SA 1779. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1780. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1781. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1782. Mr. MENENDEZ (for himself, Mr. CHAMBER, Mr. BOOKER, Mr. DINAES, and Mr. Tester) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1783. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1784. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1785. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1786. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1787. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1788. Mr. SANDERS (for himself, Mr. GRASSLEY, Mr. WYDEN, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1789. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1790. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1791. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1792. Mr. BURRIN (for himself, Mr. PAUL, Ms. DUCKWORTH, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1793. Mr. DURBIN (for himself, Mr. LEAHY, Mr. UDALL, Mr. MURPHY, and Mr. Tester) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1794. Mr. DURBIN (for himself, Mr. CARLIN, and Mr. Van HOLLIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1795. Mr. DURBIN (for himself, Ms. DUCKWORTH, Mr. PENDUE, Mr. BLUMENTHAL, Mr. JONES, Mr. MURPHY, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1796. Mr. BURRIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1797. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1798. Ms. DUCKWORTH (for herself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1799. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1800. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1801. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1802. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1803. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SEC. 1205. STRUCTURING TRANSACTIONS TO EVADE REPORTING REQUIREMENT PROHIBITED.

(a) AMENDMENTS TO TITLE 31.—Section 5324 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “knowingly” after “Public Law 91-508”;

(B) in paragraph (3), by inserting “of funds not derived from a legitimate source” after “any transaction”;

(2) in subsection (b), in the matter preceding paragraph (1), by inserting “knowingly” after “such section”;

(3) in subsection (c), in the matter preceding paragraph (1), by inserting “knowingly” after “subject to seizure’’;

(b) PROBABLE CAUSE HEARING IN CONNECTION WITH PROPERTY SEIZURES RELATING TO CERTAIN MONETARY INSTRUMENTS TRANSACTIONS.—

(1) AMENDMENT.—Section 5317 of title 31, United States Code, is amended by adding at the end of the following:

“(d) PROBABLE CAUSE HEARING IN CONNECTION WITH PROPERTY SEIZURES RELATING TO CERTAIN MONETARY INSTRUMENTS TRANSACTIONS.—

(1) IN GENERAL.—Not later than 14 days after the date on which notice is provided under paragraph (2) (A) a court of competent jurisdiction shall conduct a hearing on any property seized or restrained under subsection (c) with respect to an alleged violation of section 5324; and

(B) any property described in subparagraph (A) shall be returned unless the court finds that there is probable cause to believe that there is a violation of section 5324 involving the property.

(2) NOTICE.—Each person from whom property is seized or restrained under subsection (c) with respect to an alleged violation of section 5324 shall be notified of the right of the person to present a hearing under paragraph (1).”

(c) APPLICABILITY.—The amendment made by paragraph (1) shall apply to property seized or restrained after the date of enactment of this Act.

SEC. 1206. PROPORTIONALITY.

Section 983(c)(2) of title 18, United States Code, is amended to read as follows:

“(2) In making this determination, the court shall consider such factors as—

(A) the seriousness of the offense;

(B) the extent of the nexus of the property to the offense;

(C) the range of sentences available for the offense giving rise to forfeiture;

(D) the fair market value of the property; and

(E) the hardship to the property owner and dependents.”.

SEC. 1207. REPORTING REQUIREMENTS.

Section 522(c)(10)(A) of title 28, United States Code, is amended by inserting “from each type of forfeiture, and specifically identifying which funds were obtained from including criminal forfeitures and which were obtained from civil forfeitures,” after “deposits.”

SEC. 1208. NONJUDICIAL FORFEITURE.

Section 983 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking “Claim”;

(B) in paragraph (1)—

(i) in subparagraph (A)—

(1) in clause (i)—

(aa) by striking “clauses (ii) through (v), in any nonjudicial” and inserting “clause (ii), in any”; and

(bb) by striking “60” and inserting “7”;

(ii) by inserting clauses (i) through (iv); (iii) by redesignating clause (v) as clause (ii); and

(iv) by striking clause (ii), as so redesignated, and inserting the following: ‘‘(ii) if the identity or interest of a party is not determined until after the seizure or turnover but is determined before a declaratory determination is entered, the Government shall determine the identity and address of the party or interest within 7 days after the seizure or turnover, and notice shall be sent to the party or interest within 7 days after the determination by the Government of the identity and address of the party or the party’s interest.’’;

(ii) by striking subparagraphs (B) through (D); (iii) by redesignating subparagraphs (D) through (F) as subparagraphs (B) through (D), respectively; and

(iv) in subparagraph (C), as so redesignated, by striking “nonjudicial”;

(2) in section 983(g)—

(A) by striking paragraph (1A) and inserting the following:

“(1A) If a person with standing to contest the forfeiture of property in a judicial civil forfeiture proceeding under a civil forfeiture statute is—

(i) financially unable to obtain representation by counsel; or

(ii) the cost of obtaining representation would exceed the value of the seized property, the court may authorize or appoint counsel to represent that person with respect to the claim;”;

(B) in subparagraph (1B), by inserting “or appoint” after “authorize”;

(C) by redesignating paragraphs (2), (3), and (4) as paragraphs (2), (3), and (4), respectively; and

(D) in paragraph 2(A), as so redesignated—

(1) by striking “90” and inserting “30”; and

(ii) by striking “after a claim has been filed” and inserting “the date of the seizure.”

(3) in subsection (d)(1), by striking the second sentence;

(4) in subsection (e)—

(A) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by striking “nonjudicial”;

(ii) by striking “a declaration” and inserting “an order”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “decaration” and inserting “order”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) Any proceeding described in subparagraph (A) shall be commenced within 6 months of the entry of the order granting the motion.”

(C) by striking paragraph (5);

(5) in subsection (f)(1), in the matter preceding subparagraph (A), by inserting “a(4)” and inserting “a(4)’’; and

(6) in subsection (g)(1), by striking “a(4)” and inserting “a(5)”;

(7) by adding at the end of subsection (k)(1)Notwithstanding any other provision of law—

(A) no Federal sealing agency may conduct nonjudicial forfeitures; ‘‘(B) no property may be subject to forfeiture except through judicial process; and

(C) no order of forfeiture may be entered except by a United States district court.”

(2) In this subsection, the term ‘‘nonjudicial forfeiture’’ means an order in rem action that permits the Federal sealing agency to start a forfeiture without judicial involvement.’’.

(2) In this subsection, the term ‘‘nonjudicial forfeiture’’ means an order in rem action that permits the Federal sealing agency to start a forfeiture without judicial involvement.”.

SEC. 1204. DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND DEPOSITS.

Section 522(c)(4) of title 28, United States Code, is amended—

(1) by striking subparagraphs (A) and (B); and

(2) by redesignating subparagraphs (C) and (D) as subparagraphs (A) and (B), respectively.
SEC. 1209. APPLICABILITY.

The amendments made by this title shall apply to—

(1) any civil forfeiture proceeding pending on or after the date of enactment of this Act; and

(2) any amounts received from the forfeiture of property on or after the date of enactment of this Act.

SA 1678. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3985, to improve and reform policing practices, accountability, and transparency; which was ordered to lie on the table; as follows:

SEC. 1. SHORT TITLE.—This section may be cited as the ‘‘Justice for Breonna Taylor Act’’.

(b) PROHIBITION ON NO-KNOCK WARRANTS.—

(1) FEDERAL PROHIBITION.—Notwithstanding any other provision of law, a Federal law enforcement officer (as defined in section 115 of title 18, United States Code) may not execute a warrant until after the officer provides notice of his or her authority and purpose before forcibly entering a premises, except in the case of an imminent risk of death or serious bodily injury.

(2) STATE AND LOCAL LAW ENFORCEMENT AGENCIES.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and each fiscal year thereafter, a State or local law enforcement agency that receive funds from the Department of Justice during the fiscal year may not execute a warrant that does not require the law enforcement officer serving the warrant to provide notice of his or her authority and purpose before forcibly entering a premises, except in the case of an imminent risk of death or serious bodily injury.

In section 103(a), by striking ‘‘subsections (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by sections 101 and 102 of this Act, respectively, and that ensure the reporting under such subsections (h) and (i)’’ and inserting ‘‘subsection (h) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by section 101, and that ensure the reporting under such subsection (h)’’.

In section 103(b), by striking ‘‘or 102’’. In section 106(a), by striking ‘‘subsections (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by sections 101 and 102 of this Act, respectively, and that ensure the reporting under such subsections (h) and (i)’’ and inserting ‘‘subsection (h) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by section 101’’.

SA 1679. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3985, to improve and reform policing practices, accountability, and transparency; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLe 1—STOP MILITARIZING LAW ENFORCEMENT ACT

SEC. 01. SHORT TITLE.

This title may be cited as the ‘‘Stop Militarizing Law Enforcement Act.’’

SEC. 02. ADDITIONAL LIMITATIONS ON TRANSFER OF DEPARTMENT OF DEFENSE PERSONAL PROPERTY TO FEDERAL AND STATE LAW ENFORCEMENT AGENCIES.

(a) ADDITIONAL LIMITATIONS.

(1) Section 7076a of title 10, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ‘‘subsection (b)’’ and inserting ‘‘the provisions of this section’’; and

(II) in subparagraph (c), by striking ‘‘including counter-drug and counterterrorism activities’’; and

(ii) in paragraph (2), by striking ‘‘and the Director of National Drug Control Policy’’;

(B) in subsection (b)—

(i) in paragraph (5), by striking ‘‘and at the end’’;

(ii) in paragraph (6), by striking the period and inserting a semicolon; and

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

(7) the recipient certifies to the Department of Defense that it has the personnel and technical capacity, including training, to operate the property; and

(8) the recipient certifies to the Department of Defense that if the recipient determines that the property is surplus to the needs of the agency and purpose before forcibly entering a premises, except in the case of an imminent risk of death or serious bodily injury.

(2) STATE AND LOCAL LAW ENFORCEMENT AGENCIES.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and each fiscal year thereafter, a State or local law enforcement agency that receive funds from the Department of Justice during the fiscal year may not execute a warrant that does not require the law enforcement officer serving the warrant to provide notice of his or her authority and purpose before forcibly entering a premises, except in the case of an imminent risk of death or serious bodily injury.

In section 103(a), by striking ‘‘subsections (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by sections 101 and 102 of this Act, respectively, and that ensure the reporting under such subsections (h) and (i)’’ and inserting ‘‘subsection (h) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by section 101’’.

(b) PROHIBITION ON NO-KNOCK WARRANTS.—

(1) FEDERAL PROHIBITION.—Notwithstanding any other provision of law, a Federal law enforcement officer (as defined in section 115 of title 18, United States Code) may not execute a warrant until after the officer provides notice of his or her authority and purpose before forcibly entering a premises, except in the case of an imminent risk of death or serious bodily injury.

In section 103(a), by striking ‘‘subsections (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by sections 101 and 102 of this Act, respectively, and that ensure the reporting under such subsections (h) and (i)’’ and inserting ‘‘subsection (h) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by section 101’’.

(b) PROHIBITION ON NO-KNOCK WARRANTS.—

(1) FEDERAL PROHIBITION.—Notwithstanding any other provision of law, a Federal law enforcement officer (as defined in section 115 of title 18, United States Code) may not execute a warrant until after the officer provides notice of his or her authority and purpose before forcibly entering a premises, except in the case of an imminent risk of death or serious bodily injury.

In section 103(a), by striking ‘‘subsections (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by sections 101 and 102 of this Act, respectively, and that ensure the reporting under such subsections (h) and (i)’’ and inserting ‘‘subsection (h) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by section 101’’.

The Secretary shall submit to the appropriate committees of Congress each year a certification that transfer of the property has been approved by Congress after the date of the receipt of the report by Congress.

(2) APPROVAL BY LAW REQUIRED FOR TRANSFER OF PROPERTY NOT PREVIOUSLY TRANSFERRED.—(1) In the event the Secretary of Defense proposes to make available to a recipient under this section any property covered by a report under this subsection, the Secretary shall submit to the appropriate committees of Congress a report setting forth the following:

(A) A description of the property proposed to be made available for transfer.

(B) A description of the conditions, if any, to be imposed on use of the property after transfer.

(C) A certification that transfer of the property would not violate a provision of this section or any other provision of law.

The Secretary of Defense may not transfer any property covered by a report under this subsection, and such recipient shall be suspended or terminated from further receipt of property under this paragraph.

(2) CONDITIONS FOR EXTENSION OF PROVISION.—Notwithstanding any other provision of law, amounts authorized to be appropriated or otherwise made available for any fiscal year may not be obligated or expended to carry out this section unless the Secretary submits to the appropriate committees of Congress a certification that for the preceding fiscal year that—

(1) each recipient agency that has received property under this section has—

(A) demonstrated 100 percent accountability for all such property, in accordance with paragraph (2) or (3), as applicable; or

(B) been suspended or terminated from the program pursuant to paragraph (4); and

(2) with respect to each non-Federal agency that has received property under this section, the State Coordinator responsible for each non-Federal agency has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended or terminated from the program pursuant to paragraph (4);

(3) with respect to each Federal agency that has received property under this section, the Secretary of Defense has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended or terminated from the program pursuant to paragraph (4);

(4) the eligibility of any agency that has received property under this section for which 100 percent of the equipment was not accounted for during the inventory described in paragraph (2) or (3), as applicable, to receive property transferred under this section has been suspended or terminated;

(5) the State Coordinator has certified, for each non-Federal agency located in the State for which the State Coordinator is responsible that—

(A) the agency has complied with all requirements under this section; or

(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated.

(6) the Secretary of Defense has certified, for each Federal agency that has received property under this section that—

(A) the agency has complied with all requirements under this section; or

(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated.

(7) WEB SITE.—The Defense Logistics Agency shall maintain a website on a quarterly basis, an Internet website on which the following information shall be made publicly available in a searchable format:

(A) A description of each transfer made under this section, including transfers made before the date of the enactment of the Stop Militarizing Law Enforcement Act, set forth by State, county, and city, including including item name, item type, item model, and quantity.
“(2) A list of all property transferred under this section that is not accounted for by the Defense Logistics Agency, including—
(A) the name of the State, county, and recipient; and
(B) the item name, item type, and item model.

“(3) A list of each agency suspended or terminated as a result of the receipt of property under this section, including State, county, and agency, and the reason for and duration of such suspension or termination.

“(1) Unless otherwise provided by the Defense Logistics Agency; and

“(D) the current status of such item.

“(3) A list of all equipment received under each preparedness grant program to be used by the Defense Logistics Agency, including—
(A) the agency receiving the property; and
(B) the item name, item type, and item model.

“(C) the date on which such property became available for use by the Defense Logistics Agency; and

“(D) the current status of such item.

“(3) A list of each agency suspended or terminated as a result of the receipt of property under this section, including State, county, and agency, and the reason for and duration of such suspension or termination.

“(1) Determining whether the awardee has already received, and still retains property from the Department of Defense pursuant to section 2013 of the Homeland Security Act of 2002 (6 U.S.C. 604); and

“(C) the Defense Logistics Agency, including—
(A) the name of the State, county, and recipient; and
(B) the item name, item type, and item model.

“(2) EFFECTIVE DATE.—The amendments added by section 02(a)(1) of this Act shall take effect on the date of the enactment of this Act.

“(3) The term ‘controlled property’ means any item that is identified and tracked by the Defense Logistics Agency; and

“(D) the current status of such item.

“(3) A list of each agency suspended or terminated as a result of the receipt of property under this section, including State, county, and agency, and the reason for and duration of such suspension or termination.

“(1) Determining whether the awardee has already received, and still retains property from the Department of Defense pursuant to section 2013 of the Homeland Security Act of 2002 (6 U.S.C. 604); and

“(C) the Defense Logistics Agency, including—
(A) the name of the State, county, and recipient; and
(B) the item name, item type, and item model.

“(2) EFFECTIVE DATE.—The amendments added by section 02(a)(1) of this Act shall take effect on the date of the enactment of this Act.

“(3) The term ‘controlled property’ means any item that is identified and tracked by the Defense Logistics Agency; and

“(D) the current status of such item.

“(3) A list of each agency suspended or terminated as a result of the receipt of property under this section, including State, county, and agency, and the reason for and duration of such suspension or termination.

“(1) Determining whether the awardee has already received, and still retains property from the Department of Defense pursuant to section 2013 of the Homeland Security Act of 2002 (6 U.S.C. 604); and

“(C) the Defense Logistics Agency, including—
(A) the name of the State, county, and recipient; and
(B) the item name, item type, and item model.
the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the humanitarian effects on the people of Yemen of—

(1) the air, land, and sea blockade of Yemen;
(2) the activities of the Ansar Allah, or the Houthis, to illicitly profit from critical commercial and humanitarian imports; and
(3) the activities of the Government of the Republic of Yemen and the Southern Transitional Council.

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

(1) Any credible information known about the estimated number of civilian deaths in Yemen; that are attributable to—
(A) food security, water, sanitation, hygiene, and public health; and
(B) significant under-enforcement of Yemen to halt or reduce the transmission of Coronavirus Disease 2019 (COVID-19) in Yemen.

(2) Any credible information known about the humanitarian effects of such blockade and activities on the people of Yemen, including the effects on—
(A) food security, water, sanitation, hygiene, and public health; and
(B) the activities of the Houthis, the Government of the Republic of Yemen, and the Southern Transitional Council.

(3) Any credible information known about the effects of such blockade and activities on the economy of Yemen.

(4) Any credible information known about such activities that have exacerbated the adverse effects of such blockade.

(5) Any credible information known about whether the military support of the United States to the Kingdom of Saudi Arabia, the Government of the United Arab Emirates, or the Saudi-led coalition since March 1, 2015, has contributed in any manner to such blockade, including—

(A) the transfer of logistics support, supplies, and services under sections 2342 of title 10, United States Code, or any other applicable law; and
(B) the total amount of such support.

(6) A description of the Department of Defense, the Department of State, and appropriate committees of Congress in place to ensure that the provision of military support to the Kingdom of Saudi Arabia, the Government of the United Arab Emirates, or the Saudi-led coalition does not contribute to military operations in Yemen in compliance with Federal and international law of armed conflict, and a determination of whether the Secretary of Defense or the Secretary of State have made an assessment of such support in accordance with such processes.

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

(d) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ‘appropriate committees of Congress’ means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and
(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Financial Services of the House of Representatives.

SA 1682. Ms. WARREN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1. SHORT TITLE.

This subtitle may be cited as the ‘Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act’.

SEC. 2. ASSISTANCE FOR UNITED STATES NATIONALS UNFULLY DETAINED OR WRONGFULLY DETAINED ABROAD.

