energy facilities by contracting with a commercial entity to site, construct, and operate a micro-reactor; Bera (No. 87) that seeks to increase funding for the National Levee Safety Inventory; Ruiz (No. 92) that seeks to increase and decrease by $2 million within the Water and Related Resources Account in order to support projects with a public health benefit; Rouzer (No. 93) that seeks to decrease funding for the Office of the Assistant Secretary of the Army for Civil Works by $2,000,000 and increase funding for the Army Corps of Engineers Operations and Maintenance account by the same amount to carry out Section 1149 of the WIIN Act (Public Law 114–322); Estes (No. 95) that seeks to add and remove five million to highlight the importance of properly funding Bureau of Reclamation ground water restoration projects; Plaskett (No. 98) that seeks to increase and decrease the Army Corps of Engineers construction projects account by $100 million to support projects related to flood and storm damage reduction; Cloud (No. 99) that seeks to transfer $3 million from the DOE Departmental Administration account to Nuclear Energy Research and Development account; Cloud (No. 100) that seeks to transfer $3 million from DOE Departmental Administration account to Fossil Energy Research and Development account; Blunt Rochester (No. 101) that seeks to add and remove $1 million from the Army Corps of Engineers Investigations account for the purpose of instructing the Army Corps of Engineers to review all existing projects for which they are in arrears with project partners across the country, such as the Indian River Inlet project in Delaware; Lamb (No. 102) that seeks to reduce and increase funding to the Office of Nuclear Energy by $1 million to emphasize the importance of research into increasing the cost effectiveness and efficiency of the domestic commercial nuclear fleet; O’Halleran (No. 104) that seeks to increase the Department of Energy Efficiency and Renewable Energy Account by $1 million to support the Solar Ready Vets Program; Rouda (No. 107) that seeks to add and remove $5 million from the Corps of Engineers construction account for the purpose of highlighting the need to reauthorize Section 1043 of the Water Resources Reform and Development Act of 2014 and to include necessary changes to the pilot program in its reauthorization; Levin (CA) (No. 109) that seeks to provide funding for the Federal Energy Regulatory Commission to finalize its rulemaking on aggregated distributed energy resource participation in wholesale energy markets; Craig (No. 110) that seeks to increase by $1 million the funding for the Army Corps of Engineers Investigations Account intended to be directed towards the National Flood Risk Management and Flood Damage data Programs to address flood planning for disaster prone regions; increase by $1 million the funding for the Army Corps of Engineers Operations and Maintenance account intended to be directed towards the Corps Water Management
System (CWMS) to assist river flow tracking during flooding; Craig (No. 111) that seeks to increase and decrease by $7.5 million for the Beneficial Use of Dredged Material Pilot Program for the Army Corps of Engineers; McAdams (No. 112) that seeks to increase funds by $5 million to the Central Utah Project Completion Act account for the purposes of completing water project development and decrease funding by $4 million from the Bureau of Reclamation administrative account and decrease funding by $2 million from the Policy and Administration account; and Levin (MI) (No. 113) that seeks to increase and decrease funding for construction of certain river, harbor, flood and storm damage and related projects by $30 million in funding for ongoing efforts to improve water quality in Lake St. Clair, Michigan, including by improving the Chapaton Retention Basin, a Macomb County Combined Sewer Overflow System;

Mullin amendment (No. 89 printed in part A of H. Rept. 116–111) that seeks to prohibit the use of funds to prepare, propose, or promulgate any regulation or guidance that references or relies on analysis of the cost of social carbon under certain Technical Support Documents published by the Interagency Working Group on Social Cost of Carbon;

Huffman amendment (No. 90 printed in part A of H. Rept. 116–111) that seeks to state that none of the funds in this act can be used for the Army Corps of Engineers to finalize the environmental impact statement for the proposed Pebble Mine project;

Graves (LA) amendment (No. 91 printed in part A of H. Rept. 116–111) that seeks to strike section 106 of division E, which states that none of the funds made available by this Act may be used to reorganize or to transfer the Civil Works functions or authority of the Corps of Engineers or the Secretary of the Army to another department or agency; and

Banks amendment (No. 97 printed in part A of H. Rept. 116–111) that seeks to reduce spending for each amount in Division E, except those amounts made available to the Department of Defense, by 14 percent.

Res. 431, the rule providing for consideration of the bill (H.R. 2740) and the resolution (H. Res. 430) was agreed to Tuesday, June 11th.