(a) REVIEW.—The Secretary of State shall review the cases of United States nationals detained abroad to determine if there is credible information that they are being detained unlawfully or wrongfully, based on criteria which may include any available credible information that—

(1) United States officials receive or possess credible information indicating innocence of the detained individual;
(2) the individual is being detained solely or substantially because he or she is a United States national;
(3) the individual is being detained solely or substantially to influence United States Government policy or to secure economic or political concessions from the United States Government;
(4) the detention appears to be because the individual sought to obtain, exercise, defend, or promote freedom of the press, freedom of religion, or the right to peacefully assemble; or
(5) the detention is a pretext for an illegitimate purpose.

(b) REPORT.—If the Secretary of State determines there is credible information that the detention of a United States national abroad is unlawful or wrongful, and regardless of whether the detention is by a foreign government or a nongovernmental actor, the Secretary shall transfer responsibility for such case from the Bureau of Consular Affairs of the Department of State to the Special Envoy for Hostage Affairs created pursuant to section 3.

(c) DECLARATION OF INNOCENCE.—In the case of an individual determined by the Secretary of State to have been detained unlawfully or wrongfully, the Secretary shall—

(1) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(2) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(3) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(4) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(5) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(6) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(7) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(8) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(9) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(10) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(11) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(12) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(13) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(14) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(15) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(16) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(17) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(18) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(19) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(20) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(21) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(22) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(23) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(24) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(25) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(26) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(27) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(28) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(29) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(30) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(31) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(32) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(33) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(34) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(35) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(36) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(37) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(38) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(39) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(40) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
(41) if the detention is based on credible information that the detained individual is innocent of any crime, transfer the individual to the custody of the United States;
with section 552a of title 5, United States Code (commonly known as the “Privacy Act of 1974”).

(b) basic facts about the case;

(c) a summary of the information that such individual may be detained unlawfully or wrongfully;

(d) a description of specific efforts, legal and diplomatic, made on behalf of the individual since the last reporting period, including a description of accomplishments and setbacks; and

(e) a description of intended next steps.

(4) provide families with timely information regarding hostage events, including potential setbacks; and

(5) make recommendations to agencies in order to reduce the likelihood of United States nationals being taken hostage abroad and enhance United States Government preparation to maximize the probability of a favorable outcome following a hostage-taking; and

(G) coordinate with agencies regarding congressional, media, and other public inquiries pertaining to hostage events.

SEC. 3. HOSTAGE RESPONSE GROUP.

(a) Establishment.—The President shall establish a Hostage Response Group, chaired by the designated member of the National Security Council or the Deputies Committee of the National Security Council, to be convened on a regular basis, to further the safe recovery of United States nationals being held hostage abroad or unlawfully or wrongfully detained abroad, and to be tasked with coordinating the United States Government response to other hostage-takings occurring abroad in which the United States has a national interest.

(b) Membership.—The regular members of the Hostage Response Group shall include the Director of the Hostage Recovery Fusion Cell, the Hostage Recovery Fusion Cell’s Family Engagement Coordinator, the Special Envoy appointed in subsection _3_, and representatives from the Department of the Treasury, the Department of Defense, the Department of Justice, the Federal Bureau of Investigation, the Office of the Director of National Intelligence, the Central Intelligence Agency, and other agencies as the President, from time to time, may designate.

(c) Duties.—The Hostage Recovery Group shall:

(1) identify and recommend hostage recovery options and strategies to the President through the National Security Council;

(2) coordinate the development and implementation of United States hostage recovery policies, strategies, and procedures;

(3) receive regular updates from the Hostage Recovery Fusion Cell and the Special Envoy for Hostage Affairs on the status of United States nationals being held hostage or unlawfully or wrongfully detained abroad and measures being taken to effect safe recoveries;

(4) coordinate the provision of policy guidance to the Hostage Recovery Fusion Cell, including reviewing recovery options proposed by the Hostage Recovery Fusion Cell and working to resolve disputes within the Hostage Recovery Fusion Cell;

(5) as appropriate, direct the use of resources at the Hostage Recovery Fusion Cell to coordinate or assist in the safe recovery of United States nationals unlawfully or wrongfully detained abroad; and

(6) as appropriate, direct the use of resources at the Hostage Recovery Fusion Cell to coordinate or assist in the safe recovery of United States nationals unlawfully or wrongfully detained abroad and measure being taken to effect safe recoveries.

(d) Meetings.—The Hostage Response Group shall meet regularly.

SEC. 4. HOSTAGE RECOVERY FUSION CELL.

(a) Establishment.—The President shall establish an interagency Hostage Recovery Fusion Cell.

(b) Participation.—The President shall direct the heads of each of the following executive departments, agencies, and offices to make available personnel to participate in the Hostage Recovery Fusion Cell:

(1) the Department of State;

(2) the Department of the Treasury;

(3) the Department of Defense;

(4) the Department of Justice;

(5) the Office of the Director of National Intelligence;

(6) the Federal Bureau of Investigation.

(c) Personnel.—The Hostage Recovery Fusion Cell shall include:

(1) a Director, who shall be a full-time senior officer or employee of the United States Government;

(2) a Family Engagement Coordinator who shall:

(A) work to ensure that all interactions by executive branch officials with a hostage's family occur in a coordinated fashion and that the family receives consistent and accurate information from the United States Government; and

(B) if directed, perform the same function as set out in subparagraph (A) with regard to the family of any United States national who is unlawfully or wrongfully detained abroad; and

(3) other officers and employees as deemed appropriate by the President.

(d) Duties.—The Hostage Recovery Fusion Cell shall:

(1) coordinate efforts by participating agencies to ensure that all relevant information, expertise, and resources are brought to bear to secure the safe recovery of United States nationals held hostage abroad; and

(2) if directed, coordinate the United States Government’s response to other hostage-takings occurring abroad in which the United States has a national interest;

(3) if directed, coordinate or assist the United States Government’s response to help secure the release of United States nationals unlawfully or wrongfully detained abroad; and

(4) pursuant to policy guidance coordinated through the National Security Council, coordinate hostage recovery options and strategies to the President through the National Security Council or the Deputies Committee of the National Security Council;

(5) assess and track all hostage-takings of United States nationals abroad and provide regular reports to the President and Congress on the status of such cases and any measures being taken toward the hostages’ safe recovery;

(6) provide a forum for intelligence sharing among the Director of National Intelligence, the Office of the Director of National Intelligence, and the Director of the Hostage Recovery Fusion Cell; and

(7) coordinate with agencies regarding the development and implementation of United States hostage recovery policies, strategies, and procedures.

SEC. 5. AUTHORIZATION OF IMPOSITION OF SANCTIONS.

(a) In General.—The President may impose the sanctions described in subsection (b) with respect to any foreign person the President determines, based on credible evidence, is responsible for or is complicit in, or responsible for ordering, controlling, or otherwise directing, the hostage-taking of a
United States national abroad or the unlawful or wrongful detention of a United States national abroad; or
(2) knowingly provides financial, material, or technological support for, or causes the importation of, goods, services, or technology in support of, an activity described in paragraph (1).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a) may be—
(i) inadmissible to the United States;
(ii) ineligible to receive a visa or other entry documentation to enter the United States; and
(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(2) BLOCKING OF PROPERTY.—
(A) IN GENERAL.—The President may exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), to the extent necessary to block and prohibit all transactions in property and interests in property of a person described in subsection (a) if such property and interests in property are in the United States, come within the possession, custody, or control of a United States person.

(B) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out that subsection shall be subject to the appropriate consequence for the activity for which sanctions were imposed;

(C) any person in the United States.

(D) PENALTIES.—A person that violates, at the same time as a person that commits an unlawful act described in subsection (a) of this section, a withholding requirements under title V of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22), 8 U.S.C. 1108); and

(E) APPOINTMENT.—

SEC. 8. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to authorize a private right of action.

SA 1834. Ms. DUCKWORTH (for herself and Mr. Scott of South Carolina) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 9. INTERAGENCY COMMITTEE ON WOMEN'S BUSINESS ENTERPRISE.

Title IV of the Women's Business Ownership Act of 1988 (15 U.S.C. 7101 et seq.) is amended—

(1) in section 402 (15 U.S.C. 7102)—

(A) in subsection (a),

(i) by striking paragraphs (2) and (3);

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

(iii) by adding at the end the following:

"(4) monitor the plans, programs, and operations of the departments and agencies of the Federal Government to identify barriers to new business formation by women entrepreneurs, or barriers experienced by women-owned startups in accessing and participating in the plans, programs, and operations of the departments and agencies of the Federal Government."

(B) in subsection (b), by inserting after the second sentence the following: "In addition to the meetings described in the preceding sentence, the Interagency Committee shall meet at the call of the executive director of the Council or the chairperson of the Interagency Committee.;" and

(C) in subsection (c), in the first sentence, by striking "2012" and inserting through the use of research and policy developed by the Council" after "Council";

(2) in section 403 (15 U.S.C. 7103)—

(A) in subsection (a), by striking paragraph (1)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting 'the executive director of the Council' before "I representative";

(II) in subparagraph (A), by inserting 'the executive director of the Council' after "I representative";

(2) the person has been prosecuted appropriately for the activity for which sanctions were imposed;

(3) the person has credibly demonstrated a significant change in behavior, has paid an appropriate consequence for the activity for which sanctions were imposed, and has credibly committed to not engage in an activity described in subsection (a) in the future;

(f) DEFINITIONS.—In this section:

(1) FOREIGN PERSON.—The term "foreign person" means—

(A) any citizen or national of a foreign country (including any such individual who is also a citizen or national of the United States); or

(B) any entity not organized solely under the laws of the United States or existing solely in the United States.

(2) UNITED STATES PERSON.—The term "United States person" means—

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence who is the owner, officer, or director of such an entity;

(B) an 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

(C) any person in the United States.

SEC. 7. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

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

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

(2) UNITED STATES NATIONAL.—The term "United States national" means—

(A) a United States national as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22), 8 U.S.C. 1108); and

(B) a lawful permanent resident alien with significant ties to the United States.

"(A) a United States national as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22), 8 U.S.C. 1108); and

(B) a lawful permanent resident alien with significant ties to the United States."
SA 1685. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. MICROLOAN PROGRAM.
(a) IN GENERAL.—Section 7(m) of the Small Business Act (15 U.S.C. 636(m)) is amended—
(1) in paragraph (4)(C)(i)(II)—
(A) by striking “has a portfolio” and inserting “owns a portfolio”; and
(B) in item (aa), by striking the period at the end and inserting “; or”;
and
(C) by adding at the end the following:
“(bb) a portfolio of loans made under this subsection of which not less than 25 percent is serving rural areas during the period of the intermediary’s participation in the program.”;

(2) in paragraph (6), by adding at the end the following:
“(F) LOAN DURATION.—
“(i) IN GENERAL.—With respect to a loan made by an eligible intermediary under this paragraph on or after the date of enactment of this subparagraph, the duration of the loan shall be not more than 8 years.
“(ii) EXISTING BORROWERS.—With respect to a loan made by an eligible intermediary under this paragraph on or after the date of enactment of this subparagraph, the duration of the loan shall be not more than 8 years.”;

(3) by striking paragraph (7) and inserting the following:
“(7) PROGRAM FUNDING FOR MICROLOANS.—
Under the program authorized by this subsection, the Administration may fund, on a competitive basis, not more than 300 intermediaries.”;

SA 1686. Ms. DUCKWORTH (for herself and Mr. RISCH) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. OFFICE OF SMALL BUSINESS AND DISADVANTAGED BUSINESS UTILIZATION.
Section 15(k) of the Small Business Act (15 U.S.C. 644(k)) is amended, in the matter preceding paragraph (1)—
(1) by inserting after the first sentence the following: “If the Government Accountability Office has determined that a Federal agency is not in compliance with all of the requirements under this subsection, the Federal agency shall, not later than 120 days after that determination or 120 days after the date of this Act, whichever is later, submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that includes the reasons why the Federal agency is not in compliance and the specific actions that the Federal agency will take to comply with the requirements under this subsection.”; and
(2) by striking “The management of each such office” and inserting “The management of each Office of Small Business and Disadvantaged Business Utilization”.

SA 1687. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2. PROHIBITION.—The Director of the Defense Logistics Agency may not procure any covered item containing a perfluoroalkyl substance or polyfluoroalkyl substance.

(a) DEFINITIONS.—In this section:
(1) COVERED ITEM.—The term “covered item” means:
(A) non-stick cookware or food service ware for use in galley or dining facilities;
(B) food packaging materials;
(C) furniture or floor waxes;
(D) carpeting, rugs, or upholstered furniture;
(E) personal care items;
(F) dental floss; and
(G) sunscreen.

(b) PERFLUOROALKYL SUBSTANCE.—The term “perfluoroalkyl substance” means a man-made chemical containing a mix of fully fluorinated carbon atoms and nonfluorinated carbon atoms.

(c) POLYFLUOROALKYL SUBSTANCE.—The term “polyfluoroalkyl substance” means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(d) EFFECTIVE DATE.—The section shall take effect on the date that is one year after the date of the enactment of this Act.

SA 1690. Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mrs. GILLIBRAND, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. REPEAL OF REQUIREMENT TO SELL CERTAIN FEDERAL PROPERTY IN PLUM ISLAND, NEW YORK.
(a) REPEAL OF REQUIREMENT IN PUBLIC LAW 110-329.—Section 540 of the Department of Homeland Security Appropriations Act, 2009 (division D of Public Law 110-329; 122 Stat. 3688) is repealed.
(b) REPEAL OF REQUIREMENT IN PUBLIC LAW 112-74.—Section 358 of the Department of Homeland Security Appropriations Act, 2012 (6 U.S.C. 190 note; division D of Public Law 112-74) is repealed.

SA 1689. Mr. BLUMENTHAL (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2. RESTRICTION ON PROCUREMENT BY DEFENSE LOGISTICS AGENCY OF CERTAIN ITEMS CONTAINING PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.
(a) PROHIBITION.—The Director of the Defense Logistics Agency may not procure any covered item containing a perfluoroalkyl substance or polyfluoroalkyl substance.

(b) DEFINITIONS.—In this section:
(1) COVERED ITEM.—The term “covered item” means:
(A) non-stick cookware or food service ware for use in galley or dining facilities;
(B) food packaging materials;
(C) furniture or floor waxes;
(D) carpeting, rugs, or upholstered furniture;
(E) personal care items;
(F) dental floss; and
(G) sunscreen.

(b) PERFLUOROALKYL SUBSTANCE.—The term “perfluoroalkyl substance” means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(c) POLYFLUOROALKYL SUBSTANCE.—The term “polyfluoroalkyl substance” means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(d) EFFECTIVE DATE.—The section shall take effect on the date that is one year after the date of the enactment of this Act.
SEC. 3. MODIFICATIONS TO THE INSURRECTION ACT OF 1807.

(a) CERTIFICATIONS TO CONGRESS.—Chapter 13 of title 10, United States Code, is amended as follows:

(1) in section 256—
(A) by striking “Whenever” and inserting the following:
“(a) AUTHORITY.—Whenever;” and
(B) by adding at the end the following new subsection:
“(b) CERTIFICATION TO CONGRESS.—Whenever the President invokes the authority under this section, not later than 48 hours after such invocation of authority, the President shall certify to Congress that the State concerned is unable or unwilling to suppress such unlawful obstruction, combination, or conspiracy, and a legal justifica-
tion for resorting to the authority under this section.

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

§ 256. Consultation with Congress
“The President, in every possible instance, shall consult with Congress before invoking the authority under section 251, 252, or 253.”

(2) TECHNICAL AND CONFORMING AMEND-
MENTS.—The table of sections at the begin-
ing of chapter 13 of title 10, United States Code, is amended by adding at the end the following new item:

“§ 256. Consultation with Congress.”

SA 1691. Mr. BLUMENTHAL (for himself, Ms. BALKOWSKI, Ms. KILLI-
AN, and Mr. Wyden) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appr-
opriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the De-
partment of Energy, to prescribe mili-
itary construction, defense, and energy de-
partmental appropriations for fiscal year 2021, and for other purposes; which was
ordered to lie on the table; as follows:

At the appropriate place, insert the fol-
lowing:

SEC. 4. MODIFICATIONS TO THE INSURREC-
TION ACT OF 1807.

(a) FEDERAL AID FOR STATE GOVERN-
MENTS.—Section 251 of title 10, United States Code, is amended to read as follows:

§ 251. Federal aid for State governments
“(a) AUTHORITY.—Whenever there is an
insurrection in any State against its govern-
ment, the President may, upon the request of the governor of the State concerned, call into Federal service such of the militia of the other States, in the number requested by the governor of the State concerned, and use such of the armed forces of the United States as the President considers necessary to suppress the insurrec-
tion.

(b) CERTIFICATION TO CONGRESS.—The President may invoke the authority under this section unless the President, the Secretary of Defense, and the Attorney General certify to Congress that the governor of the State concerned has requested the aid described in subsection (a) to suppress an insurrection.

(c) INTERFERENCE WITH STATE AND FED-
ERAL LAW.—Section 253 of title 10, United States Code, is amended by adding at the end the following new section:

§ 253. Interference with State and Federal law
“(a) AUTHORITY.—(1) The President, by using the militia or the armed forces, or both, or by any other means, shall take such measures as the President considers necessary to suppress, in a State, any insurrec-
tion, domestic violence, unlawful combina-
tion, or conspiracy, if—

“(A) so hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection secured by law, and the constituted author-
ities that State are unable, fail, or refuse to protect that right, privilege, immunity, or to give that protection; or

“(B) so hinders the execution of the Federal or State laws to protect the civil rights of the people of the United States under the Constitution and impedes the course of justice under those laws.

“(2) A description of the circumstances nec-
essitating the invocation of the authority under this section.

(b) CERTIFICATION TO CONGRESS.—

(1) The President may not invoke the au-
thority under this section unless the Presi-
dent, the Secretary of Defense, and the At-
torney General certify to Congress that the State concerned is unable or unwilling to suppress such unlawful obstruction, combina-
tion, or assemblage, or rebellion against the authority described in subsection (a).
§ 357. Termination of authority and expedited procedures for extension by joint resolution of Congress

(a) Definitions.—In this section:

(1) 14-DAY PERIOD.—With respect to an invocati

on of authority under section 251, 252, or 253, the term ‘‘14-day period’’ means, as applicable—

(A) in the case of an invocation of authority on a date on which Congress is in session, the period beginning on the date on which the President invokes such authority and ending on the date that is 14 calendar days after the date of such invocation; or

(B) in the case of an invocation of authority on a date on which Congress is adjourned, the period beginning on the date on which the next session of Congress commences and ending on the date that is 14 calendar days after the date of such commencement.

(2) JOINT RESOLUTION.—The term ‘‘joint resolution’’ means a joint resolution of Congress.

(3) PROCEEDING TO CONSIDERATION.—

(A) IN GENERAL.—After each committee authorized to consider a joint resolution reports it to the House of Representatives, if the committee has been discharged from its consideration, it shall be in order, not later than 7 calendar days after the last day of the 14-day period, to move to proceed to consideration of the joint resolution in the House of Representatives.

(B) PROCEDURE.—For a motion to proceed to consider a joint resolution—

(i) all points of order against the motion are waived;

(ii) such a motion shall not be in order after the House of Representatives has disposed of a motion to proceed on the joint resolution;

(iii) the previous question shall be considered as ordered on the motion to its adoption without intervening motion;

(iv) the motion shall not be debatable; and

(v) a motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) CONSIDERATION.—If the House of Representatives proceeds to consideration of a joint resolution—

(A) the joint resolution shall be considered as read;

(B) all points of order against the joint resolution and against its consideration are waived;

(C) the previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except 10 hours of debate equally divided and controlled by the proponent and an opponent;

(D) an amendment to the joint resolution shall not be in order; and

(E) a motion to reconsider the vote on passage of the joint resolution shall not be in order.

(D) EXPEDITED CONSIDERATION IN HOUSE OF REPRESENTATIVES.

(1) RECONVENVING.—Upon invocation by the President of the authority under section 251, 252, or 253, if the Senate has adjourned or recessed for more than 2 calendar days, the majority leader of the Senate, after consultation with the minority leader of the Senate, shall notify the Members of the Senate that, pursuant to this section, the Senate shall convene not later than 3 calendar days after the date of such invocation.

(2) PLACEMENT ON CALENDAR.—Upon introduction in the Senate, the joint resolution shall be placed immediately on the calendar.

(3) PROCEEDING TO CONSIDERATION.—

(A) IN GENERAL.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order, not later than 7 calendar days after the last day of the 14-day period (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of a joint resolution.

(B) PROCEDURE.—For a motion to proceed to the consideration of a joint resolution—

(i) all points of order against the motion are waived;

(ii) the motion is not debatable;

(iii) the motion is not subject to a motion to postpone;

(iv) a motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order; and

(v) if the motion is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(4) FLOOR CONSIDERATION.—

(A) IN GENERAL.—If the Senate proceeds to consideration of a joint resolution

(i) all points of order against the joint resolution (and against consideration of the joint resolution) are waived;

(ii) consideration of the joint resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees;

(iii) a motion further to limit debate is in order, but not debatable;

(iv) an amendment to, a motion to postpone, or a motion to commit the joint resolution is not in order; and

(v) a motion to proceed to the consideration of other business is not in order.

(B) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the consideration of a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(C) PROCEDURE.—Appeals from the decisions of the Chair relating to the application of this subsection or the rules of the Senate, as the case may be, to the Senate’s action on a joint resolution shall be decided without debate.

(D) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.

(1) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House, that House receives from the other House a joint resolution—

(A) the joint resolution of the other House shall not be referred to a committee; and

(B) with respect to a joint resolution of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; and

(ii) the vote on passage shall be on the joint resolution of the other House.

(E) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce or consider a joint resolution under this subsection, the joint resolution of the other House shall be one House proceeds to consideration of the joint resolution shall be decided without debate.

(F) CONSIDERATION AFTER PASSAGE.—

(A) PERIOD PENDING WITH PRESIDENT.—If Congress passes a joint resolution—

(i) the period beginning on the date on which the President is presented with the joint resolution and ending on the date on which the President signs, allows to become law without signature, or vetoes and returns the joint resolution (but excluding days when either House is not in session) shall be disregarded in determining whether the joint resolution was enacted before the last day of the 14-day period; and

(ii) the date that is the number of days in the period described in clause (i) after the 14-day period shall be substituted for the 14-day period for purposes of sections (b) and (c).

(B) VETOES.—If the President vetoes the joint resolution, consideration of a veto message in the Senate under this section shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees.

(2) TREATMENT OF COMPANION MEASURES.—If, following passage of a joint resolution in one House, the other House receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(C) CONSIDERATION AFTER PASSAGE.—

(A) PERIOD PENDING WITH PRESIDENT.—If Congress passes a joint resolution—

(i) the period beginning on the date on which the President is presented with the joint resolution and ending on the date on which the President signs, allows to become law without signature, or vetoes and returns the joint resolution (but excluding days when either House is not in session) shall be disregarded in determining whether the joint resolution was enacted before the last day of the 14-day period; and

(ii) the date that is the number of days in the period described in clause (i) after the 14-day period shall be substituted for the 14-day period for purposes of sections (b) and (c).

(B) VETOES.—If the President vetoes the joint resolution, consideration of a veto message in the Senate under this section shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees.
“(g) Rules of House of Representatives and Senate.—Subsections (d) and (e) and paragraphs (1), (2), (3), and (4)(B) of subsection (f) are enacted by Congress.

(1) It is hereby declared as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and supersede other rules only to the extent that they are inconsistent with such rules.

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) in the same manner, and to the same extent as in the case of any other rule of that House.”.

(2) Technical and Conforming Amendment.—The table of sections at the beginning of chapter 13 of title 10, United States Code, as amended by subsection (d), is further amended by adding at the end the following:

“257. Termination of authority and expedited procedures for extension by joint resolution of Congress.—

(f) Judicial Review of Injury Resulting From Use of the Armed Forces.—

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


“(a) In General.—Notwithstanding, and without prejudice to, any other provision of law, any individual or entity (including a State or local government) that is injured by, or has a credible fear of injury from, the use of members of the armed forces under this chapter may bring a civil action for declaratory or injunctive relief. In any action under this section, the district court shall have jurisdiction to decide any question of law or fact arising under this chapter, in the same manner, and to the same extent as in the case of any other rule of that House.”.

(2) Technical and Conforming Amendment.—The table of sections at the beginning of chapter 13 of title 10, United States Code, is amended by adding at the end the following new section:


“(a) In General.—Notwithstanding, and without prejudice to, any other provision of law, any individual or entity (including a State or local government) that is injured by, or has a credible fear of injury from, the use of members of the armed forces under this chapter may bring a civil action for declaratory or injunctive relief. In any action under this section, the district court shall have jurisdiction to decide any question of law or fact arising under this chapter, in the same manner, and to the same extent as in the case of any other rule of that House.”

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

SA 1694. Mr. MORAN (for himself and Mr. Tester) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 1. EXEMPTION FROM IMMIGRANT VISA LIMIT.

Section 210(c)(5) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

“(P) Aliens who—

“(i) are eligible for a visa under paragraph (1) or (3) of section 236(a); and

“(ii) have a parent (regardless of whether the parent is living or dead) who was naturalized before April 2006.

“(1) section 465 of the Immigration Act of 1990 (Public Law 101-169; 8 U.S.C. 1440 note); or


SA 1693. Mr. MORAN (for himself, Mr. Udall, Mrs. Blackburn, Mr. Boozman, Mrs. Capito, and Mr. Rounds) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 VI, add the following:

SEC. 2. COMPENSATION AND CREDIT FOR RETIRED PAY PURPOSES FOR MATERNITY LEAVE TAKEN BY MEMBERS OF THE RESERVE COMPONENTS.

(a) Compensation.—Section 2605(a) of title 37, United States Code, is amended—

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

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

(3) by adding the following new paragraph:

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

(b) Credit for Retired Pay Purposes.—

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

(2) Separate Credit for Each Period of Leave.—Separate crediting of points shall accrue to a member pursuant to this sub-section for each period of maternity leave taken by the member in connection with a childbirth event.

(3) When credited.—Points credited for a period of maternity leave pursuant to this subsection shall be credited in the year in which the period of maternity leave commenced

(4) Recruitment or Leave Toward Entitlement to Retired Pay.—Section 12733(a)(2) of title 10, United States Code, is amended by inserting after subparagraph (B) the following new subparagraph:

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

(5) Calculation of Years of Service for Retired Pay.—Section 12733 of such title is amended—

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

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

“(5) One day for each point credited to the person under paragraph (F) of section 12733(a)(2) of this title.”.

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

SA 1694. Mr. MORAN (for himself and Mr. Tester) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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:


(a) Study.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Bureau of Labor Statistics of the Department of Labor, shall conduct a study on unemployment among female veterans who are female are at higher risk of unemployment than all other groups of female veterans and their non-veteran counterparts.

(b) Conduct of Study.—

(A) In General.—The Secretary shall conduct the study under paragraph (1) primarily through the Center for Women Veterans under section 318 of title 38, United States Code.

(B) Consultation.—In carrying out the study conducted under paragraph (1), the Secretary may consult—

(i) the Commissioner of the Bureau of Labor Statistics of the United States, with respect to the employment status of female veterans.

(ii) other Federal agencies, such as the Department of Defense, the Office of Personnel Management, and the Small Business Administration;

(iii) foundations; and

(iv) entities in the private sector.

(3) Elements of Study.—The study conducted under paragraph (1) shall include with respect to Post-9/11 Veterans who are female, at a minimum, an analysis of the following:

(A) Rank at time of separation from the Armed Forces.

(B) Geographic location upon such separation.

(C) Educational level upon such separation.

(D) The percentage of such veterans who enrolled in an education or employment...
training program of the Department of Veterans Affairs or the Department of Labor after such separation.

(E) Industries that have employed such veterans;

(F) Military occupational specialties available to such veterans;

(G) Barriers to employment of such veterans;

(H) Causes to fluctuations in employment of such veterans.

(I) Current employment training programs of the Department of Veterans Affairs or the Department of Labor that are available to such veterans.

(J) Economic indicators that impact unemployment of such veterans;

(K) Health conditions of such veterans that could impact employment;

(L) Whether there are differences in the analyses conducted under subparagraphs (A) through (K) based on the race of such veteran.

(M) The difference between unemployment rates of Post-9/11 Veterans who are female compared to unemployment rates of Post-9/11 Veterans who are male, including an analysis of potential causes of such difference.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the completion of the period under subsection (a), the Under Secretary of Veterans Affairs submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on such study.

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

(A) The analyses conducted under subsection (a)(1)

(B) A description of the methods used to conduct the study under subsection (a).

(C) Such other matters relating to the unemployment rates of Post-9/11 Veterans who are female as the Secretary considers appropriate.

(d) POST-9/11 VETERAN DEFINED.—In this section, the term “Post-9/11 Veteran” means a veteran who served on active duty in the Armed Forces on or after September 11, 2001.

SA 1695. Mr. MORAN (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE V—DECLASSIFICATION REFORM

SEC. 1. SHORT TITLE.

This title may be cited as the “Declas-

ification Reform Act of 2020”.

SEC. 2. DEFINITIONS.

In this title:

(1) CLASSIFICATION.—The term “classifica-

tion” means the act or process by which in-

formation is determined to be classified in-

formation.

(2) CLASSIFIED NATIONAL SECURITY INFORMA-

TION OR CLASSIFIED INFORMATION.—The term “classi-

fied national security information” or “classified information” means information that has been determined pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or any predecessor or successor order, to require protection of such unauthorized disclosure and is marked to indicate its classified status when in documentary form.

(3) DECLASSIFICATION.—The term “declas-

sification” means the authorized change in the status of information from classified in-

formation to unclassified information.

(4) EXECUTIVE AGENCY.—The term “Executive agency” has the meaning given such term in section 105 of title 5, United States Code.

SEC. 3. EXECUTIVE AGENT FOR DECLASS-

IFICATION.

(a) ESTABLISHMENT.—There is in the execu-

tive branch of the Government an Executive Agent for Declassification who shall be responsible for promoting programs, processes, and systems relating to declas-

sification, including technical solu-

tions for automating declassification re-

view, and directing resources for such pur-

poses in the Federal Government.

(b) DESIGNATION.—The Director of National Intelligence shall serve as the Executive Agent for Declassification.

(c) DUTIES.—The duties of the Executive Agent for Declassification are as follows:

(1) To promote programs, processes, and systems with the goal of ensuring that de-

classification activities keep pace with clas-

sification and that information is declassified as quickly as possible.

(2) To implement a standardized, automated, and modernized program for declassifying information.

(3) To be responsible for the publication of guidelines on best practices for declassification.

(4) To work with the Executive Agent for Declassification on the development and coordination of the Executive Declassification Policy.

(5) To be responsible for ensuring the accuracy and completeness of information obtained from Federal sources.

(6) To establish policies and procedures for declassification and classification.

(7) To develop policies for ensuring the accuracy of information obtained from Federal agencies; and

(8) To develop policies for ensuring the accuracy of information obtained from Federal agencies; and

(b) CONSULTATION WITH EXECUTIVE COM-

MITTEE ON DECLASSIFICATION PROGRAMS AND TECH-

NOLOGY.—In making decisions under this section, the Executive Agent for Declassification shall consult with the Executive Committee on Declassification Programs and Technology established under section 5(b).

(e) COORDINATION WITH THE NATIONAL DE-

CLASSIFICATION CENTER.—In implementing a federated declassification system, the Executive Agent for Declassification shall act in coordination with the National Declassification Center established by section 3.7(a) of Executive Order 13556 (50 U.S.C. 3161 note; relating to classified national security information).

SEC. 4. EXECUTIVE COMMITTEE ON DECLASS-

SIFICATION PROGRAMS AND TECH-

NOLOGY.

(a) ESTABLISHMENT.—There is established a committee to be known as the “Executive Committee on Declassification Programs and Technology”.

(b) DESIGNATION.—The committee estab-

lished by subsection (a) shall be the Executive Committee on Declassification Programs and Technology.

(c) MEMBERSHIP.—

(1) COMPOSITION.—The committee shall be composed of:

(A) The Director of National Intelligence.

(B) The Under Secretary of Defense for Intel-

ligence.

(C) The Secretary of Energy.

(D) The Secretary of the State.

(E) The Director of the National Declassification Center.

(F) The Director of the Information Security Oversight Board.

(G) The Director of the Office of Manage-

ment and Budget.

(H) Such other members as the Executive Agent for Declassification considers appropriate.

(2) CHAIRPERSON.—The chairperson of the Committee shall be the Director of National Intelligence.

SEC. 5. ADVISORY BODIES FOR EXECUTIVE AGENT FOR DECLASSIFICATION.

(a) DESIGNATION OF ADVISORY BODIES.—The following are hereby advisory bodies for the Executive Agent for Declassification:

(1) The Public Interest Declassification Board established by section 703(a) of the Public Interest Declassification Act of 2000 (Public Law 106–567).

(2) The Office of the Historian of the Depart-

ment of State.

(3) The Historical Office of the Secretary of Defense.

(4) The office of the chief historian of the Central Intelligence Agency.

(b) MATTERS PERTAINING TO THE PUBLIC IN-

TEREST DECLASSIFICATION BOARD.—

(1) CONTINUITY OF MEMBERSHIP.—Subsec-

tion (c)(2) of section 703 of the Public In-

terest Declassification Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note) is amended by adding at the end the following:

“(C) Notwithstanding the other provisions of this paragraph, a member whose term has expired may continue to serve until a suc-

cessor is appointed.”

(2) NOTWITHSTANDING THE OTHER PROVISIONS OF THIS PARAGRAPH, A MEMBER WHOSE TERM HAS EXPIRED MAY CONTINUE TO SERVE UNTIL A SUCCESSOR IS APPOINTED.
(1) That the Army Futures Command reports directly to the Assistant Secretary of the Army for Acquisition, Logistics, and Technology.

(2) That the Assistant Secretary has final authority over all acquisition and modernization decisions with respect to the Army Futures Command.

SA 1697. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for the fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 28. SENSE OF CONGRESS ON RELOCATION OF JOINT SPECTRUM CENTER.

It is the sense of Congress that Congress strongly recommends that the Director of the Defense Information Systems Agency begin the process for the relocation of the Joint Spectrum Center of the Department of Defense to the building at Fort Meade that is allocated for such center.

SA 1698. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for the fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection E of title XVIII, add the following:

SEC. 2. PROHIBITION ON MILITARY PARADES THAT CONSIST OF A DEMONSTRATION OF FORCE.

None of the amounts authorized to be appropriated by this Act may be obligated or expended for or in connection with any military parade that consists entirely or primarily of a demonstration of force.

SA 1699. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for the fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this title $5,000,000 for fiscal year 2021.

SA 1701. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for the fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle E. Enhancing Human Rights Protections in Arms Sales

SEC. 1. SHORT TITLE.

This subtitle may be cited as the “Enhancing Human Rights Protections in Arms Sales Act of 2020.”

SEC. 2. STRATEGY ON ENHANCING HUMAN RIGHTS CONSIDERATIONS IN UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, with the concurrence of the Secretary of Defense shall submit to the appropriate congressional committees a strategy to enhance United States efforts to ensure human rights protections for United States military assistance and arms transfers.

(b) General principles.—The strategy shall include processes and procedures to—

(1) determine when United States military assistance and arms transfers are used to undermine international peace and security or contribute to gross violations of internationally recognized human rights;

(2) determine when United States military assistance and arms transfers are used to undermine international peace and security or contribute to gross violations of internationally recognized human rights, including acts of torture or other cruel, inhuman, or degrading treatment or punishment;

(3) determine when United States military assistance and arms transfers are used to undermine international peace and security or contribute to gross violations of internationally recognized human rights, including acts of torture or other cruel, inhuman, or degrading treatment or punishment; and

(4) determine when United States military assistance and arms transfers are used to undermine international peace and security or contribute to gross violations of internationally recognized human rights, including acts of torture or other cruel, inhuman, or degrading treatment or punishment.

SEC. 3. ESTABLISHMENT OF ENERGETICS PROGRAM OFFICE.

(a) Establishment.—The Secretary of Defense shall establish an office in the Department of the Navy to coordinate, facilitate, and direct all Department of the Navy programs devoted to the research and development of energy sources and technologies.

(b) Coordination.—The Secretary of Defense shall coordinate with the Assistant Secretary of Defense for Energy, Environment, and Installation Management and the Under Secretary for Acquisition, Technology, and Logistics with respect to programs of the Department of the Navy.
transfers, including the diversion of such assistance or the use of such assistance by security force or police units credibly implicated in gross violations of internationally recognized human rights;
(4) train partner militaries, security, and police forces on methods for preventing civilian causalities; and
(5) determine whether individuals or units that have received United States military, security, or police training or have participated or are scheduled to participate in joint exercises with United States forces have later been credibly implicated in gross violations of internationally recognized human rights.

SEC. 1292. DEFINITIONS.
(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘‘appropriate congressional committees’’ means the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—
(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and
(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(c) GENOCIDE.—The term ‘‘genocide’’ means—
(1) any act committed with intent to destroy, in whole or in part, a national, ethnic, racial, or religious group, as such term is defined in the United Nations Convention on the Prevention and Punishment of the Crime of Genocide of December 9, 1948;
(2) extermination, including murder;"
fully implement all of the recommendations of the Advisory Commission on Rakhine State; and

(7) ensure there is proper consultation, buy-in, and buyout from projects and the building from the Rohingya refugee community on decisions being made on their behalf.