H. Res. 436, the rule providing for further consideration of the bill (H.R. 2740) was agreed to Tuesday, June 11th.

Recess: The House recessed at 11:24 p.m. and reconvened at 1:09 a.m. on Wednesday, June 19, 2019.
Transportation, and Housing and Urban Development Appropriations Act, 2020". The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–18, modified by the amendment printed in Part A of the report, shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI. The rule provides that clause 2(e) of rule XXI shall not apply during consideration of the bill. The rule makes in order only those further amendments printed in Part B of the report not considered as part of amendments en bloc, amendments en bloc described in section 3, and pro forma amendments described in section 4. Each amendment printed in the report not considered as part of amendments en bloc may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except as provided by Section 4, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in Part B of the report or against amendments en bloc described in section 3. The rule provides that the chair of the Committee on Appropriations or her designee may offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their designees, shall not be subject to amendment except as provided by section 4, and shall not be subject to a demand for division of the question. The rule provides that the chair and ranking minority member of the Committee on Appropriations or their designees may offer up to 15 pro forma amendments each at any point for the purpose of debate. The rule provides that at the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The question of such further amendments' adoption shall be put to the House en gros and without division of the question. The rule provides one motion to recommit with or without instructions. The rule provides that during consideration of H.R. 3055, it shall not be in order to use a decrease in Overseas Contingency Operations funds to offset an amendment that increases an appropriation not designated as Overseas Contingency Operations funds or vice versa. This does not apply to amendments between the Houses. The rule provides that during the further consideration of H.R. 2740, the amendment printed in part C of the Rules Committee report shall be considered as adopted in the House and in the Committee of the Whole. The question of the adoption of further amendments to H.R. 2740 reported from the Committee of the Whole shall be put to the House en gros and without division of the question. The rule provides that during consideration of H.R. 3055 or during the further consideration of H.R. 2740, the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or her designee. The Chair may not entertain a motion to strike out the enacting words of the bill. The rule provides that on any legislative day during the period from June 28, 2019, through July 8, 2019: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. The rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 9 of the resolution. The rule provides that each day during the period addressed by section 9 of the resolution shall not constitute a legislative day for the purposes of clause 7 of rule XV. The rule provides for consideration of concurrent resolutions providing for adjournment during the month of July, 2019. The rule provides that it shall be in order at any time on the legislative day of June 27, 2019, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV, and that the Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section. Testimony was heard from Representatives Serrano, Aderholt, Price of North Carolina, Diaz-Balart, Bishop of Georgia, Fortenberry, McCollum, Joyce of Ohio, Wasserman Schultz, Carter of Texas, Allen, Balderson, Barr, Gianforte, Sablan, Grothman, Schneider, Lesko, Pence, Rutherford, Schweikert, and Stauber.
Joint Meetings
NON-ASYLUM PROTECTION
Commission on Security and Cooperation in Europe: On Friday, June 14, 2019, Commission received a briefing on non-asylum protection in the United States and the European Union from Jill H. Wilson, Analyst in Immigration Policy, Congressional Research Service, Library of Congress; Sui Chung, Immigration Law and Litigation Group, on behalf of the American Immigration Lawyers Association, and Marleine Bastien, Haitian Women of Miami, Inc., both of Miami, Florida; and Catherine Woollard, European Council on Refugees and Exiles, Brussels, Belgium.

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 19, 2019
(Committee meetings are open unless otherwise indicated)

Senate
Committee on Armed Services: with the Committee on Foreign Relations, to receive a closed joint briefing on Iran’s recent escalation and United States policy responses, 2 p.m., SVC–217.
Committee on the Budget: to hold hearings to examine fixing a broken budget process, focusing on lessons from states, 2:30 p.m., SD–608.
Committee on Commerce, Science, and Transportation: to hold hearings to examine the Fixing America’s Surface Transportation Act reauthorization, focusing on transportation and safety issues, 10 a.m., SH–216.
Committee on Energy and Natural Resources: Subcommittee on National Parks, to hold hearings to examine S. 225, to provide for partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance the visitor experience at nationally significant battlefields of the American Revolution, War of 1812, and Civil War, S. 298, to establish the Springfield Race Riot National Historic Monument in the State of Illinois, S. 327, to amend the Federal Lands Recreation Enhancement Act to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, S. 389, to authorize the Society of the First Infantry Division to make modifications to the First Division Monument located on Federal land in Presidential Park in the District of Columbia, S. 641, to update the map of, and modify the maximum acreage available for inclusion in, the Yucca House National Monument, S. 774, to adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, S. 849, to provide for the inclusion on the Vietnam Veterans Memorial Wall of the names of the lost crew members of the U.S.S. Frank E. Evans killed on June 3, 1969, S. 1152, to provide for the transfer of administrative jurisdiction over certain parcels of Federal land in Arlington, Virginia, S. 1582, to establish the White Sands National Park in the State of New Mexico as a unit of the National Park System, and S. 1705, to authorize the Every Word We Utter Monument to establish a commemorative work in the District of Columbia and its environs, 10 a.m., SD–366.
Committee on Environment and Public Works: business meeting to consider S. 1345, to amend and reauthorize the Morris K. Udall and Stewart L. Udall Foundation Act, S. 1833, to transfer a bridge over the Wabash River to the New Harmony River Bridge Authority and the New Harmony and Wabash River Bridge Authority, S. 1014, to establish the Route 66 Centennial Commission, S. 349, to require the Secretary of Transportation to request nominations for, and make determinations regarding, roads to be designated under the national scenic byways program, S. 1507, to include certain perfluoroalkyl and polyfluoroalkyl substances in the toxics release inventory, S. 1689, to permit States to transfer certain funds from the clean water revolving fund of a State to the drinking water revolving fund of the State in certain circumstances, and the nominations of Robert Wallace, of Wyoming, to be Assistant Secretary for Fish and Wildlife, Department of the Interior, and William B. Kilbride, to be a Member of the Board of Directors of the Tennessee Valley Authority, and 41 General Services Administration resolutions, 9:30 a.m., SD–406.
Committee on Foreign Relations: to hold hearings to examine the nominations of Kelly Craft, of Kentucky, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador and the Representative of the United States of America in the Security Council of the United Nations, and to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America to the United Nations, 10:15 a.m., SD–419.
Full Committee, with the Committee on Armed Services, to receive a closed joint briefing on Iran’s recent escalation and United States policy responses, 2 p.m., SVC–217.
Committee on Homeland Security and Governmental Affairs: business meeting to consider S. 1867, to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security an Unmanned Aircraft Systems Coordinator, S. 1877, to establish procedures and consequences in the event of a failure to complete regular appropriations, S. 1869, to require the disclosure of ownership of high-security space leased to accommodate a Federal agency, S. 1539, to amend the Homeland Security Act of 2002 to provide funding to secure nonprofit facilities from terrorist attacks, S. 1419, to require agencies to publish an advance notice of proposed rule making for major rules, S. 1151, to prohibit contracting with persons that have business operations with the Maduro regime, S. 1521, to amend section 527 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that National Urban Search and Rescue Response
System task forces may include Federal employees, S. 1004, to increase the number of U.S. Customs and Border Protection Office of Field Operations officers and support staff and to require reports that identify staffing, infrastructure, and equipment needed to enhance security at ports of entry, S. 1846, to amend the Homeland Security Act of 2002 to provide for engagements with State, local, Tribal, and territorial governments, S. 1874, to amend title 40, United States Code, to require the Administrator of General Services to procure the most life-cycle cost effective and energy efficiency lighting products and to issue guidance on the efficiency, effectiveness, and economy of those products, S. 764, to provide for congressional approval of national emergency declarations, S. 979, to amend the Post-Katrina Emergency Management Reform Act of 2006 to incorporate the recommendations made by the Government Accountability Office relating to advance contracts, S. 731, to amend the Anti-Border Corruption Act of 2010 to authorize certain polygraph waiver authority, S. 734, to leverage Federal Government procurement power to encourage increased cybersecurity for Internet of Things devices, S. 1272, to designate the facility of the United States Postal Service located at 575 Dexter Street in Central Falls, Rhode Island, as the “Elizabeth Buffett Chace Post Office”, S. 1759, to designate the facility of the United States Postal Service located at 456 North Meridian Street in Indianapolis, Indiana, as the “Richard G. Lugar Post Office Building”, H.R. 150, to modernize Federal grant reporting, H.R. 1198, to designate the facility of the United States Postal Service located at 404 South Boulder Highway in Henderson, Nevada, as the “Henderson Veterans Memorial Post Office Building”, H.R. 1449, to designate the facility of the United States Postal Service located at 3033 203rd Street in Olympia Fields, Illinois, as the “Captain Robert L. Martin Post Office”, and the nominations of Chad F. Wolf, of Virginia, to be Under Secretary for Strategy, Policy, and Plans, Jeffrey Byard, of Alabama, to be Administrator of the Federal Emergency Management Agency, and Troy D. Edgar, of California, to be Chief Financial Officer, all of the Department of Homeland Security, Jeffrey Byard, of Alabama, to be Assistant Secretary for Policy, and Troy D. Edgar, of California, to be Chief Financial Officer, all of the Department of Homeland Security, John McLeod Barger, of California, to be a Governor of the United States Postal Service, and B. Chad Bungard, of Maryland, to be a Member of the Merit Systems Protection Board, 9:30 a.m., SD–342.

Committee on Indian Affairs: business meeting to consider S. 1211, to provide for improvements to Tribal transportation facilities and Tribal transportation safety, and H.R. 1388, to take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California; to be immediately followed by a hearing to examine S. 227, to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, S. 288, to amend the Indian Civil Rights Act of 1968 to extend the jurisdiction of tribal courts to cover crimes involving sexual violence, S. 290, to protect Native children and promote public safety in Indian country, S. 982, to increase intergovernmental coordination to identify and combat violent crime within Indian lands and of Indians, and S. 1853, to require Federal law enforcement agencies to report on cases of missing or murdered Indians, 2:30 p.m., SD–628.