(b) FREEDOM OF MOVEMENT OF REFUGEES AND DISPLACED PERSONS—The Congress recognizes that the Government of Bangladesh has provided long-standing support and hospitality to people fleeing violence in Burma, and calls on the Government of Bangladesh—

(1) to ensure all refugees, including Rohingya persons living in camps in Bangladesh and displaced persons camps in Burma, have freedom of movement, including outside of the camps, and under no circumstance are subject to unsafe, involuntary, or enforced repatriation;

(2) to ensure the dignified, safe, sustainable, and voluntary return of those displaced from their homes, and offer to those who do not want to return meaningful means to obtain compensation or restitution; and

(3) to ensure the rights of refugees are protected, including through allowing them to build and own homes, and ensuring equal access to healthcare, basic services, education, and work.

SEC. 1297. MILITARY COOPERATION.

(a) Prohibition.—Except as provided under subsection (b), the President may not furnish any security assistance or engage in any military-to-military programs with the armed forces of Burma, including training or observation or participation in regional exercises, until the Secretary of State, in consultation with the Secretary of Defense, certifies to the appropriate congressional committees that the Burmese military has demonstrated significant progress in abiding by international human rights standards and is undertaking meaningful and comprehensive internal reforms to stop future human rights violations.

(b) Exception.—The President may furnish any security assistance or engage in any military-to-military programs with the armed forces of Burma, including training or observation or participation in regional exercises, with the Secretary of State, the Secretary of Defense, and the Under Secretary of State for Political Affairs, if the President determines and certifies to the appropriate congressional committees that—

(1) the military adheres to international human rights standards and institutes meaningful internal reforms to stop future human rights violations;

(2) the military supports efforts to carry out meaningful and comprehensive independent and international investigations of credible and serious human rights abuses and is undertaking accountability for those in the Burmese military responsible for human rights violations;

(3) the military supports efforts to carry out comprehensive independent and international investigations of reports of conflict-related sexual and gender-based violence and is holding accountable those in the Burmese military who failed to prevent, respond to, investigate, and prosecute violence against women, sexual violence, or other gender-based violence;

(4) the Government of Burma, including the military, allows immediate and unfettered humanitarian access to communities in areas affected by conflict, including Rohingya and other minority communities in Rakhine, Kachin, and Shan States, specifically to the United Nations High Commissioner for Refugees and other relevant United Nations agencies.

(5) the Government of Burma, including the military, cooperates with the United Nations High Commissioner for Refugees and other relevant United Nations agencies to ensure the protection of displaced persons and the safe and voluntary return of Rohingya and other minority refugees and internally displaced persons.

(6) the Government of Burma, including the military, takes steps toward the implementation of the recommendations of the Advisory Commission on Rakhine State.

(b) EXCEPTIONS.—


(2) HOSPITALITY.—The United States Agency for International Development and the Department of State may provide assistance authorized by part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to support the United States and the Burmese military for the purpose of supporting research, dialogues, meetings, and other activities related to the Union Peace Conference. Political Dialogue, and related processes, in furtherance of inclusive, sustainable reconciliation.


(1) in general.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State and the Secretary of Defense shall submit to the appropriate congressional committees a report, in both classified and unclassified form, on the strategy and plans for military-to-military cooperation between the United States Armed Forces and the military of Burma.

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

(A) a description and assessment of the efforts of the government of Burma to comply with the recommendations of the Advisory Commission on Rakhine State.

(B) A list of ongoing military activities conducted by the United States Government with the Government of Burma, and a description of potential for future military-to-military engagements between the United States and Burma's military forces, including the military of Burma, the Burma Police Force, and armed ethnic groups.

(C) An assessment of the progress of the military of Burma towards developing a framework to implement human rights reforms, including—

(i) cooperation with civilian authorities to investigate and prosecute cases of human rights violations;

(ii) steps taken to demonstrate respect for internationally-recognized human rights standards and implementation of and adherence to the Optional Protocol to the International Covenant on Civil and Political Rights;

(iii) a description of the elements of the military-to-military engagement between the United States and Burma that promote such improvements;

(iv) an assessment of progress on the peace settlement of armed conflict between the Government of Burma and ethnic minority armed groups; and

(v) an assessment of the military of Burma to adhere to ceasefire agreements, allow for safe and voluntary return of displaced persons to their villages of origin, and withdraw forces from conflict zones.

(e) An assessment of the Burmese military recruitment and use of children and soldiers.

(F) An assessment of the Burmese military's use of violence against women, sexual violence, or other gender-based violence as a tool of terror, war, or crimes against humanity.

(c) DISPLACED PERSONS.—Any program initiated under this section shall use appropriate civilian government channels with the democratically elected Government of Burma.

(g) REGULAR CONSULTATIONS.—Any new program or activity in Burma initiated under this section shall be subject to prior consultation with the appropriate congressional committees.
(a) List Required.—(1) In General.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees an updated version of the list required by paragraph (1) that—

(A) senior officials of the military and security forces of Burma that—

(i) in charge of a unit that was operational during the so-called “clearance operations” that began during or after October 2016; and

(ii) knew, or should have known, that the official’s subordinates were committing gross violations of human rights, war crimes, or crimes against humanity (including sexual or gender-based violence), in Burma, including against the Rohingya minority population; and

(B) entities owned or controlled by officials described in subparagraph (A).

(2) Inclusions.—The list required by paragraph (1) shall include—

(A) each senior official of the military and security forces of Burma;

(i) in charge of a unit that was operational during the so-called “clearance operations” that began during or after October 2016; and

(ii) knew, or should have known, that the official’s subordinates were committing gross violations of human rights, war crimes, or crimes against humanity (including sexual or gender-based violence); and

(B) any entity owned or controlled by an official described in subparagraph (A).

(b) Sanctions.—(1) Visa Ban.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any individual included in the most recent list required by subsection (a).

(2) Economic Sanctions.—(A) In General.—The Secretary of the Treasury shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all financial transactions with the United States, any individual included in the most recent list required by subsection (a) or in keeping with existing authorities of the Department of the Treasury.

(c) Consideration of Inclusions in SDN List. —Not later than 180 days after the date of the enactment of this Act, the President shall—

(A) determine whether the individuals specified in paragraph (2) should be included on the SDN list; and

(B) submit to the appropriate congressional committees a report, in classified form if necessary, on the procedures for including those individuals on the SDN list under existing authorities of the Department of the Treasury.

(2) Individuals Specified.—The individuals specified in this paragraph are—

(A) if the head of a unit of the military or security forces of Burma that was operational during the so-called “clearance operations” that began during or after October 2016, including—

(i) Senior General Min Aung Hlaing;

(ii) Deputy Commander-in-Chief and Vice Senior-General Soe Win;

(iii) the Commander of the 33rd Light Infantry Division, Brigadier-General Aung Aung; and

(iv) the Commander of the 99th Light Infantry Division, Brigadier-General Tha Oo; and

(B) any senior official of the military or security forces of Burma for which the President determines there are credible reports that the official—

(i) aided, participated in, or is otherwise implicated in gross violations of human rights, war crimes, or crimes against humanity (including sexual or gender-based violence), in Burma;

(ii) the individual has—

(A) publicly acknowledged the role of the individual in committing past gross violations of human rights, war crimes, or crimes against humanity (including sexual or gender-based violence); and

(B) cooperated with independent efforts to investigate such violations or crimes;

(C) been held accountable for such violations or crimes; and

(D) demonstrated substantial progress in conforming the individual’s behavior with respect to the protection of human rights in the conduct of civil-military relations; and

(E) took significant steps to impede the investigation or prosecution of such violations or crimes.

(d) Termination of Sanctions.—The President may terminate the application of sanctions under this section with respect to an individual in the list by—

(1) the individual has—

(A) publicly acknowledged the role of the individual in committing past gross violations of human rights, war crimes, or crimes against humanity (including sexual or gender-based violence); and

(B) cooperated with independent efforts to investigate such violations or crimes;

(C) been held accountable for such violations or crimes; and

(D) demonstrated substantial progress in conforming the individual’s behavior with respect to the protection of human rights in the conduct of civil-military relations; and

(2) the President shall submit to the appropriate congressional committees a report, in classified form if necessary, on the procedures for including those individuals on the SDN list under existing authorities of the Department of the Treasury.

(e) Exceptions.—(1) Humanitarian Assistance.—A requirement to impose sanctions under this section shall not apply with respect to the provision of medicine, medical equipment or supplies, or other goods or services for the purpose of providing aid to persons who have suffered from human rights-related assistance provided to Burma in response to a humanitarian crisis.
the day before the date of the enactment of this Act).

SEC. 1299A. STRATEGY FOR PROMOTING ECONOMIC DEVELOPMENT.

(a) In General—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, the Secretary of the Treasury, and the Administrator of the United States Agency for International Development shall jointly submit to the appropriate congressional committees a strategy to—

(1) identify and locate alleged perpetrators of such crimes in Burma;

(2) to train investigators within and outside of Burma and Bangladesh on how to document, collect, and protect evidence of reports of such crimes in Burma; and

(i) to identify suspected perpetrators of such crimes in Burma;

(b) ELEMENTS.—The strategy required by subsection (a) shall include a roadmap—

(1) to assess and recommend measures to diversify control over and access to participation in key industries and sectors, including efforts to remove barriers and increase competition, access, and opportunity in sectors dominated by officials of the Burmese military, former military officials, and their families, and businesses connected to the military of Burma, with the goal of eliminating the role of the military in the economy of Burma;

(2) to increase transparency disclosure requirements in key sectors of the economy of Burma, as part of responsible investment, including through efforts—

(A) to provide technical support to develop and implement policy reforms related to public disclosure of the beneficial owners of entities in key sectors identified by the Government of Burma, specifically by—

(i) working with the Government of Burma to require—

(I) the disclosure of the ultimate beneficial ownership of entities in the ruby industry; and

(II) the publication of project revenues, payments, and contract terms relating to that industry; and

(ii) ensuring that reforms complement disclosures due to be put in place in Burma as a result of its participation in the Extractive Industry Transparency Initiative; and

(B) to identify the persons seeking or securing access to the most valuable resources of Burma; and

(iii) to promote universal access to reliable, affordable, efficient, and sustainable energy, including efforts to leverage United States assistance to support reforms in the power sector and electrification projects that increase energy access, in partnership with multilateral organizations and the private sector.

SEC. 1299B. REPORT ON CRIMES AGAINST HUMANITY AND SERIOUS HUMAN RIGHTS ABUSES IN BURMA.

(a) In General—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report detailing the credible reports of crimes against humanity and other serious human rights abuses committed against the Rohingya and other ethnic minorities in Burma, including credible reports of war crimes, crimes against humanity, including sexual and gender-based violence, and genocide perpetrated against the Rohingya and other ethnic minorities in Burma, including—

(1) a description of credible reports of war crimes, crimes against humanity, including sexual and gender-based violence, and genocide perpetrated against the Rohingya and other ethnic minorities in Burma, including—

(A) incidents that may constitute such crimes committed by the Burmese military, and other actors involved in the violence;

(B) the role of the civilian government in the commission of such crimes;

(C) incidents that may constitute such crimes committed by violent extremist groups or anti-government forces;

(D) any incidents that may violate the principle of medical neutrality and, if possible, identification of the individual or individuals who engaged in or organized such incidents; and

(E) to the extent possible, a description of the conventional and unconventional weapons used for such crimes and the origins of such weapons;

(2) a description and assessment by the Department of State, the United States Agency for International Development, the Department of Justice, and other appropriate Federal departments and agencies of programs that the United States Government has already or is planning to undertake to ensure accountability for credible reports of war crimes, crimes against humanity, including sexual and gender-based violence, and genocide perpetrated against the Rohingya and other ethnic minority groups by the Government, security forces, and military of Burma, violent extremist groups, and other combatants involved in the conflict, including—

(A) to train investigators within and outside of Burma and Bangladesh on how to document, collect, and protect evidence of reports of such crimes in Burma;

(B) to promote and prepare for a transitional justice process for the perpetrators of such crimes in Burma; and

(C) to document, collect, preserve, and protect evidence of reports of such crimes in Burma, Malaysia, Thailand, Bangladesh, and the United States; and

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

(1) a detailed study of the feasibility and desirability of potential transitional justice mechanisms for Burma, including a hybrid or ad hoc tribunal as well as other international justice and accountability options.

The report should be produced in consultation with Rohingya representatives and those of other ethnic minorities who have suffered grave human rights abuses.

(c) PROTECTION OF WITNESSES AND EVIDENCE.—The Secretary shall take care to ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk.

(d) MILITARY FORCE.

Nothing in this subtitle shall be construed as an authorization for the use of force.

SA 1703. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—United States National Security Interests in Europe

SEC. 1299I. SHORT TITLE.

This subtitle may be cited as the "Maintaining United States National Security Interests in Europe Act."

SEC. 1299J. FINDINGS; SENSE OF CONGRESS.

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

(1) The 2017 National Security Strategy statement of the United States will depend on collaboration with our European allies and partners to confront forces threatening to
undermine our common values, security interests, and shared vision. The United States and Europe will work together to counter Russian subversion and aggression, and the threats posed by North Korea and Iran. We will continue to advance our shared principles and interests in international forums.

(2) After the end of World War II, the presence of foreign military forces in Germany was governed by a law signed in April 1949 that allowed France, the United Kingdom, and the United States to retain forces in Germany.

(3) The initial law was succeeded by the Convention on the Presence of Foreign Forces in the Federal Republic of Germany, signed at Paris on October 23, 1954, allowing eight North Atlantic Treaty Organization (NATO) members, specifically Belgium, Canada, Denmark, France, Luxembourg, the Netherlands, the United Kingdom, and the United States, to maintain a long-term presence of military forces in the Federal Republic of Germany.

(4) The Federal Republic of Germany has made significant contributions to the North Atlantic Treaty Organization alliance, and by hosting the largest United States Armed Forces in Europe, the Federal Republic of Germany has borne a significant burden in the interest of collective security.

(5) As of June 2020, the United States presence in Europe is provided for in the United States–North Atlantic Treaty Organization alliance and other adversaries.

(a) DEFINITIONS.—In this section:

(A) refers to the organization that refers to a joint fact-finding group, the United States–North Atlantic Treaty Organization alliance, and other adversaries.

(B) strengthens and supports the North Atlantic Treaty Organization alliance and critical partnerships in Europe and the Middle East, Africa, and Asia.

(C) serves as an essential support platform for carrying out vital national security engagements in Afghanistan, the Middle East, Africa, and Europe.

(d) The deep bilateral ties between the United States and the Federal Republic of Germany have led to decades of economic prosperity for both countries and their allies and have strengthened human rights and democracy around the world.

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

(1) the United States should continue to maintain, in consultation with the Russian Federation and other adversaries; and

(2) the United States should maintain a robust military presence in the Federal Republic of Germany so as to deter further aggression from the Russian Federation or aggression from other adversaries against the United States and its allies and partners; and

(3) the United States should remain committed to strong collaboration with European allies as outlined in the 2017 National Security Strategy.

SEC. 1293. PROHIBITION ON USE OF FUNDS TO WITHDRAW THE UNITED STATES ARMED FORCES FROM EUROPE.

(a) In General.—No funds provided in this Act or any other provision of law, or any other provision of law, are authorized to be used to withdraw the United States Armed Forces from Europe or to reduce the overall presence of United States Armed Forces in Europe.

(b) EXCEPTIONS.—The prohibition under subsection (a) shall not apply if—

(1) to withdraw or otherwise reduce the overall presence, including the rotational presence, of United States Armed Forces personnel and civilian employees of the Department of Defense in Europe;

(2) to close or change the status of any base or other United States Armed Forces locations in Europe; or

(3) to withdraw or otherwise reduce the overall presence of United States Armed Forces assets in Europe.

(c) Certification.—The prohibition under subsection (a) shall not apply if the President certifies to the appropriate committees of Congress that—

(1) the government transmits to the United States Government a written request for such a withdrawal or other reduction; or

(2) the President declares the intent to take an action described in subsection (a).

(d) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any base or other United States Armed Forces locations in Europe.

SEC. 1294. REPORT TO CONGRESS ON DECISION TO WITHDRAW THE UNITED STATES ARMED FORCES FROM GERMANY.

(a) In General.—Not later than 180 days after initiating an action described in subsection (a), the President shall provide to the appropriate committees of Congress a report that details the national security implications of the proposed decision.

(b) Certification.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(c) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(d) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(e) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(f) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(g) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(h) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(i) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(j) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(k) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(l) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(m) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(n) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(o) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(p) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(q) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(r) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(s) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(t) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(u) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(v) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(w) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(x) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(y) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(z) Authorization Required.—No Federal funds are authorized to be used to withdraw or otherwise reduce the overall presence of United States Armed Forces in Europe or to close or change the status of any United States Armed Forces locations in Europe.

(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 Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

(SA 1704. Mr. MENENDEZ (for himself and Mr. YOUNG) submitted an amendment intended to be presented by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. 1216. CONGRESSIONAL OVERSIGHT OF UNITED STATES TALKS WITH TALIBAN OFFICIALS AND AFGHANI STAN’S COMPREHENSIVE PEACE PROCESS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—

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

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

(2) GOVERNMENT OF AFGHANISTAN.—The term ‘‘Government of Afghanistan’’ means the Government of the Islamic Republic of Afghanistan and its agencies, instrumentalities, and controlled entities.

(3) THE TALIBAN.—The term ‘‘the Taliban’’—

(A) refers to the organization that refers to itself as the ‘‘Islamic Emirate of Afghanistan’’, that was founded by Mohammed Omar, and that is currently led by Mawlawi Hibatullah Akhundzada; and

(B) includes subordinate organizations, such as the Haqqani Network, and any successor organization.

(4) FEBRUARY 29 AGREEMENT.—The term ‘‘February 29 Agreement’’ refers to the political arrangement between the United States and the Taliban titled ‘‘Agreement for Bringing Peace to Afghanistan Between the Islamic Emirate of Afghanistan which is not recognized by the United States as a state known as the Taliban and the United States of America’’ signed at Doha, Qatar February 29, 2020.
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(b) OVERSIGHT OF PEACE PROCESS AND OTHER AGREEMENTS.—

(1) TRANSMISSION TO CONGRESS OF MATERIALS RELevANT TO THE FEBRUARY 29 AGREEMENT.—The Secretary of State, in consultation with the Secretary of Defense, shall continue to submit to the appropriate congressional committees materials relevant to the February 29 Agreement.

(2) SUBMISSION TO CONGRESS OF ANY FUTURE DEALS INVOLVING THE TALIBAN.—The Secretary of State shall submit to the appropriate congressional committees, on a periodic basis, but not less frequently than once every 120 days of conclusion and on an ongoing basis thereafter, any future agreement or arrangement involving the Taliban in any manner, as well as materials relevant to any future agreement or arrangement involving the Taliban in any manner.