Committee on the Judiciary: to hold hearings to examine combating kleptocracy, focusing on beneficial ownership, money laundering, and other reforms, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine the Small Business Administration’s Office of Disaster Assistance and the response to recent catastrophic floods, 2:30 p.m., SR–428A.

Committee on Veterans’ Affairs: to hold hearings to examine leveraging veteran networks to tackle suicide, focusing on harnessing the power of community, 2:30 p.m., SR–418.

Special Committee on Aging: to hold hearings to examine the complex web of prescription drug prices, focusing on examining agency efforts to further competition and increase affordability, 9 a.m., SD–562.

House

Committee on the Budget, Full Committee, hearing entitled “Poverty in America: Economic Realities of Struggling Families”, 10 a.m., 210 Cannon.

Committee on Education and Labor, Full Committee, hearing entitled “Innovation to Improve Equity: Exploring High-Quality Pathways to a College Degree”, 10:15 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled “Protecting Title X and Safeguarding Quality Family Planning Care”, 10 a.m., 2123 Rayburn.

Subcommittee on Energy, hearing entitled “Legislative Solutions to Make Our Nation’s Pipelines Safer”, 10:30 a.m., 2322 Rayburn.


Committee on Foreign Affairs, Subcommittee on the Middle East, North Africa, and International Terrorism, hearing entitled “Oversight of the Trump Administration’s Iran Policy”, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, markup on H.R. 3256, the “Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2019”, 10 a.m., 310 Cannon.

Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing entitled “H.R. 40 and the Path to Restorative Justice”, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, markup on H.R. 182, to extend the authorization for the Cape Cod National Seashore Advisory Commission; H.R. 205, the “Protecting and Securing Florida’s Coastline Act of
2019”; H.R. 759, the “Ysleta del Sur Pueblo and Alabama-Coushatta Tribes of Texas Equal and Fair Opportunity Settlement Act”; H.R. 1088, the “First Infantry Recognition of Sacrifice in Theater Act”; H.R. 1225, the “Restore Our Parks and Public Lands Act”; H.R. 1305, the “Albatross and Petrel Conservation Act”; H.R. 1365, to make technical corrections to the Guam World War II Loyalty Recognition Act; H.R. 1441, the “Coastal and Marine Economies Protection Act”; H.R. 2427, the “Chesapeake Bay Gateways and Watertrails Network Reauthorization Act of 2019”; H.R. 2490, to amend the National Trails System Act to direct the Secretary of the Interior to conduct a study on the feasibility of designating the Chief Standing Bear National Historic Trail, and for other purposes; H.R. 3195, the “Land and Water Conservation Fund Permanent Funding Act”, 10 a.m., 1324 Longworth.

Committee on Oversight and Reform, Full Committee, hearing entitled “Medical Experts: Inadequate Federal Approach to Opioid Treatment and the Need to Expand Care”, 10 a.m., 2154 Rayburn.


Committee on Science, Space, and Technology, Subcommittee on Energy, hearing entitled “Fossil Energy Research: Enabling our Clean Energy Future”, 2 p.m., 2318 Rayburn.


Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing entitled “Status of the Boeing 737 MAX: Stakeholder Perspectives”, 10 a.m., 2167 Rayburn.

Subcommittee on Coast Guard and Maritime Transportation, hearing entitled “Short Sea Shipping: Rebuilding America’s Maritime Industry”, 2 p.m., 2167 Rayburn.


Committee on Ways and Means, Full Committee, hearing entitled “The 2019 Trade Policy Agenda: Negotiations with China, Japan, the EU, and UK; new NAFTA/USMCA; U.S. Participation in the WTO; and other matters”, 9:30 a.m., 1100 Longworth.

Joint Meetings

Commission on Security and Cooperation in Europe: to receive a briefing on international election observation in the United States and beyond, 10 a.m., 2200, Rayburn Building.

CONGRESSIONAL PROGRAM AHEAD
Week of June 19 through June 21, 2019

Senate Chamber

On Wednesday, Senate will resume consideration of the nomination of Matthew J. Kacsmaryk, to be United States District Judge for the Northern District of Texas, post-cloture.

At 3:30 p.m., Senate will vote on confirmation of the nominations of Matthew J. Kacsmaryk, to be United States District Judge for the Northern District of Texas, Allen Cothrel Winsor, to be United States District Judge for the Northern District of Florida, James David Cain, Jr., to be United States District Judge for the Western District of Louisiana, and Greg Gerard Guidry, to be United States District Judge for the Eastern District of Louisiana.

Following disposition of the nomination of Greg Gerard Guidry, Senate will vote on the motion to invoke cloture on the motion to proceed to S. 1790, National Defense Authorization Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: June 20, Subcommittee on Livestock, Marketing, and Agriculture Security, to hold closed hearings to examine certain intelligence matters, 2 p.m., SH–219.

Committee on Appropriations: June 19, business meeting to markup an original bill entitled, “Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border, 2019”, 10:30 a.m., SD–106.

Committee on Armed Services: June 19, with the Committee on Foreign Relations, to receive a closed joint briefing on Iran’s recent escalation and United States policy responses, 2 p.m., SVC–217.

Committee on Banking, Housing, and Urban Affairs: June 20, to hold hearings to examine outside perspectives on the collection of beneficial ownership information, 10 a.m., SD–538.

Committee on the Budget: June 19, to hold hearings to examine fixing a broken budget process, focusing on lessons from states, 2:30 p.m., SD–608.

Committee on Commerce, Science, and Transportation: June 19, to hold hearings to examine the Fixing America’s Surface Transportation Act reauthorization, focusing on transportation and safety issues, 10 a.m., SH–216.

June 20, Subcommittee on Manufacturing, Trade, and Consumer Protection, to hold an oversight hearing to examine the Consumer Product Safety Commission, 10:30 a.m., SD–562.

Committee on Energy and Natural Resources: June 19, Subcommittee on National Parks, to hold hearings to examine S. 225, to provide for partnerships among State and
local governments, regional entities, and the private sector to preserve, conserve, and enhance the visitor experience at nationally significant battlefields of the American Revolution, War of 1812, and Civil War, S. 298, to establish the Springfield Race Riot National Historic Monument in the State of Illinois, S. 327, to amend the Federal Lands Recreation Enhancement Act to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, S. 389, to authorize the Society of the First Infantry Division to make modifications to the First Division Monument located on Federal land in Presidential Park in the District of Columbia, S. 641, to update the map of, and modify the maximum acreage available for inclusion in, the Yucca House National Monument, S. 774, to adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, S. 849, to provide for the inclusion on the Vietnam Veterans Memorial Wall of the names of the lost crew members of the U.S.S. Frank E. Evans killed on June 3, 1969, S. 1152, to provide for the transfer of administrative jurisdiction over certain parcels of Federal land in Arlington, Virginia, S. 1582, to establish the White Sands National Park in the State of New Mexico as a unit of the National Park System, and S. 1705, to authorize the Every Word We Utter Monument to establish a commemorative work in the District of Columbia and its environs, 10 a.m., SD–366.

June 19, Full Committee, business meeting to consider the nomination of Robert Wallace, of Wyoming, to be Assistant Secretary for Fish and Wildlife, Department of the Interior, 9:45 a.m., SD–366.

June 20, Full Committee, to hold hearings to examine opportunities and challenges for advanced geothermal energy development in the United States, 10 a.m., SD–366.

Committee on Environment and Public Works: June 19, business meeting to consider S. 1345, to amend and reauthorize the Morris K. Udall and Stewart L. Udall Foundation Act, S. 1833, to transfer a bridge over the Wabash River to the New Harmony River Bridge Authority and the New Harmony and Wabash River Bridge Authority, S. 1014, to establish the Route 66 Centennial Commission, S. 349, to require the Secretary of Transportation to request nominations for, and make determinations regarding, roads to be designated under the national scenic byways program, S. 1507, to include certain perfluoroalkyl and polyfluoroalkyl substances in the toxics release inventory, S. 1689, to permit States to transfer certain funds from the clean water revolving fund of a State to the drinking water revolving fund of the State in certain circumstances, and the nominations of Robert Wallace, of Wyoming, to be Assistant Secretary for Fish and Wildlife, Department of the Interior, and William B. Kilbride, to be a Member of the Board of Directors of the Tennessee Valley Authority, and 41 General Services Administration resolutions, 9:30 a.m., SD–406.

Committee on Foreign Relations: June 19, to hold hearings to examine the nominations of Kelly Craft, of Kentucky, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador and the Representative of the United States of America in the Security Council of the United Nations, and to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America to the United Nations, 10:15 a.m., SD–419.

June 19, Full Committee, with the Committee on Armed Services, to receive a closed joint briefing on Iran’s recent escalation and United States policy responses, 2 p.m., SVC–217.