(3) Termination of Applicability.—This subsection shall apply to this section as follows:

(a) IN GENERAL.—(A) REPORT.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report verifying whether the key tenets of the February 29 Agreement, or future agreements, and accompanying implementing frameworks are being preserved and honored.

(B) BRIEFING.—At the time of each report submitted to the Agreement, the paragraph (A), the Secretary of State shall direct a Senate-conformed report and briefing to the appropriate congressional committees on the contents of the report.

(ii) a description of steps taken by the Government of Afghanistan towards a political roadmap that seeks to reflect the implementation of the February 29 Agreement or a future agreement or arrangement, including any interactions between members of the two groups in Afghanistan, Pakistan, or other countries, and any change in Taliban conduct towards al-Qaeda since February 29, 2020;

(E) An assessment of the relationship between the Taliban and al-Qaeda, including any interactions between members of the two groups in Afghanistan, Pakistan, or other countries, and any change in Taliban conduct towards al-Qaeda since February 29, 2020;

(F) An assessment of whether the Haqqani Network has broken ties with al-Qaeda, and whether the Haqqani Network’s leader Sirajuddin Haqqani remains part of the leadership structure of the Taliban;

(G) An assessment of threats emanating from Afghanistan against the United States and United States partners, and the extent to which the Taliban is responding to those threats;

(H) An assessment of intra-Afghan discussions, political reconciliation, and progress towards a political roadmap that seeks to serve all Afghan interests;

(I) An assessment of whether the Haqqani Network is collaborating with al-Qaeda in any manner, as well as materials relevant to any future agreement or arrangement involving the Taliban in any manner;

(J) An assessment of whether the Haqqani Network is collaborating with al-Qaeda in any manner, as well as materials relevant to any future agreement or arrangement involving the Taliban in any manner;

(K) An assessment of the progress made by the Government of Afghanistan towards the release of such prisoners from either side;

(L) An assessment of the status of human rights, including the rights of women, minorities, and youth;

(M) An assessment of the access of women, minorities, and youth to education, justice, and economic opportunities in Afghanistan;

(N) An assessment of the status of the rule of law and governance at the national, provincial, and district levels of government;

(O) An assessment of the media and of the press and civil society’s operating space in Afghanistan;

(P) An assessment of illicit narcotics production, trafficking, and related activities in Afghanistan that contribute to terrorist, corruption, and instability, and policies to counter illicit narcotics flows;

(Q) An assessment of corruption in Government of Afghanistan institutions at the district, provincial, and central levels of government;

(R) An assessment of the number of Taliban and Afghan civilians killed in military operations, operations of the Coalition for Epidemic Preparedness, and Pakistan.

(S) An assessment of any malign Iranian, Chinese, and Russian influence in Afghanistan;

(T) An assessment of how other regional actors, such as Pakistan, are engaging with Afghanistan;

(U) An assessment of the status of counterterrorism obligations under the February 29 Agreement, the report and briefing required under this subsection shall include information detail the United States’ counterterrorism strategy in Afghanistan and Pakistan;

(V) A detailed overview of United States activities to counter illicit narcotics flows;

(W) An assessment of any malign Iranian, Chinese, and Russian influence in Afghanistan;

(X) An overview of United States contributions to the Coalition for Epidemic Preparedness as a representative of the United States.

(c) REPORT AND BRIEFING ON VERIFICATION AND COMPLIANCE.—

(1) IN GENERAL.—(A) REPORT.—Not later than 90 days after the date of the enactment of this Act, and on an ongoing basis thereafter, the President shall submit to the appropriate congressional committees a report verifying whether the key tenets of the February 29 Agreement, or future agreement or arrangement, including any interactions between members of the two groups in Afghanistan, Pakistan, or other countries, and any change in Taliban conduct towards al-Qaeda since February 29, 2020;

(B) BRIEFING.—At the time of each report submitted to the Agreement, the paragraph (A), the Secretary of State shall direct a Senate-conformed report and briefing to the appropriate congressional committees on the contents of the report.

(i) An assessment of the Taliban’s compliance with counterterrorism guarantees, including guarantees related to protection of civilians and non-combatant population of movement to al-Qaeda and other terrorist threats from operating on territory under its influence; and

(ii) Whether the United States intelligence community has collected any intelligence indicating the Taliban does not intend to uphold its commitments;

(iii) An assessment of Taliban actions against terrorist threats to United States national security interests;

(C) An assessment of whether Taliban officials continue to carry out the Agreement, and whether the United States is fulfilling all its obligations under the Agreement, including the 120 days of conclusion and on an ongoing basis thereafter, and whether the United States continues to participate in the Agreement.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall prejudice whether a future deal involving the Taliban in any manner constitutes a treaty for purposes of Article II of the Constitution of the United States.

(e) SUNSET.—Except for subsections (b) and (d), the provisions of this section shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.

SA 1705. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strength for fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1085. AUTHORIZATION FOR UNITED STATES PARTICIPATION IN THE COALITION FOR EPIDEMIC PREPAREDNESS INNOVATIONS.

(a) IN GENERAL.—The United States is authorized to participate in the Coalition for Epidemic Preparedness Innovations.

(b) INVESTORS COUNCIL OF CEPI.—The Administrator of the United States Agency for International Development is authorized to designate an employee of such agency to serve on the Investors Council of the Coalition for Epidemic Preparedness as a representative of the United States.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the following:

(1) The United States’ planned contributions to the Coalition for Epidemic Preparedness Innovations in this section referred to as the “Coalition”); and the mechanisms for United States participation in the Coalition;

(2) The manner and extent to which the United States shall participate in the governance of the Coalition;

(3) The role of the Coalition in and anticipated benefits of United States participation in the Coalition on;

(A) The Global Health Security Strategy required by section 708(c) of the Department of State, Foreign Operations and Related Programs Appropriations Act, 2018; and

(B) The applicable revision of the National Security Strategy required by section 1086 of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104); and

(C) Any other relevant policy and planning guidance.

(d) UNITED STATES CONTRIBUTIONS.—There is authorized to be appropriated $200,000,000 to carry out global health security, for investigating reported cases of civilian casualties; and
(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘‘appropriate congressional committees’’ means—

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

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

SA 1706. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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 VI, add the following:

SEC. 403. BASIC NEEDS ALLOWANCE FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

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

§ 402b. Basic needs allowance for low-income members.

(a) ALLOWANCE REQUIRED.—The Secretary concerned shall pay to each member of the armed forces described in subsection (b), whether with or without dependents, a monthly basic needs allowance in the amount determined for such member under subsection (c).

(b) MEMBERS ENTITLED TO ALLOWANCE.

(1) A member of the armed forces is entitled to receive the allowance described in subsection (a) for a year if—

(A) the gross household income of the member during the year preceding such year did not exceed an amount equal to 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the member’s household for such year; and

(B) the member does not elect under subsection (e) not to receive the allowance for such year.

(c) AMOUNT OF ALLOWANCE; MONTHLY CONSTITUTING YEAR OF PAYMENT.

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

(A) the aggregate amount equal to—

(i) 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the member’s household for such year; minus

(ii) the gross household income of the member during the preceding year; and

(B) divided by 12.

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

(1) NOTICE OF ELIGIBILITY.—Not later than December 31 each year, the Director of the Defense Finance and Accounting Service shall notify, in writing, the member described in paragraph (2) of the aggregate amount of basic pay and compensation for service in the armed forces during such year and the amount equal to 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the member’s household, for purposes of paragraph (1)(B) there shall be deemed to be entitled to receive the allowance for such year.

(2) INFORMATION TO DETERMINE ENTITLEMENT.—Not later than January 31 each year, each member seeking to receive the allowance for such year (whether or not such member is entitled to receive the allowance for such year) shall submit to the Director such information as the Director shall require for purposes of this section in order to determine whether or not such member is entitled to receive the allowance for such year.

(3) NOTICE OF ELIGIBILITY.—Not later than February 28 each year, the Director shall notify, in writing, the member determined by the Director to be entitled to receive the allowance for such year.

(4) ELECTION NOT TO RECEIVE ALLOWANCE.—

(A) IN GENERAL.—A member otherwise entitled to receive the allowance described in subsection (a) for a year may elect, in writing, not to receive the allowance for such year. Any election under this subsection shall be effective only for the year for which made. Any election for a year under this subsection is irrevocable.

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

(C) REGULATIONS.—The Secretary of Defense shall prescribe regulations for the administration of this section. Such regulations shall specify the income to be included in, and the amounts of basic household income of members for purposes of this section.

(b) CEREMONIAL AMENDMENT.—The table of contents at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 402a the following new item:

‘‘402b. Basic needs allowance for low-income members.’’

SA 1707. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military 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. 382. PROHIBITION ON HOUSING OF ANIMALS AT ALAMOGORDO PRIMATE FACILITY AT HOLLoman AIR FORCE BASE, NEW MEXICO.

(a) In General.—Not later than September 1, 2020, or the date of the enactment of this Act, whichever occurs later, the Secretary of the Air Force may not grant any permit to an individual or entity to house a non-human primate or other animal at the Alamogordo Primate Facility at Holloman Air Force Base, New Mexico.

(b) Report.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committee on Appropriations of the Senate and the House of Representatives a report on—

(1) the amount paid by the Department of the Air Force for electricity, gas, water, and disposal of wastewater at Alamogordo Primate Facility during the period beginning on October 1, 2009, and ending on September 30, 2010;

(2) any additional costs related to the operations of Alamogordo Primate Facility paid by the Department of the Air Force; and

(3) any additional contractors or grantees that are using facilities on Holloman Air Force Base under an agreement with the Secretary of the Air Force, or other agreement, including—

(A) details of the rent or additional fees paid by any such contractor or grantee under the agreement; and

(B) any request to the Air Force under the agreement.

SA 1708. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 506. MARITIME SECURITY AND DomAIN AwAreness.

(a) ProGRESS REPORT ON MARITIME SECURITY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, the Secretary of the Department in which the Coast Guard is operating, and the heads of other appropriate Federal agencies, shall consult with the appropriate congressional defense committees a report on the steps taken since December 20, 2019, to make further use of the following mechanisms to combat IUU fishing:

(A) Inclusion of counter-IUU fishing in existing shipper agreements to which the United States is a party.

(B) Entry into shipper 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 agreements.

(C) Inclusion of counter-IUU fishing in the mission of the Combined Maritime Forces.

(D) Inclusion of counter-IUU fishing exercises in the annual at-sea exercises conducted by the Department of Defense, in coordination with the United States Coast Guard.

(E) Development of partnerships similar to the Oceania Maritime Security Initiative and the Africa Maritime Law Enforcement Partnership in other priority regions.

(b) ELEMENT.—The report required by paragraph (1) shall include a description of each specific steps taken by the Secretary of the Navy with respect to each mechanism described in paragraph (1), including a detailed description of any security cooperation engagement undertaken to combat IUU fishing.
by such mechanisms and resulting coordina-
tion between the Department of the Navy and
the Coast Guard.

(b) ASSESSMENT OF SERVICE COORDINATION
ON MARITIME SECURITY.—

(1) IN GENERAL.—Not later than 90 days
after the date of the enactment of this Act, the
Secretary of the Navy shall enter into an agree-
ment with the Secretary of the Depart-
ment in which the Coast Guard is operating, in
consultation with the Secretary of Com-
ter, to assess the available commercial solutions
for collecting, sharing, and dis-
seminating among United States maritime
services and partner countries maritime
domain awareness information relevant to ile-
gal maritime activities, including IUU fishing.

(2) ELEMENTS.—The assessment carried out
pursuant to an agreement under paragraph
(1) shall—

(A) build on the ongoing Coast Guard as-
essment related to autonomous vehicles;

(B) consider appropriate commercially and
academically available technological solu-
tions; and

(C) consider any limitation related to af-
fordability, exportability, maintenance, and
sustainability that may constrain the suitability
of such solutions for use in a joint and com-
binated environment, including the potential
provision of such solutions to one or more
partner countries.

(3) SUBMITAL TO CONGRESS.—Not later than
one year after entering into an agree-
ment under paragraph (1), the Secretary of the
Navy shall submit to the Committee on
Armed Services, the Committee on Com-
ter, Science, and Transportation, and the Com-
mittee on Appropriations of the Senate and
the Committee on Armed Services, the
Committee on Natural Resources, the Com-
mittee on Transportation and Infrastruc-
ture, and the Committee on Appropriations
of the House of Representatives the assess-
ment prepared in accordance with the agree-
ment.

(c) REPORT ON USE OF FISHING FLEETS BY
FOREIGN GOVERNMENTS.—

(1) IN GENERAL.—Not later than 180 days
after the date of the enactment of this Act, the
Office of Naval Intelligence shall submit to the
Committee on Armed Services, the Committee on
Commerce, Science, and Transportation, and the
Committee on Appropriations of the Senate and
the Committee on Armed Services, the
Committee on Natural Resources, the Com-
mittee on Transportation and Infrastruc-
ture, and the Committee on Appropriations
of the House of Representatives a report on the
use by governments of foreign countries of
distant-water fishing fleets as extensions of the
official maritime security forces of such
countries.

(2) ELEMENT.—The report required by para-
graph (1) shall include the following:

(A) Information on the manner in which fishing
fleets are leveraged in support of the
naval operations and policies of foreign
countries more generally.

(B) A consideration of—

(i) threats posed, on a country-by-country basis,
to the fishing vessels and other vessels of the
United States and partner countries;

(ii) risks to Navy and Coast Guard oper-
ations of the United States, and the
and coast guard operations of partner
countries; and

(iii) the broader challenge to the interests of the
United States and partner countries.

(3) FORM.—The report required by para-
graph (1) shall be in unclassified form, but may
be in classified form.

(d) DEFINITIONS.—In this section, any term
that is also used in the Maritime SAFE Act
/Public Law 116–92) shall have the meaning
given such term in that Act.

SA 1709. Mr. HAWLEY submitted an amend-
ment intended to be proposed by him to the bill S. 4049, to authorize ap-
propriations for fiscal year 2021 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:

SEC. 377. COMMISSION ON THE NAMING OF AS-
SETTLEMENTS OF THE DEPARTMENT OF DEFENSE THAT COMMEMORATE THE CONFEDERATE STATES OF AMERICA OR ANY PERSON WHO SERVED VOL-
UNTARY WITH THE CONFEDERATE STATES OF AMERICA.

(a) IN GENERAL.—The Secretary of Defense
shall establish a commission relating to the
assigning, modifying, keeping, or removing
of names, symbols, displays, monuments,
or paraphernalia that commemorate the
Confederate States of America or any person
who served voluntarily with the Confederate
States of America (in this section referred to as the "Commission").

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be
composed of eight members, of whom—

(A) two shall be appointed by the Presi-
dent; and

(B) two shall be appointed by the Secretary
of Defense;

(C) one shall be appointed by the Chairman
of the Committee on Armed Services of the
Senate; and

(D) one shall be appointed by the Ranking
Member of the Committee on Armed Serv-
ices of the Senate;

(E) one shall be appointed by the Chairman
of the Committee on Armed Services of the
House of Representatives; and

(F) one shall be appointed by the Ranking
Member of the Committee on Armed Ser-
vices of the House of Representatives.

(2) APPOINTMENT.—Members of the Com-
mission shall be appointed not later than 45
days after the date of the enactment of this
Act.

(c) INITIAL MEETING.—The Commission
shall hold its initial meeting on the date
that is 60 days after the date of the enact-
ment of this Act.

(d) DUTIES.—The Commission shall do the
following:

(1) Assess the cost of renaming or removi-
ging names, symbols, displays, monuments,
or paraphernalia on assets of the Department
of Defense that commemorate the Confederate
States of America or any person who served
voluntarily with the Confederate States of
America.

(2) Develop criteria to assess whether an
existing name, symbol, display, monument,
or paraphernalia commemorates or valorizes
the Confederate States of America or any
person who served voluntarily with the Con-
federate States of America.

(3) Develop criteria to assess whether the
predominant meaning now given by the local
community to an existing name, symbol, dis-
play, monument, or paraphernalia that com-
memorates the Confederate States of Amer-
ica or any person who served voluntarily
with the Confederate States of America has
changed since the name, symbol, monument,
display, or paraphernalia first became asso-
ciated with an asset of the Department of
Defense.

(4) Nominate names, symbols, displays,
monuments, or paraphernalia to be poten-
tially renamed or removed from assets of the
Department of Defense based on the criteria
developed under paragraphs (2) and (3).

(5) Develop proposed procedures for renam-
ing or removing names, symbols, displays,
monuments, or paraphernalia that com-
memorate the Confederate States of America or
any person who served voluntarily with the
Confederate States of America that the
Commission nominates as suitable can-
didates for renaming or removal, as the case
may be, if such procedures do not already
exist within directives, issuances, or regula-
tions issued by the Department of Defense.

(6) Ensure that input from State and local
stakeholders is substantially reflected in the
procedures developed under paragraphs
(1) and (3), nominations made under paragraph
(4), and procedures developed under paragraph
(5), including by—

(A) conducting public hearings on such cri-
teria, nominations, and procedures in the
States that would be affected by any renam-
ing or removal; and

(B) consulting on such criteria, nomi-
nations, and procedures from the State enti-
ties, local government entities, military
families, veterans service organizations,
organizations, and other non-government en-
tities that would be affected by any renam-
ing or removal.

(e) PROCEDURES.—

(1) HEARINGS.—Not later than 14 days be-
fore a hearing to be conducted under subsec-
tion (d)(6)(A), the Commission shall pub-
lish on a website of the Department of
Defense

(A) an announcement of such hearing; and

B) an agenda for the hearing and a list of
materials relevant to the topics to be dis-
cussed at the hearing.

(2) SOLICITATION OF INPUT.—Not later than
60 days before soliciting input under subsec-
tion (d)(6)(B) with respect to a renaming
or removal, the Commission shall provide
notice to State entities, local government
entities, military families, veterans service
organizations, military service organiza-
ions, and other non-government entities that
would be af-
fected by the renaming or removal to provide
those individuals and entities time to con-
sider the commissions of such nomina-
tions, and procedures being developed under
subsection (d).

(f) EXEMPTION FOR GRAVE MARKERS.—

(1) IN GENERAL.—Any renaming or removal
proposed under this section or conducted
pursuant to this section shall not apply to
grave markers.

(2) GRAVE MARKERS DEFINED.—For pur-
poses of this subsection, the term "grave
marker" has the meaning given that term by the
Commission.

(g) BRIEFINGS AND REPORTS.—

(1) BRIEFING.—Not later than October 1,
2022, the Secretary of Defense and the Sec-
retary of the Army shall brief the Sec-
retary of Defense and the Committees on
Armed Services of the Senate and the House of
Representatives detailing the progress of the
Commission in carrying out the require-
ments of the Commission under subsection
(d).

(2) BRIEFING AND REPORT.—Not later than
October 1, 2022, the Commission shall brief
and provide a written report to the Sec-
retary of Defense and the Committees on
Armed Services of the Senate and the House of
Representatives detailing the results of the
requirements of the Commission under sub-
section (d), including the following:

(A) A list of assets of the Department of Defense to be renamed or removed
(B) The costs associated with the renaming or removal of such assets.
(C) A description of the criteria used to nominate such assets for renaming or removal.

(D) A description of the feedback received and incorporated from State and local stakeholders pursuant to subsection (d)(6), including a detailed explanation of any decision by the Commission to overrule concerns raised by State and local stakeholders when developing and issuing recommendations on the criteria, nominations, and proposed procedures described in paragraphs (2) through (5) of subsection (d).

(h) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 for this section.

(2) OFFSET.—The amount authorized to be appropriated by this Act for fiscal year 2021 for Operation and Maintenance, Army, sub activity group 431, other personnel support is hereby reduced by $2,000,000.

(i) ASSETS OF THE DEPARTMENT OF DEFENSE DEFINED.—In this section, the term "assets of the Department of Defense" includes any base, installation, street, building, facility, aircraft, ship, plane, weapon, equipment, or any other property owned or controlled by the Department of Defense.

SA 1710. Mr. KING (for himself and Mr. SASSIE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 5. DEPARTMENT OF HOMELAND SECURITY CRITICAL TECHNOLOGY SECURITY CENTERS.

Section 307(b)(3) of the Homeland Security Act of 2002, as amended—

(1) in the matter preceding subparagraph (A), by inserting ", national laboratories" after "department centers";

(2) in subparagraph (C), by striking "and" at the end;

(3) in subparagraph (D), by striking the period at the end and inserting "; and";

and (4) by adding at the end the following:

"(E) establish not less than 1, but not more than 3, cybersecurity focused critical technology security centers to—

"(i) to test the security of cyber-related hardware and software;

"(ii) to test the security of connected programs, cognitive controllers, supervisory control and data acquisition servers, and other cyber connected industrial equipment; and

"(iii) to test and fix vulnerabilities in open-source software repositories.".

SA 1711. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 8. CYBERSECURITY REPORTING REQUIREMENTS FOR PUBLICLY TRADED COMPANIES.

(a) DEFINITIONS.—Section 2(a) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201) is amended by adding at the end the following:

"(18) CYBERSECURITY RISK.—The term "cybersecurity risk" means a significant threat, vulnerability, or deficiency in, the security and defense activities of an information system.

(b) CORPORATE RESPONSIBILITY FOR FINANCIAL REPORTS AND CRITICAL INFORMATION SYSTEMS.—

(1) IN GENERAL.—Section 302 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7241) is amended by adding at the end the following:

"(A) in the section heading, by inserting "AND CRITICAL INFORMATION SYSTEMS" after "REPORTS"; and

(B) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking "and the principal financial officer or officers" and inserting the following: "the principal financial officer or officers, and the principal security, risk, or information security officer or officers";

(ii) in paragraph (1)—

(I) by striking "," and inserting ", including information security controls" after "internal controls";

(II) by striking "or the principal financial officer or officers" and inserting the following: "the principal financial officer or officers, and the principal security, risk, or information security officer or officers";

(iii) by striking "and" at the end and inserting "; and";

(iv) in paragraph (3), by striking "or the principal security, risk, or information security officer or officers" and inserting the following: "the principal financial officer or officers, and the principal security, risk, or information security officer or officers";

(2) IN GENERAL.—Section 307(b)(3) of the Homeland Security Act of 2002, as amended—

(III) in subparagraph (D), by inserting ", including information security controls, after "internal controls";

(IV) in subparagraph (A), by inserting ", including information security controls" after "prescribed for an information system";

(2) CLERICAL AMENDMENT.—The table of contents for the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201 note) is amended by striking the item relating to section 302 and inserting after the end the following:

"Sec. 302. Corporate responsibility for financial reports and critical information systems.".

SA 1712. Mr. KING (for himself and Mr. SASSIE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. JOINT COLLABORATIVE ENVIRONMENT.

(a) IN GENERAL.—In coordination with the Critical Threat Data Standards and Interoperability Council established pursuant to subsection (e), the Director of the Cybersecurity and Infrastructure Security Agency and the Director of the National Security Agency shall establish a joint, cloud-based, information sharing environment to—

(1) integrate the unclassified and classified cyber threat intelligence, malware forensics, and data from network sensor programs of the Federal Government;
2. enable cross-correlation of threat data at the speed and scale necessary for rapid detection and identification of cyber threats;
3. enable query and analysis by appropriate Federal agencies across the Federal Government; and
4. facilitate a whole-of-government, comprehensive understanding of the cyber threat environment, including the Federal Government and critical infrastructure networks in the United States.

(b) DEVELOPMENT.—(1) INITIAL EVALUATION.—Not later than 180 days after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency and the Director of the National Security Agency shall design the structure of a common platform for sharing and fusing existing government information, insight, and analysis to detect threats and threat actors, which shall, at a minimum:
(A) account for appropriate data standards and interoperability requirements;
(B) enable integration of current applications, platforms, data, and information, to include classified information;
(C) enable interagency and private sector participation and partnerships;
(D) account for potential private sector participation and partnerships;
(E) enable unclassified data to be integrated with classified data;
(F) anticipate the deployment of analytic tools across classification levels to leverage all relevant data sets, as appropriate;
(G) account for appropriate data and analytical software that can be applied and shared to manipulate, transform, and display data and other identified needs; and
(H) account for the integration of new technologies and data streams, including data from Federal Government-sponsored voluntary network sensors or network-monitoring programs for the private sector or for State, local, Tribal, and territorial governments.

(d) OPERATION.—The information sharing environment established pursuant to subsection (a) shall be jointly managed by:
(1) the Director of the Cybersecurity and Infrastructure Security Agency, who shall have responsibility for all classified information and data streams; and
(2) the Director of the National Security Agency, who shall have responsibility for all unclassified information and data streams.

(e) CYBER THREAT DATA STANDARDS AND INTEROPABILITY COUNCIL.—

1. ESTABLISHMENT.—The President shall establish an interagency council (in this subsection referred to as the “Council”), chaired by the Director of the Cybersecurity and Infrastructure Security Agency and the Director of the National Security Agency, to set data standards and requirements for participation under this section.

2. INFORMATION SHARING.—The President shall identify and appoint additional Council members from Federal agencies that oversee programs that generate, collect, or disseminate information related to the detection, identification, analysis, and monitoring of cyber threats.

3. DATA STREAMS.—The Council shall identify, evaluate, and select appropriate Federal programs required to participate in or be interoperable with the information sharing environment described in subsection (a), including—
(A) Federal Government network-monitoring and intrusion detection programs;
(B) cyber threat indicator-sharing programs;
(C) Federal Government-sponsored network sensors or network-monitoring programs for the private sector or for State, local, Tribal, and territorial governments;
(D) incident response and cybersecurity technical assistance programs; and
(E) malware forensics and reverse-engineering of malicious code.

4. DATA GOVERNANCE.—The Council shall establish procedures and data governance structures, as necessary to protect sensitive data, comply with Federal regulations and statutes, and respect existing consent agreements with the private sector and other non-Federal entities.

5. DATA PROTECTIONS.—As appropriate, the Council, or the chairpersons thereof, shall recommend to the President budget and authorization changes necessary to ensure sufficient funding for the operation, expansion, adaptation, and security of the information sharing environment established pursuant to subsection (a).

(f) PRIVACY AND CIVIL LIBERTIES.—

1. GUIDELINES OF ATTORNEY GENERAL.—
(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Attorney General shall, consistent with Federal statutes, and respect existing consent agreements with the private sector and other non-Federal entities.
(B) ACCOUNT FOR.—The Attorney General shall account for potential privacy concerns relating to personal information included in the information sharing environment.
(C) ACCOUNT FOR.—The Attorney General shall account for potential civil liberties concerns relating to personal information included in the information sharing environment.

2. FINAL GUIDELINES.—
(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall, in consultation with the heads of Federal agencies and in consultation with officials designated under section 1062 of the National Security Intelligence Reform Act of 2004 (2 U.S.C. 2000ee–1), develop, submit to Congress, and make available to the public interim guidelines relating to privacy and civil liberties that shall govern the receipt, retention, use, and dissemination of cyber threat indicators containing personal information or information that identifies specific persons to the greatest extent practicable and require recipients to be informed that such indicators may only be used for purposes of authorized use and, consistent with the protection of classified and other sensitive national security information.

3. REPORT.—
(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act and not less frequently than once every 2 years thereafter, the Inspector General of the Department of Homeland Security, the Inspector General of the Intelligence Community, the Inspector General of the Department of Justice, the Inspector General of the Department of Defense, and the Inspector General of the Department of Energy shall, in consultation with the Council of Inspectors General on Financial Oversight, jointly submit to Congress a report on the receipt, use, and dissemination of cyber threat indicators and any internal or external measures that have been shared with Federal agencies under this section.

4. CONTENTS.—Each report submitted under subparagraph (A) shall include the following:
(I) A review of the types of cyber threat indicators shared with Federal agencies.
SA 1713. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

"Subtitle C—Cyber State of Distress"

"SEC. 2231. CYBER STATE OF DISTRESS." (a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

"(A) a significant cyber incident has occurred; or

"(B) there is a near-term risk of a significant cyber incident." (2) COORDINATION OF ACTIVITIES.—Upon declaration of a cyber state of distress under paragraph (1), the Secretary shall—

"(A) coordinate all asset response activities by Federal agencies in response to a cyber state of distress;

"(B) harmonize the activities described in subparagraph (A) with asset response activities by State and local governments to the maximum extent practicable; and

"(C) harmonize the activities described in subparagraph (A) with activities of private entities and State and local, Tribal, and territorial law enforcement investigations and threat response activities.

"(3) DURATION.—A declaration made pursuant to paragraph (1) shall be for a period designated by the Secretary or 60 days, whichever is shorter.

"(4) RENEWAL.—The Secretary may renew a declaration made pursuant to paragraph (1) as necessary to respond to or prepare for a significant cyber incident.

"(5) PUBLICATION.—Not later than 72 hours after the Secretary declares a cyber state of distress pursuant to paragraph (1), the Secretary shall publish the declaration in the Federal Register.

"(6) LIMITATION ON DELEGATION.—The Secretary may not delegate the authority to declare a cyber state of distress under paragraph (1).

"(7) SUPERSEDDING DECLARATIONS.—A declaration made pursuant to paragraph (1) shall have no effect if the President declares a major disaster pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) in the same area covered by the declaration made pursuant to paragraph (1).

"(B) CORDINATION OF ACTIVITIES.—Upon a declaration made pursuant to paragraph (1), the Secretary shall—

"(1) ASSET RESPONSE.—The term ‘asset response’ means activities including—

"(A) furnishing technical and advisory assistance to entities affected by a cyber incident, including obtaining necessary assessments, mitigating vulnerabilities, and reduce the related impacts;

"(B) identifying other entities that may be at risk and assessing their risk to the same or similar vulnerabilities;

"(C) assessing potential risks to the sector or region, including potential cascading effects, and developing courses of action to mitigate these risks;

"(D) facilitating information sharing and operations coordination with threat response; and

"(E) providing guidance on how best to utilize Federal resources and capabilities in a timely, effective manner to accelerate recovery.

"(2) FUND.—The term ‘Fund’ means the Cyber Response and Recovery Fund established under subsection (c).

"(3) INCIDENT.—The term ‘incident’ has the meaning given the term in section 1016(e) of the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c(e)).

SA 1714. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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:

"Section 2.—National Risk Management Act.

(a) Short Title.—This section may be cited as the ‘National Risk Management Act.

(b) Definitions.—In this section:

"(1) CRITICAL INFRASTRUCTURE.—The term ‘critical infrastructure’ has the meaning given that term in section 1016(e) of the Critical Infrastructures Protection Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

"(B) SECTOR RISK MANAGEMENT AGENCY—The term ‘Sector Risk Management Agency’ means an agency designated under subsection (c).

"(2) NATIONAL RISK MANAGEMENT CYCLE.—

"(A) RISK IDENTIFICATION AND ASSESSMENT.—The Secretary, acting through the Director, shall establish a process by which to identify, assess, and prioritize risks to critical infrastructure, considering both cyber and physical threats, vulnerabilities, and consequences.

"(B) CONSULTATION.—In developing the process required under subparagraph (A), the Secretary shall consult with Sector Risk Management Agencies.

"(3) NATIONAL RISK MANAGEMENT ACT.—The term ‘National Risk Management Act’ means a law designed to address the risk of major cyber events, as applicable.

"(4) NATIONAL CRITICAL INFRASTRUCTURE.—The term ‘National Critical Infrastructure’ means an entity designated by the Secretary under subsection (a).

"(5) NATIONAL RISK MANAGEMENT CYCLE.—

"(A) RISK IDENTIFICATION AND ASSESSMENT.—The Secretary, acting through the Director, shall establish a process by which to identify, assess, and prioritize risks to critical infrastructure, considering both cyber and physical threats, vulnerabilities, and consequences.

"(B) CONSULTATION.—In developing the process required under subparagraph (A), the Secretary shall consult with Sector Risk Management Agencies.

"(6) NATIONAL RISK MANAGEMENT CYCLE.—

"(A) RISK IDENTIFICATION AND ASSESSMENT.—The Secretary, acting through the Director, shall establish a process by which to identify, assess, and prioritize risks to critical infrastructure, considering both cyber and physical threats, vulnerabilities, and consequences.

"(B) CONSULTATION.—In developing the process required under subparagraph (A), the Secretary shall consult with Sector Risk Management Agencies.

"(7) NATIONAL RISK MANAGEMENT CYCLE.—

"(A) RISK IDENTIFICATION AND ASSESSMENT.—The Secretary, acting through the Director, shall establish a process by which to identify, assess, and prioritize risks to critical infrastructure, considering both cyber and physical threats, vulnerabilities, and consequences.

"(B) CONSULTATION.—In developing the process required under subparagraph (A), the Secretary shall consult with Sector Risk Management Agencies.

"(8) NATIONAL RISK MANAGEMENT CYCLE.—

"(A) RISK IDENTIFICATION AND ASSESSMENT.—The Secretary, acting through the Director, shall establish a process by which to identify, assess, and prioritize risks to critical infrastructure, considering both cyber and physical threats, vulnerabilities, and consequences.

"(B) CONSULTATION.—In developing the process required under subparagraph (A), the Secretary shall consult with Sector Risk Management Agencies.

"(9) NATIONAL RISK MANAGEMENT CYCLE.—

"(A) RISK IDENTIFICATION AND ASSESSMENT.—The Secretary, acting through the Director, shall establish a process by which to identify, assess, and prioritize risks to critical infrastructure, considering both cyber and physical threats, vulnerabilities, and consequences.

"(B) CONSULTATION.—In developing the process required under subparagraph (A), the Secretary shall consult with Sector Risk Management Agencies.
(iii) Identify and outline current and proposed national-level actions, programs, and efforts to be taken to address the risks identified.

(iv) Identify the Federal departments or agencies responsible for leading each national-level action, program, or effort and the relevant critical infrastructure sectors for each.

(v) Outline the budget plan required to provide sufficient resources to successfully execute the full range of activities proposed or described by the National Critical Infrastructure Resilience Strategy.

(vi) Request any additional authorities or resources necessary to successfully execute the National Critical Infrastructure Resilience Strategy.

(C) FORM.—The strategy required under subparagraph (A) shall be submitted in unclassified form, but may contain a classified annex.

(3) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date on which the President submits a National Critical Infrastructure Resilience Strategy under this subsection, and once every year thereafter, the Secretary, in coordination with the National Critical Infrastructure Resilience Strategy, shall brief the appropriate committees of Congress on the national risk management activity undertaken pursuant to this section.

(4) CRITICAL INFRASTRUCTURE SECTOR DESIGNATION.—

(A) Initial Review.—Not later than 180 days after the date of enactment of this Act, the Secretary—

(i) review the current list of critical infrastructure sectors; and

(ii) submit to the President a report containing recommendations for—

(A) any additions or deletions to the list of critical infrastructure sectors set forth in Presidential Policy Directive-21; and

(B) any new assignment or alternative assignment of a Federal department or agency to serve as the Sector Risk Management Agency for a sector.

(B) Periodic Review.—Not later than 1 year before the submission of each strategy required under subsection (c), the Secretary—

(i) review the current list of critical infrastructure sectors and the assignment of Sector Risk Management Agencies, as set forth in Presidential Policy Directive-21, or any successor document; and

(ii) recommend to the President—

(A) any additions or deletions to the list of critical infrastructure sectors; and

(B) any new assignment or alternative assignment of a Federal department or agency to serve as the Sector Risk Management Agency for each sector.

(C) UPDATE.—

(A) In General.—Not later than 180 days after the date on which the Secretary makes a recommendation under paragraph (2), the President shall—

(i) review the recommendation and update, as appropriate, the designation of critical infrastructure sectors and each sector’s corresponding Sector Risk Management Agency; or

(ii) submit a report to the majority and minority leaders of the Senate and the Speaker and minority leader of the House of Representatives explaining the basis for rejecting the recommendations of the Secretary.

(B) LIMITATION.—The President—

(i) may not designate more than 1 department or agency as the Sector Risk Management Agency for each critical infrastructure sector; and

(ii) may only designate an agency under this subsection if the agency is referenced in section 205 of the Chief Financial Officers Act of 1990 (42 U.S.C. 901).

(5) PROVISION OF CRITICAL INFRASTRUCTURE STUCTURE DESIGNATIONS.—

Public sector designations of critical infrastructure sectors shall be published in the Federal Register.

(e) SECTOR RISK MANAGEMENT AGENCIES.—

(1) IN GENERAL.—Any reference to a Sector Risk Management Agency in a law, regulation, or other document, record, or other paper of the United States shall be deemed to be a reference to the Sector Risk Management Agency of the relevant critical infrastructure sector.

(2) COORDINATION.—In carrying out this section, the head of each Sector Risk Management Agency—

(A) coordinate with the Secretary and the head of other relevant Federal departments and agencies; and

(B) collaborate with critical infrastructure owners and operators and as appropriate, coordinate with independent regulatory agencies, and State, local, Tribal, and territorial entities.

(3) RESPONSIBILITIES.—The head of each Sector Risk Management Agency shall utilize the specialized expertise of the agency about the sector, sector-specific activities and the assignment of Sector Risk Management Agencies in the sector and authorities of the agency under applicable law to support and carry out activities for the sector related to—

(A) sector risk management, including—

(i) establishing and carrying out programs to assist critical infrastructure owners and operators within their assigned sector in identifying, understanding, and mitigating threats, vulnerabilities, and risks to their region, sector, systems or assets; and

(ii) recommending resilience measures to mitigate the consequences of destruction, compromise, and disruption of their systems and assets;

(B) sector risk identification and assessment, including—

(i) identifying, assessing, and prioritizing risks to critical infrastructure within their sector, considering physical and cyber threats, vulnerabilities, and consequences; and

(ii) supporting national risk assessment efforts for the sector, including identifying, assessing, and prioritizing cross-sector and national-level risks;

(C) sector coordination, including—

(i) serving as the Federal interface for the dynamic prioritization and coordination of sector-specific activities and their responsibilities under this section; and

(ii) serving as the coordinating council chair for their assigned sector; and

(iii) participating in cross-sector coordinating councils, as appropriate.