June 20, Full Committee, to hold hearings to examine the nominations of Andrew P. Bremberg, of Virginia, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador, Philip S. Goldberg, of the District of Columbia, to be Ambassador to the Republic of Colombia, Doug Manchester, of California, to be Ambassador to the Commonwealth of The Bahamas, Adrian Zuckerman, of New Jersey, to be Ambassador to Romania, Richard B. Norland, of Iowa, to be Ambassador to Libya, Jonathan R. Cohen, of California, to be Ambassador to the Arab Republic of Egypt, and John Rakolta, Jr., of Michigan, to be Ambassador to the United Arab Emirates, all of the Department of State, and other pending nominations, 9:45 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: June 19, business meeting to consider S. 1867, to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security an Unmanned Aircraft Systems Coordinator, S. 1877, to establish procedures and consequences in the event of a failure to complete regular appropriations, S. 1869, to require the disclosure of ownership of high-security space leased to accommodate a Federal agency, S. 1539, to amend the Homeland Security Act of 2002 to provide funding to secure nonprofit facilities from terrorist attacks, S. 1419, to require agencies to publish an advance notice of proposed rule making for major rules, S. 1151, to prohibit contracting with persons that have business operations with the Maduro regime, S. 1521, to amend section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that National Urban Search and Rescue Response System task forces may include Federal employees, S. 1004, to increase the number of U.S. Customs and Border Protection Office of Field Operations officers and support staff and to require reports that identify staffing, infrastructure, and equipment needed to enhance security at ports of entry, S. 1846, to amend the Homeland Security Act of 2002 to provide for engagements with State, local, Tribal, and territorial governments, S. 1874, to amend title 40, United States Code, to require the Administrator of General Services to procure the most life-cycle cost effective and energy efficiency lighting products and to issue guidance on the efficiency, effectiveness, and economy of those products, S. 764, to provide for congressional approval of national emergency declarations, S. 979, to amend the Post-Katrina Emergency Management Reform Act of 2006 to incorporate the recommendations made by the Government Accountability Office relating to advance contracts, S. 731, to amend the Anti-Border Corruption Act of 2010 to authorize certain polygraph
waiver authority, S. 734, to leverage Federal Government procurement power to encourage increased cybersecurity for Internet of Things devices, S. 1272, to designate the facility of the United States Postal Service located at 575 Dexter Street in Central Falls, Rhode Island, as the “Elizabeth Buffum Chace Post Office”, S. 1759, to designate the facility of the United States Postal Service located at 456 North Meridian Street in Indianapolis, Indiana, as the “Richard G. Lugar Post Office Building”, H.R. 150, to modernize Federal grant reporting, H.R. 1198, to designate the facility of the United States Postal Service located at 404 South Boulder Highway in Henderson, Nevada, as the “Henderson Veterans Memorial Post Office Building”, H.R. 1449, to designate the facility of the United States Postal Service located at 3033 203rd Street in Olympia Fields, Illinois, as the “Captain Robert L. Martin Post Office”, and the nominations of Chad F. Wolf, of Virginia, to be Under Secretary for Strategy, Policy, and Plans, Jeffrey Byard, of Alabama, to be Administrator of the Federal Emergency Management Agency, and Troy D. Edgar, of California, to be Chief Financial Officer, all of the Department of Homeland Security, John McLeod Barger, of California, to be a Governor of the United States Postal Service, and B. Chad Bungard, of Maryland, to be a Member of the Merit Systems Protection Board, 9:30 a.m., SD–342.

Committee on Indian Affairs: June 19, business meeting to consider S. 1211, to provide for improvements to Tribal transportation facilities and Tribal transportation safety, and H.R. 1388, to take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California; to be immediately followed by a hearing to examine S. 227, to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, S. 288, to amend the Indian Civil Rights Act of 1968 to extend the jurisdiction of tribal courts to cover crimes involving sexual violence, S. 290, to protect Native children and promote public safety in Indian country, S. 982, to increase intergovernmental coordination to identify and combat violent crime within Indian lands and of Indians, and S. 1853, to require Federal law enforcement agencies to report on cases of missing or murdered Indians, 2:30 p.m., SD–342.

Committee on the Judiciary: June 19, to hold hearings to examine combating kleptocracy, focusing on beneficial ownership, money laundering, and other reforms, 10 a.m., SD–226.

June 20, Full Committee, business meeting to consider S. 1494, to amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to protect alien minors and to amend the Immigration and Nationality Act to end abuse of the asylum system and establish refugee application and processing centers outside the United States, S. 1227, to require the Federal Trade Commission to study the role of intermediaries in the pharmaceutical supply chain and provide Congress with appropriate policy recommendations, S. 440, to amend title 35, United States Code, to provide that a patent owner may not assert sovereign immunity as a defense in certain actions before the United States Patent and Trademark Office, S. 1224, to enable the Federal Trade Commission to deter filing of sham citizen petitions to cover an attempt to interfere with approval of a competing generic drug or biosimilar, to foster competition, and facilitate the efficient review of petitions filed in good faith to raise legitimate public health concerns, S. 1416, to amend the Federal Trade Commission Act to prohibit anticompetitive behaviors by drug product manufacturers, and the nominations of Daniel Aaron Bress, of California, to be United States Circuit Judge for the Ninth Circuit, Peter Joseph Phipps, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Mary S. McElroy, to be United States District Judge for the District of Rhode Island, Gary Richard Brown, Diane Guajardo, Eric Ross Komitee, and Rachel P. Kovner, each to be a United States District Judge for the Eastern 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, Charles R. Eskridge III, to be United States District Judge for the Southern District of Texas, Lewis J. Liman, and Mary Kay Vyskocil, both to be a United States District Judge for the Southern District of New York, Martha Maria Pacold, Mary M. Rowland, and Steven C. Seeger, each to be a United States District Judge for the Northern District of Illinois, Jason K. Pulliam, to be United States District Judge for the Western District of Texas, John L. Sinatra, Jr., to be United States District Judge for the Western District of New York, William Shaw Stickman IV, to be United States District Judge for the Western District of Pennsylvania, Frank William Volk, to be United States District Judge for the Southern District of West Virginia, Jennifer Philpott Wilson, to be United States District Judge for the Middle District of Pennsylvania, David Austin Tapp, of Kentucky, to be a Judge of the United States Court of Federal Claims, and Edward W. Felten, of New Jersey, to be a Member of the Privacy and Civil Liberties Oversight Board, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: June 19, to hold hearings to examine the Small Business Administration’s Office of Disaster Assistance and the response to recent catastrophic floods, 2:30 p.m., SR–428A.