(D) threat and vulnerability information sharing, including—

(i) facilitating access to, and exchange of, information and intelligence necessary to strengthen the sector’s critical infrastructure, including through the sector’s information sharing and analysis center; and

(ii) facilitating the identification of intelligence, threats, and vulnerabilities, and critical infrastructure in coordination with the Director of National Intelligence and the heads of other Federal departments and agencies, as appropriate.

(iii) providing the Director ongoing, and where practical, real-time awareness of identified threats, vulnerabilities, mitigations, and assets related to the security of critical infrastructure; and

(iv) supporting the reporting requirements of the Department under applicable law by providing the Director, the Director of the Office of the Under Secretary for Payments and Financial Markets, as determined by the Secretary, with sector-specific critical infrastructure information; and

(E) incident management, including—

(i) supporting incident management and restoration efforts during or following a security incident; and

(ii) supporting the Cybersecurity and Infrastructure Security Agency, as requested, in conducting vulnerability assessments and asset response activities for critical infrastructure; and

(iii) supporting the Attorney General and law enforcement agencies with efforts to detect and prosecute threats to and attacks against critical infrastructure.

(IV) EMERGENCY PREPAREDNESS, AS INCLUDING—

(A) coordinating with critical infrastructure owners and operators in the development of planning documents for coordinated response in action in response to an incident or emergency;

(B) conducting exercises and simulations of potential incidents in emergency; and

(C) implementing the National Critical Infrastructure Resilience Strategy pursuant to subsection (c).


(IV) REPORTING AND AUDITING.—Not later than 2 years after the date of enactment of this Act and once every 4 years thereafter, the Comptroller General of the United States shall submit a report to appropriate Committees of Congress on the effectiveness of Sector Risk Management Agencies in carrying out their responsibilities under subsection (c).

SA 1715. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 679. BUREAU OF CYBER STATISTICS.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘Bureau’’ means the Bureau of Cyber Statistics of the Department of Commerce established under subsection (b); and

(2) the term ‘‘Director’’ means the Director of the Bureau.

(b) ‘‘Statistical purpose’’—

(A) means the description, estimation, or analysis of the characteristics of groups without identifying the individuals or organizations that comprise those groups; and

(B) includes the development, implementation, or maintenance of methods, technical or administrative procedures, or information resources that support the duties and functions of the Director under subsection (d).

(c) Establishment—The Bureau of Cyber Statistics shall be established within the Department of Commerce the Bureau of Cyber Statistics.
(c) **DIRECTOR.—**

(1) **IN GENERAL.—** The Bureau shall be headed by a Director, who shall—

(A) report to the Secretary of Commerce; and

(B) be appointed by the President.

(2) **AUTHORITY.—** The Director shall—

(A) have final authority for all cooperative agreements and contracts entered into by the Bureau;

(B) be responsible for the integrity of data and statistics collected and retained by the Bureau; and

(C) protect against improper or illegal use or disclosure of data and statistics collected and retained by the Bureau, consistent with the procedures developed under subsection (g).

(3) **QUALIFICATIONS.—** The Director—

(A) shall have experience in statistical programs; and

(B) may not—

(i) engage in any other employment while serving as the Director; or

(ii) hold any office, or act in any capacity for, any organization, agency, or institution with which the Bureau enters into any contract or other arrangement under this section.

(4) **DUTIES AND FUNCTIONS.—** The Director shall—

(1) collect and analyze—

(A) information concerning cybersecurity, including data relating to cyber incidents, cyber crime, and any other area the Director determines appropriate; and

(B) data that shall serve as a national indication with respect to the prevalence, rates, extent, distribution, attributes, and number of all relevant cyber incidents, as determined by the Director, in support of national policy and decision making;

(2) compile, collate, analyze, publish, and disseminate uniform national cyber statistics concerning cybersecurity; and

(3) in coordination with the Director of the National Institute of Standards and Technology, recommend national standards, metrics, and measurement criteria for cyber statistics and for ensuring the reliability and validity of statistics collected under this section;

(4) conduct or support research relating to methods of gathering or analyzing cyber statistics;

(5) enter into cooperative agreements or contracts with public agencies, institutions of higher education, and private organizations concerning cybersecurity; and

(6) provide appropriate information to the President, Congress, Federal agencies, the private sector, and the general public on cyber statistics;

(7) communicate with State and local governments concerning cyber statistics;

(8) as needed, confer and cooperate with Federal statistical agencies to carry out the purposes of this section, including by entering into cooperative data sharing agreements that comply with all laws and regulations applicable to the disclosure and use of data; and

(9) request from any person or entity information, data, and reports as may be required to carry out the purposes of this section.

(e) **FURNISHING OF INFORMATION, DATA, OR REPORTS BY FEDERAL DEPARTMENTS AND AGENCIES.—** A Federal department or agency that, by law, is required to provide information, data, or reports under subsection (c)(9) shall provide to the Bureau such information as the Director determines necessary to carry out the purposes of this section.

(f) **PROTECTION OF INFORMATION.—**

(1) **IN GENERAL.—** No officer, employee, or agent of the Bureau may, without the consent of the individual or the applicable agency, or the individual who is the subject of the submission or who provides the submission—

(A) use any submission that is furnished for exclusively statistical purposes under this section for any purpose other than the statistical purposes for which the submission is furnished;

(B) make any publication or media transmission of the data contained in the initial submission described in subparagraph (A) if that publication or transmittal would permit information concerning individual entities or incidents that are reasonably inferred by either direct or indirect means; or

(C) permit anyone other than a sworn officer, employee, agent, or contractor of the Bureau to examine a submission described in subsection (e) or (g).

(2) **IMMUNITY FROM LEGAL PROCESS.—** Any submission (including any data derived from a submission) that is collected and retained by the Bureau, or an officer, employee, agent, or contractor of the Bureau, for exclusively statistical purposes under this section shall be immune from legal process and shall not, without the consent of the individual, entity, agency, or other person that is the subject of the submission (or that provides the submission), be used for any purpose in any action, suit, or other judicial or administrative proceeding.

(g) **PRIVATE SECTOR SUBMISSION OF DATA.—**

(1) **STANDARDS FOR SUBMISSION OF INFORMATION.—** Not later than 2 years after the date of enactment of this Act, and after consultation with relevant stakeholders, the Director shall develop criteria and standardized procedures with respect to private entities submitting to the Bureau data relating to cyber incidents.

(2) **PRIVATE SECTOR SUBMISSION.—** After the development of the criteria and standards required under paragraph (1), the Director shall publish the processes for the submissions described in paragraph (1) and shall begin accepting those submissions.

(3) **REPORT.—** Not later than 1 year after the date on which the Director begins accepting submissions under paragraph (2), the Director shall submit to Congress a report detailing—

(A) the rate of submissions by private entities;

(B) an assessment of the procedures for the submissions described in subparagraph (A); and

(C) an overview of mechanisms for ensuring the collection of data relating to cyber incidents from private entities that collect and retain that type of data as part of their core business activity.

(h) **STATUS OF DIRECTOR POSITION.—** Section 5315 of title 5, United States Code, is amended—

(A) **IN GENERAL.—** There is established, within the Department of State, the Bureau of Cyberspace Security and Emerging Technologies (referred to in this subsection as the ‘Bureau’). The President shall appoint, by and with the advice and consent of the Senate, an Assistant Secretary (referred to in this subsection as the ‘Assistant Secretary’), who shall head the Bureau.

(ii) **PRINCIPAL RESPONSIBILITIES.—** The Assistant Secretary shall—

(I) carry out the responsibilities described in subparagraph (B); and

(ii) perform such other duties and exercises such powers as the Secretary shall prescribe.

(iii) **BUREAU OF CYBERSPACE SECURITY AND EMERGING TECHNOLOGIES.—**

(i) **IN GENERAL.—** There is established, within the Department of State, the Bureau of Cyberspace Security and Emerging Technologies (referred to in this subsection as the ‘Bureau’). The President shall appoint, by and with the advice and consent of the Senate, an Assistant Secretary (referred to in this subsection as the ‘Assistant Secretary’), who shall head the Bureau.

(ii) **DIPLOMATIC CYBERSPACE EFFORTS.—** The Assistant Secretary shall—

(III) guarding against deception, fraud, and theft;

(iv) promote an open, interoperable, reliable, and secure information and communications technology infrastructure globally;

(v) represent the Secretary in interagency efforts to develop and advance the policy priorities of the United States relating to cyberspace and emerging technologies; and

(vi) consult, as appropriate, with other executive branch agencies with related functions.

(5) **QUALIFICATIONS.—** The Assistant Secretary shall be an individual of demonstrated competency in the field of—

(A) cybersecurity and other relevant cyber issues; and

(B) international diplomacy.

(4) **ORGANIZATIONAL PLACEMENT.—**

(A) **INITIAL PLACEMENT.—** Not later than 60 days after the date of enactment of this Act, the Assistant Secretary shall report to—

(i) the Under Secretary for Political Affairs; or

(ii) an official of the Department of State holding a higher position than the Under Secretary for Political Affairs, if so directed by the Secretary.
“(B) PERMANENT PLACEMENT.—After the conclusion of the period described in subparagraph (A), the Assistant Secretary shall report to—

(i) the appropriate Under Secretary of the Department of State; or

(ii) an official of the Department of State holding a higher position than Under Secretary.”

SA 1717. Mr. KING (for himself and Mr. Sasse) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. STRATEGY TO SECURE FOUNDATIONAL INTERNET PROTOCOLS AND E-MAIL.

(a) DEFINITIONS.—In this section:

(1) BORDER GATEWAY PROTOCOL.—The term “border gateway protocol” means a protocol designed to optimize routing of information exchanged through the internet.

(2) DOMAIN NAME SYSTEM.—The term “domain name system” means a system that stores information associated with domain names in a distributed database on networks.

(3) DOMAIN-BASED MESSAGE AUTHENTICATION, REPORTING, AND CONFORMANCE (DMARC).—The terms “domain-based message authentication, reporting, and conformance” and “DMARC” mean an e-mail authentication, policy, and reporting protocol that verifies the authenticity of the sender of an e-mail and blocks and reports fraudulent accounts.

(b) STRATEGY REQUIREMENTS.—The strategy required under subparagraph (A) shall—

(1) articulate the security and privacy benefits of implementing domain-based message authentication, reporting, and conformance standard at scale across all United States-based e-mail providers; and

(2) provide an initial estimate of the total cost to government and implementing entities of implementing the border gateway protocol and domain name system security and propose recommendations for defraying these costs, if applicable.

(c) CONSULTATION.—In developing the strategy under subparagraph (A), the National Telecommunications and Information Administration, in coordination with the Secretary of Homeland Security, shall consult with information and communications technology infrastructure providers, civil society organizations, relevant non-profits, and academia in information and communication technology that establishes the extent to which a particular design and implementation meets a set of specified security standards.

SEC. 4. NATIONAL INFORMATION AND COMMUNICATIONS TECHNOLOGY.—The term “critical information and communications technology” means information and communications technology that is integral to infrastructure sectors and that underpins national critical functions as determined by the Secretary of Homeland Security.

SEC. 02. NATIONAL CYBERSECURITY CERTIFICATION AND LABELING AUTHORITY AND PROGRAM.

(a) ESTABLISHMENT.—There is established a National Cybersecurity Certification and Labeling Authority (in this section referred to as the “Authority”) for the purpose of administering a voluntary program, which the Authority shall establish, for the certification and labeling of critical information and communications technologies.

(b) ACCREDITATION OF CERTIFYING AGENTS.—As part of the program established and administered under subsection (a), the Authority shall publish a list of critical information and communications technologies based on identified security criteria for critical information and communications technologies.

(c) IDENTIFICATION OF STANDARDS, FRAMEWORKS, AND BENCHMARKS.—As part of the program established and administered under subsection (a), the Authority shall work in close coordination with the Secretary of Commerce, the Secretary of Homeland Security, and subject matter experts from the Federal Government, academia, nongovernmental organizations, and the private sector to develop and harmonize security standards, frameworks, and benchmarks against which the security of critical information and communications technologies may be measured.

(d) PRODUCT CERTIFICATION.—As part of the program established and administered under subsection (a), the Authority shall work in close coordination with the Secretary of Commerce, the Secretary of Homeland Security, and other experts from the Federal Government, academia, nongovernmental organizations, and the private sector to—

(1) develop, and disseminate to accredited certifying agents, guidelines to standardize the certification of certifying agents for the certification of specific critical information and communications technologies;

(2) develop, or permit agents accredited under subsection (b) to develop, certification criteria for critical information and communications technologies based on identified security standards, frameworks, and benchmarks through the work conducted pursuant to subsection (c); and

(3) issue, or permit agents accredited under subsection (b) to issue, certifications for products and services that meet and comply with security standards, frameworks, and benchmarks endorsed by the Authority through the work conducted under title I.
(4) permit a manufacturer or distributor of a [covered product] [critical information and communication technology] to display a certificate reflecting the extent to which the covered product [established and identified cybersecurity and data security benchmarks] [the standards, frameworks, and benchmarks identified under subsection (c)];

(5) publication of a covered product [critical information and communication technology] as a [covered product] [critical information and communication technology] is identified under the program if the manufacturer of the covered product [critical information and communication technology] as a [covered product] [critical information and communication technology];

(6) to enhance public awareness of the Authority’s certificates and labeling, including through public outreach, education, research and development, and other means; and

(7) publicly display a list of certified [products] [critical information and communication technologies] with their respective certification information.

(e) CERTIFICATIONS.—

(1) in general.—Certifications issued under the program established and administered under subsection (a) shall remain valid for one year from the date of issuance.

(2) Classifying certification.—[developing Note: Subsection (c) says “identified and harmonized” not “developed”] the guidelines and criteria —[Note: Subsection (c) uses “standards, frameworks, and benchmarks”] under subsection (c), the Authority shall designate at least three classes of certifications, including—

(A) for products and services that product manufacturers and service providers of critical information and communications attest meet the criteria for certification under the program established and administered under subsection (a), attestation-based certification;

(B) for products that have undergone a security evaluation and testing process by a qualifying third party, accreditation-based certification; and

(C) for products that have undergone a security evaluation and testing process by a qualifying third party, test-based certification.

(f) PRODUCT LABELING.—[The Authority, in consultation with the Secretary of Commerce, the Secretary of Homeland Security, and other experts from the Federal Government, academia, nongovernmental organizations, and the private sector, shall—]

(1) collaborate with the private sector to standardize language and define a labeling schema to provide transparent information on the security characteristics and constituent components of a software or hardware product [that includes critical information and communication technologies]; and

(2) establish a mechanism by which product vendors can provide this information for both product labeling and public posting.

(g) ENFORCEMENT.—

(1) PROHIBITION.—It shall be unlawful for a person—

(A) to falsely attest to, or falsify an audit or test for, a security standard, framework, or benchmark for certification;

(B) to intentionally mislabel a product; or

(C) to fail to maintain a security standard, framework, or benchmark to which the person has attested [for a security standard, framework, or benchmark for certification].

(2) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(A) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of paragraph (1) shall be treated as an unfair and deceptive act or practice in violation of a regulation under section 16a(1)(B) [of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B))] regarding unfair or deceptive acts.

(B) POWERS OF COMMISSION.—

(i) in general.—The Federal Trade Commission shall enforce this subsection in the same manner, with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this subsection.

(ii) PRIVILEGES AND IMMUNITIES.—Any person who violates this subsection shall be subject to the same privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

SEC. 53. SELECTION OF THE AUTHORITY.

(a) SELECTION.—The Secretary of Commerce, in coordination with the Secretary of Homeland Security, shall issue a notice of funding opportunity and select, on a competitive basis, a nonprofit, nongovernmental organization to serve as the National Cybersecurity Certification and Labeling Authority (in this section referred to as the Authority). The Authority will be organized and staffed by individuals with demonstrable prior experience in cybersecurity and communications attestations, with demonstrable prior experience in technology security or safety standards, frameworks, and benchmarks, as well as certification.

(b) ELIGIBILITY FOR SELECTION.—The Secretary of Commerce may only select an organization to serve as the Authority if such organization—

(1) is a nongovernmental, not-for-profit that is—

(A) exempt from taxation under section 501(a) of the Internal Revenue Code of 1986; and

(B) described in sections 501(c)(3) and 190(b)(1)(A)(vi) of that Code;

(2) has a demonstrable track record of work on cybersecurity and information security standards, frameworks, and benchmarks; and

(3) possesses requisite staffing and expertise, with demonstrable prior experience in technology security or safety standards, frameworks, and benchmarks, as well as certification.

(c) APPLICATION.—The Secretary shall establish a process by which a nonprofit, nongovernmental organization may be selected as the Authority may apply for consideration.

(d) PROGRAM EVALUATION.—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 Cybersecurity and Infrastructure Security Agency and the heads of appropriate Sector-Specific Agencies (as defined in section 2201 of the Homeland Security Act of 2002 (6 U.S.C. 651)), shall establish a formal process to solicit and compile critical infrastructure input to inform national intelligence collection and analysis priorities.

(2) RECIEVENT INPUT.—Not later than 30 days following the establishment of the process established pursuant to paragraph (1), and biennially thereafter, the Director of National Intelligence, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall solicit information from critical infrastructure utilizing the process established pursuant to paragraph (1).

(3) INTELLIGENCE NEEDS EVALUATION AND PLANNING.—Utilizing the information received through the process established pursuant to subsection (a), as well as existing national security and intelligence needs, the Director of National Intelligence, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall—

(1) identify common technologies or interdependencies that are likely to be targeted by nation-state adversaries;

(2) identify intelligence needs across critical infrastructure cybersecurity efforts;

(3) identify and execute methods of empowering sector-specific agencies—

(A) to identify specific critical cyber lines of businesses, technologies, and processes within their respective sectors; and

(B) to coordinate directly with the intelligence community to convey specific information relevant to the operation of each sector; and

SEC. 04. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this subtitle. Such sums shall remain available until expended.

SA 1719. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strength 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. 155. STRENGTHENING PROCESSES FOR IDENTIFYING CRITICAL INFRASTRUCTURE CYBERSECURITY INTELLIGENCE NEEDS AND PRIORITIES.

(a) CRITICAL INFRASTRUCTURE CYBERSECURITY INTELLIGENCE NEEDS AND PRIORITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency and the heads of appropriate Sector-Specific Agencies (as defined in section 2201 of the Homeland Security Act of 2002 (6 U.S.C. 651)), shall establish a formal process to solicit and compile critical infrastructure input to inform national intelligence collection and analysis priorities.