Committee on Veterans’ Affairs: June 19, to hold hearings to examine leveraging veteran networks to tackle suicide, focusing on harnessing the power of community, 2:30 p.m., SR–418.

Select Committee on Intelligence: June 20, to hold closed hearings to examine certain intelligence matters, 2 p.m., SH–219.

Special Committee on Aging: June 19, to hold hearings to examine the complex web of prescription drug prices, focusing on examining agency efforts to further competition and increase affordability, 9 a.m., SD–562.

House Committees

Committee on Agriculture, June 20, Subcommittee on General Farm Commodities and Risk Management, hearing entitled “How Farm Policy Helps Farmers in Adverse Conditions”, 10 a.m., 1300 Longworth.

June 20, Subcommittee on Nutrition, Oversight, and Department Operations, hearing entitled “The Potential Implications of Eliminating Broad-Based Categorical Eligibility for SNAP Households”, 2 p.m., 1300 Longworth.

Committee on Education and Labor, June 20, Subcommittee on Workforce Protections, hearing entitled “Breathless and Betrayed: What is MSHA Doing to Protect Miners from the Resurgence of Black Lung Disease?”, 10:15 a.m., 2175 Rayburn.

June 20, Subcommittee on Health, hearing entitled “Strengthening Health Care in the U.S. Territories for Today and Into the Future”, 10:30 a.m., 2322 Rayburn.

Committee on Financial Services, June 20, Full Committee, hearing entitled “Diversity in the Boardroom; Examining Proposals to Increase the Diversity of America’s Boards”, 10 a.m., 2128 Rayburn.

June 20, Subcommittee on Housing, Community Development, and Insurance, hearing entitled “What’s Your Home Worth? A Review of the Appraisal Industry”, 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, June 20, Full Committee, markup on H.R. 3190, the “BURMA Act of 2019”; H.R. 2327, the “Burma Political Prisoners Assistance Act”; H.R. 1632, the “Southeast Asia Strategy Act”; H.R. 3194, the “NATO Defense Financing Act”; H.R. 3206, to impose sanctions with respect to the provision of certain vessels for the construction of Russian energy export pipelines; H.R. 3252, the “Global Respect Act”; H. Res. 259, expressing the sense of the House of Representatives to support the repatriation of religious and ethnic minorities in Iraq to their ancestral homelands; H. Res. 452, condemning the attacks on peaceful protesters and supporting an immediate peaceful transition to a civilian-led democratic government in Sudan; H. Res. 441, condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994 and expressing the concern of the United States regarding the continuing, 25-year-long delay in the resolution of this case and encouraging accountability for the attack; H.R. 2529, the “Richard G. Lugar and Ellen O. Tauscher Act to Maintain Limits on Russian Nuclear Forces”; H. Res. 444, reaffirming the importance of the United States to promote the safety, health, and well-being of refugees and displaced persons; and H.R. 2229, the “First Responders Passport Act of 2019”, 10 a.m., 2172 Rayburn.

June 20, Subcommittee on Oversight and Investigations, hearing entitled “The State Department and USAID FY 2020 Operations Budget”, 3 p.m., 2172 Rayburn.


Committee on House Administration, June 20, Full Committee, hearing entitled “Oversight of the Congressional Research Service”, 10 a.m., 1510 Longworth.

Committee on the Judiciary, June 20, Full Committee, hearing entitled “Lessons from the Mueller Report, Part II: Bipartisan Perspectives”, 10 a.m., 2141 Rayburn.


Committee on Natural Resources, June 20, Subcommittee on Energy and Mineral Resources, hearing entitled “Oil and Gas Development: Restoring Community Input and Public Participation in Leasing Decisions”, 10 a.m., 1324 Longworth.

Committee on Oversight and Reform, June 20, Subcommittee on Government Operations, hearing entitled “Ensuring Quality Health Care for Our Veterans”, 2 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology, June 20, Full Committee, markup on H.R. 2528, the “STEM Opportunities Act of 2019”; H.R. 36, the “Combating Sexual Harassment in Science Act of 2019”; H.R. 3196, the “Vera Rubin Survey Telescope Designation Act”; and H.R. 3153, the “Expanding Findings for Federal Opioid Treatment Act”, 10 a.m., 2318 Rayburn.

Committee on Small Business, June 20, Subcommittee on Economic Growth, Tax, and Capital Access, hearing entitled “The Importance of Accurate Census Data to Small Business Formation and Growth”, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, June 20, Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing entitled “The State of the Rail Workforce”, 10 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, June 20, Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled “Ensuring Access to Disability Benefits for Veterans Survivors of Military Sexual Trauma”, 10 a.m., HVC–210.

June 20, Full Committee, business meeting to assign Representative Gregorio Kilili Camacho Sablan of Northern Mariana Islands to the Health Subcommittee, 2 p.m., HVC–210.

June 20, Full Committee, hearing on H.R. 2943, to direct the Secretary of Veterans Affairs to make all fact sheets of the Department of Veterans Affairs in English and Spanish; H.R. 2942, to direct the Secretary of Veterans Affairs to carry out the Women’s Health Transition Training pilot program through at least fiscal year 2020, and for other purposes; H.R. 2676, the “VA Survey of Cannabis Use Act”; H.R. 2677, to require the Secretary of Veterans Affairs to provide training in the use of medical cannabis for all Department of Veterans Affairs primary care providers, and for other purposes; H.R. 712, the “VA Medicinal Cannabis Research Act of 2019”; H.R. 1647, the “Veterans Equal Access Act”; H.R. 3083, the “AIR Acceleration Act”; H.R. 485, the “VREASA”; legislation on Specially Adaptive Housing; and legislation on Disability Assistance and Memorial Affairs, hearing entitled “Ensuring Access to Disability Benefits for Veterans Survivors of Military Sexual Trauma”, 10 a.m., HVC–210.

June 20, Full Committee, hearing on H.R. 2943, to direct the Secretary of Veterans Affairs to make all fact sheets of the Department of Veterans Affairs in English and Spanish; H.R. 2942, to direct the Secretary of Veterans Affairs to carry out the Women’s Health Transition Training pilot program through at least fiscal year 2020, and for other purposes; H.R. 2676, the “VA Survey of Cannabis Use Act”; H.R. 2677, to require the Secretary of Veterans Affairs to provide training in the use of medical cannabis for all Department of Veterans Affairs primary care providers, and for other purposes; H.R. 712, the “VA Medicinal Cannabis Research Act of 2019”; H.R. 1647, the “Veterans Equal Access Act”; H.R. 3083, the “AIR Acceleration Act”; H.R. 485, the “VREASA”; legislation on Specially Adaptive Housing; and legislation on Disability Assistance and Memorial Affairs, hearing entitled “Ensuring Access to Disability Benefits for Veterans Survivors of Military Sexual Trauma”, 10 a.m., HVC–210.

Committee on Ways and Means, June 20, Full Committee, markup on H.R. 3298, the “The Child Care Quality and Access Act of 2019”; H.R. 3299, the “The Promoting Respect for Individuals’ Dignity and Equality Act of 2019”; H.R. 3500, the “The Economic Mobility Act of 2019”; and H.R. 3301, the “The Taxpayer Certainty and Disaster Tax Relief Act of 2019”, 9:30 a.m., 1100 Longworth.

Select Committee on the Modernization of Congress, June 20, Full Committee, hearing entitled “Cultivating Diversity and Improving Retention Among Congressional Staff”, 2 p.m., 2253 Rayburn.

Joint Meetings

Commission on Security and Cooperation in Europe: June 19, to receive a briefing on international election observation in the United States and beyond, 10 a.m., 2200, Rayburn Building.
Next Meeting of the SENATE
9:30 a.m., Wednesday, June 19

Senate Chamber

Program for Wednesday: Senate will resume consideration of the nomination of Matthew J. Kacsmaryk, to be United States District Judge for the Northern District of Texas, post-cloture.

At 3:30 p.m., Senate will vote on confirmation of the nominations of Matthew J. Kacsmaryk, to be United States District Judge for the Northern District of Texas, Allen Cothrel Winsor, to be United States District Judge for the Northern District of Florida, James David Cain, Jr., to be United States District Judge for the Western District of Louisiana, and Greg Gerard Guidry, to be United States District Judge for the Eastern District of Louisiana.

Following disposition of the nomination of Greg Gerard Guidry, Senate will vote on the motion to invoke cloture on the motion to proceed to S. 1790, National Defense Authorization Act.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, June 19

House Chamber


Begin consideration of H.R. 3055—Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020 (Subject to a Rule).

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