(2) RECIEVENT INPUT.—Not later than 30 days following the establishment of the process established pursuant to paragraph (1), and biennially thereafter, the Director of National Intelligence, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall solicit information from critical infrastructure utilizing the process established pursuant to paragraph (1).

(3) INTELLIGENCE NEEDS EVALUATION AND PLANNING.—Utilizing the information received through the process established pursuant to subsection (a), as well as existing national security and intelligence needs, the Director of National Intelligence, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall—

(1) identify common technologies or interdependencies that are likely to be targeted by nation-state adversaries;

(2) identify intelligence needs across critical infrastructure cybersecurity efforts;

(3) identify and execute methods of empowering sector-specific agencies—

(A) to identify specific critical cyber lines of businesses, technologies, and processes within their respective sectors; and

(B) to coordinate directly with the intelligence community to convey specific information relevant to the operation of each sector; and

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(4) refocus information collection and analysis activities, as necessary to address identified gaps and mitigate threats to the cybersecurity of critical infrastructure of the United States; and

(c) REPORT TO CONGRESS.—Not later than 90 days after the completion of the identification and refocusing required by subsection (b), the Director of National Intelligence and the Director of the Cybersecurity and Infrastructure Security Agency shall jointly submit to the appropriate committees of Congress a report that—

(1) assesses how the information obtained from critical infrastructure is shaping intelligence collection activities;
(2) evaluates the success of the intelligence community in sharing relevant, actionable intelligence with critical infrastructure; and
(3) addresses any legislative or policy changes necessary to enable the intelligence community to increase sharing of actionable intelligence with critical infrastructure.

(d) DEFINITIONS.—In this section:

(1) the term ‘‘appropriate committees of Congress’’ means—

(A) the Select Committee on Intelligence and the Committee on Homeland Security and Governmental Affairs of the Senate; and
(B) Permanent Select Committee on Intelligence of the House of Representatives.

(2) the term ‘‘critical infrastructure’’ has the meaning given that term in the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c).

(3) 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 1720. Mr. KING (for himself and Mr. Sasse) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 9. CYBERSECURITY AND INFRASTRUCTURE SECURITY. (a) R EQUIREMENT.—Not later than December 31, 2023, and not less frequently than once every 2 years thereafter until a date that is not less than 10 years after the date of enactment of this Act, the Secretary, in consultation with the President and the Secretary of Defense, shall conduct an exercise to test the resilience, response, and recovery of the United States in the case of a significant cyber incident impacting critical infrastructure.

(b) PLANNING AND PREPARATION.—

(1) IN GENERAL.—Each exercise required under subsection (a) shall be prepared by executive operational planners from—

(A) the Department of Homeland Security;
(B) the Department of Defense;
(C) the Federal Bureau of Investigation; and
(D) appropriate elements of the intelligence community, as specified or designated under the National Security Act of 1947 (50 U.S.C. 3001) or the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c).

(2) PARTICIPANTS.—

(A) FEDERAL GOVERNMENT PARTICIPANTS.—

(i) law enforcement agencies;
(ii) elements of the intelligence community, as specified or designated under the National Security Act of 1947 (50 U.S.C. 3001) or the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c); and
(iii) the appropriate committees of Congress.

(B) STATE AND LOCAL GOVERNMENTS.—The Secretary shall invite representatives from
State, local, and Tribal governments to participate in the exercise required under subsection (a) if the Secretary determines the participation of those representatives to be appropriate.

(3) **PRIVATE SECTOR.**—Depending on the nature of an exercise being conducted under subsection (a), the Secretary shall invite representatives from private entities.

(4) **INTERNATIONAL PARTNERS.**—Depending on the nature of an exercise being conducted under subsection (a), the Secretary shall invite allies and partners of the United States to participate in the exercise.

(d) **OBSERVERS.**—The Secretary may invite representatives from the executive and legislative branches of the Federal Government to observe the exercise required under subsection (a).

(e) **ELEMENTS.**—The exercise required under subsection (a) shall include the following elements:

(1) Exercising of the orchestration of cyber-security response and the provision of cyber support to Federal, State, local, and Tribal governments and private entities, including exercising of the command, control, and deconfliction of operational responses of—

(A) the National Security Council;

(B) interagency coordinating and response groups; and

(C) each Federal Government participant described in subsection (c)(1).

(2) Testing of the relevant policy, guidance, and doctrine, including the National Cyber Incident Response Plan of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(3) A test of the interoperability of Federal, State, local, and Tribal governments and private entities.

(4) Exercising of the integration of operational capabilities of the Department of Homeland Security, the Cyber Mission Force, Federal law enforcement agencies, and elements of the intelligence community, as specified under section 303 of the National Security Act of 1947 (50 U.S.C. 3033) and the Department of Justice.

(5) Exercising of integrated operational mutual support, and shared situational awareness of the cybersecurity operations centers of the Federal Government, including—

(A) the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security;

(B) the Cyber Threat Operations Center of the National Security Agency;

(C) the Joint Operations Center of Cyber Command; and

(D) the Cyber Threat Intelligence Integration Center of the Office of the Director of National Intelligence.


(8) The Department of Energy and the National Nuclear Security Administration.


(10) The National Geospatial-Intelligence Agency.

(11) The Cyber Threat Intelligence Integration Center of the Office of the Director of National Intelligence.

(f) **BRIEFING.**

(1) **APPROPRIATE COMMITTEES.**—Not later than 180 days after the date on which each exercise required under subsection (a) is conducted, the President shall submit to the appropriate congressional committees a briefing on the participation of the Federal Government participants described in subsection (c)(1) in the exercise.

(2) **CONENTS.**—The briefing required under paragraph (1) shall include—

(A) an assessment of the decision and response gaps observed in the national level response described in paragraph (1);

(B) proposed recommendations to improve the resilience, response, and recovery of the United States in the case of a significant cyber attack against critical infrastructure;

(C) plans to implement the recommendations described in subparagraph (B); and

(D) specific timelines for the implementation of the plans described in subparagraph (C).

(g) **REPEAT.**—Subsection (b) of section 1688 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1129) is repealed.

(h) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term ‘‘appropriate congressional committees’’ means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Armed Services of the House of Representatives;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(D) the Committee on Homeland Security of the House of Representatives.

(2) **PRIVATE ENTITY.**—The term ‘‘private entity’’ means the Secretary of Homeland Security.

(3) **SECTOR-SPECIFIC AGENCY.**—The term ‘‘sector-specific agency’’ has the meaning given the term ‘‘sector-specific agency’’ in section 2201 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(S) **SECRETARY.**—The term ‘‘Secretary’’ means the Secretary of Homeland Security.

(1) **ASSESSING PRIVATE-PUBLIC COLLABORATION IN CYBERSECURITY.**

(a) **REQUIREMENT.**—Not later than December 31, 2021, the Secretary of Defense, in coordination with the Secretary of Homeland Security and the Director of National Intelligence, shall—

(1) conduct a comprehensive review and assessment of any ongoing public-private collaborative initiatives involving the Department of Defense, the Department of Homeland Security, and the private sector relating to cybersecurity and defense of critical infrastructure, including reviews and assessments of—

(A) the Pathfinder initiative of the United States Cyber Command and any derivative initiative;

(B) the Department of Defense’s support to and integration with existing Federal cybersecurity centers and organizations; and

(C) comparable initiatives led by other Federal departments or agencies that support public-private cybersecurity collaboration; and

(2) develop recommendations for improvements and the requirements and resources necessary to institutionalize and strengthen the programs assessed under paragraph (1).

(b) **CERTAIN MATTERS EXCLUDED.**—The review and assessment under subsection (a) shall not include a review or assessment of any intelligence, intelligence organization, or information derived from intelligence collection except for decryption and down-grade procedures for the purpose of sharing cyber threat information.

(c) **REPORT.**

(1) **IN GENERAL.**—Not later than December 31, 2021, the Secretary shall submit to the appropriate committees of Congress a report on the findings of the Secretary with respect to the review and assessments conducted under paragraph (1) of subsection (a) and the recommendations developed under paragraph (2) of such subsection.

(2) **FORM OF REPORT.**—The report submitted under paragraph (1) may be submitted in an unclassified form or classified form as necessary.

(3) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this subsection, the term ‘‘appropriate committees of Congress’’ means—
SA 1724. Mr. KING (for himself and Mr. SASSIE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. REPORT ON THE INTEGRATION OF UNITED STATES CYBER CENTERS.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a comprehensive review of the Federal cyber and cybersecurity centers in operation on the date of enactment of this Act.

(b) ELEMENTS OF REVIEW.—The review required under subsection (a) shall—

(1) with respect to each Federal cyber center:

(A) assess where the missions and operations, or portions of the mission, of the Federal cyber center are unique, overlap, are inefficient, or are in conflict in some way with the mission of the authorizing agency of the Federal cyber center;

(B) assess the operations of the Federal cyber centers that would benefit from greater integration, collaboration, or colocation to support a unified cybersecurity strategy within the Federal government;

(C) assess shortcomings in the capacity, structure, and funding of the Federal cyber center and in the integration of the work of the Federal cyber center with sector-specific agencies; and

(D) assess whether the Federal cyber center has distinct statutory authorities best kept within the authorizing agency of the Federal cyber center;

(2) with respect to the Federal cyber center:

(A) identify the sweep of the cybersecurity functions provided by the Federal cyber center;

(B) describe the manner in which the Federal cyber center addresses the mission of the authorizing agency of the Federal cyber center; and

(C) identify the relationship of the Federal cyber center with any other Federal agencies.

(c) REPORT.—The report required under paragraph (1) shall be submitted in unclassified form, and may contain a classified annex, if necessary.

(d) FE DERAL CYBER CENTERS DESCRIBED.—It is the sense of the Senate that, after submission of the report required under subsection (d), the Secretary of Homeland Security, in coordination with the intelligence community, should conduct a regular review regarding—

(1) the status of Federal cyber center integration efforts;

(2) whether any findings of the review conducted under subsection (a) should be updated;

(3) whether additional resources or authorities required to support Federal cyber centers; and

(4) the progress of Federal agencies in addressing the areas identified through the review conducted under subsection (a).

SEC. 5. NATIONAL INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRIAL BASE STRATEGY.

(a) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and once every 4 years thereafter, the President shall coordinate with the Secretary of Commerce, the Secretary of Energy, the Secretary of Homeland Security, the Secretary of the Treasury, the Director of National Intelligence, and the heads of other Federal departments and agencies identified in subsection (b), to develop a strategy for a National Information and Communications Technology (ICT) industrial base for maintaining the national and economic security of the United States, as well as its allied and partner nations.

(b) ELEMENTS.—The strategy required under paragraph (1) shall include—

(1) a description of the current state of the ICT industrial base for the United States and its allies and partners;

(2) a description of the objectives of the strategy and the projected investment needed to achieve such objectives;

(3) a description of the executive branch actions planned to achieve the objectives of the strategy;

(4) an assessment of the current capabilities of the ICT industrial base for the United States and its allies and partners;

(5) a description of the strategies of Federal agencies to achieve the objectives of the strategy;

(6) a description of the approaches and actions of the private sector to achieve the objectives of the strategy; and

(7) a description of the strategies of the Federal government to support the objectives of the strategy.

(c) IMPLEMENTATION.—The strategy required under paragraph (1) shall be implemented by the President in consultation with the heads of the departments and agencies described in subsection (b).

SA 1725. Mr. KING (for himself and Mr. SASSIE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2. REPORT ON THE INTEGRATION OF UNITED STATES CYBER CENTERS.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a comprehensive review of the Federal cyber and cybersecurity centers in operation on the date of enactment of this Act.

(b) ELEMENTS OF REVIEW.—The review required under paragraph (a) shall—

(1) with respect to each Federal cyber center:

(A) assess where the missions and operations, or portions of the mission, of the Federal cyber center are unique, overlap, are inefficient, or are in conflict in some way with the mission of the authorizing agency of the Federal cyber center;

(B) assess aspects of the operations of the Federal cyber centers that would benefit from greater integration, collaboration, or colocation to support a unified cybersecurity strategy within the Federal government;

(C) assess shortcomings in the capacity, structure, and funding of the Federal cyber center and in the integration of the work of the Federal cyber center with sector-specific agencies; and

(D) assess whether the Federal cyber center has distinct statutory authorities best kept within the authorizing agency of the Federal cyber center;

(2) with respect to the Federal cyber center:

(A) identify the sweep of the cybersecurity functions provided by the Federal cyber center;

(B) describe the manner in which the Federal cyber center addresses the mission of the authorizing agency of the Federal cyber center; and

(C) identify the relationship of the Federal cyber center with any other Federal agencies.

(c) REPORT.—The report required under paragraph (1) shall be submitted in unclassified form, and may contain a classified annex, if necessary.

(d) FE DERAL CYBER CENTERS DESCRIBED.—It is the sense of the Senate that, after submission of the report required under subsection (d), the Secretary of Homeland Security, in coordination with the intelligence community, should conduct a regular review regarding—

(1) the status of Federal cyber center integration efforts;

(2) whether any findings of the review conducted under subsection (a) should be updated;

(3) whether additional resources or authorities required to support Federal cyber centers; and

(4) the progress of Federal agencies in addressing the areas identified through the review conducted under subsection (a).

SEC. 3. NATIONAL INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRIAL BASE STRATEGY.

(a) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and once every 4 years thereafter, the President shall coordinate with the Secretary of Commerce, the Secretary of Energy, the Secretary of Homeland Security, the Secretary of the Treasury, the Director of National Intelligence, and the heads of other Federal departments and agencies identified in subsection (b), to develop a strategy for a National Information and Communications Technology (ICT) industrial base for maintaining the national and economic security of the United States, as well as its allied and partner nations.

(b) ELEMENTS.—The strategy required under paragraph (1) shall include—

(1) a description of the current state of the ICT industrial base for the United States and its allies and partners;

(2) a description of the objectives of the strategy and the projected investment needed to achieve such objectives;

(3) a description of the executive branch actions planned to achieve the objectives of the strategy;

(4) an assessment of the current capabilities of the ICT industrial base for the United States and its allies and partners;

(5) a description of the strategies of Federal agencies to achieve the objectives of the strategy;

(6) a description of the approaches and actions of the private sector to achieve the objectives of the strategy; and

(7) a description of the strategies of the Federal government to support the objectives of the strategy.

(c) IMPLEMENTATION.—The strategy required under paragraph (1) shall be implemented by the President in consultation with the heads of the departments and agencies described in subsection (b).
SEC. 2215. JOINT CYBER PLANNING OFFICE.

(a) ESTABLISHMENT OF OFFICE.—There is established in the Agency an office for joint cyber planning to be known as the Joint Cyber Planning Office (in this section, the ‘Office’) to carry out certain responsibilities of the Secretary. The Office shall be headed by a Director of Joint Cyber Planning.

(b) MISSION.—The Office shall lead Government-wide and public-private planning for cyber defense campaigns, including the development of a set of coordinated actions to respond to and recover from significant cyber incidents or limit, mitigate, or defend against coordinated, malicious cyber campaigns that pose a potential risk to critical infrastructure of the United States and broader national interests.

(c) PLANNING AND EXECUTION.—In leading the development of Government-wide and public-private plans for cyber defense campaigns pursuant to subsection (b), the Director of Joint Cyber Planning shall—

(1) establish and deliberate processes and procedures across relevant Federal departments and agencies, accounting for all participating Federal agencies cyber capabilities;

(2) ensure that plans are, to the greatest extent practicable, developed in collaboration with relevant public- and private-sector entities, including such entities have comparative advantages in mitigating, mitigating, or defending against a significant cyber incident or coordinated, malicious cyber campaign;

(3) ensure that plans are responsive to potential adversary activity conducted in response to U.S. offensive cyber operations;

(4) in order to inform and facilitate exercises of such plans, develop and model scenarios based on an understanding of adversary threats, critical infrastructure vulnerability, and potential consequences of disruption or compromise;

(5) coordinate with, and, as necessary, support relevant agencies in the establishment of procedures, development of additional plans, including for offensive and intelligence activities in support of cyber defense campaigns and plans, and procuring any authorizations necessary for the rapid execution of plans once a significant cyber incident or malicious cyber campaign has been identified;

(6) support the Department and other Federal agencies, as appropriate, in coordination and execution of plans developed pursuant to this section.

(d) COMPOSITION.—The Office shall be composed of—

(1) a central planning staff;

(2) appropriate representatives of Federal agencies, including—

(A) the United States Cyber Command;

(B) the National Security Agency;

(C) the Federal Bureau of Investigation;

(D) the Federal Emergency Management Agency; and

(E) the Office of the Director of National Intelligence;

(3) appropriate representatives of non-Federal entities, such as—

(A) State, local, and tribal governments;

(B) information sharing and analysis organizations, including information sharing and analysis centers;

(C) owners and operators of critical information systems; and

(D) private entities; and

(4) other appropriate representatives or entities, as determined by the Secretary.

(e) INTERAGENCY AGREEMENTS.—The Secretary and the head of a Federal agency described in subsection (d) may enter into agreements for the sharing of personnel on a reimbursable or non-reimbursable basis.

SEC. 2216. INFORMATION PROTECTION.

(a) REVIEW REQUIRED.—Not later than December 31, 2021, the Director of National Intelligence, in coordination with the Secretary, shall submit to the Select Committees on Intelligence and the Committee on Homeland Security and Governmental Affairs of the Senate and the Permanent Select Committee on Intelligence and the Committee on Homeland Security of the House of Representatives a comprehensive review of intelligence policies, procedures, and resources that identifies and addresses any legal or policy requirements that impede the ability of the National Intelligence community to carry out its responsibilities as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003) to—

(1) the private sector; and

(2) the Federal departments and agencies whose mission includes assisting the private sector in its cybersecurity and defense.

(b) ELEMENTS OF THE REVIEW.—The review submitted under subsection (a) shall—

(1) identify and address limitations in collection on foreign adversary malicious cyber activity targeting Government critical infrastructure;

(2) identify limitations in the ability of the intelligence community to share threat intelligence information with the private sector;

(3) review downgrade and declassification procedures for cybersecurity threat intelligence information to improve the speed and timeliness of release;

(4) define criteria and procedures that would identify certain types of intelligence for exceptions to procedures and regulations governing such categories of information;

(5) examine current and projected mission requirements of the Cybersecurity Directorate of the National Security Agency to support other Federal departments and agencies and the private sector, including funding gaps;

(6) recommend budgetary changes needed to ensure that the National Security Agency meets expectations for increased support to other Federal department and agency cybersecurity efforts, including support to private sector critical infrastructure owners or operators;

(7) review cyber-related information-sharing consent processes, including consent to monitor, monitor, and assess gaps and opportunities for greater standardization and simplification while ensuring privacy and civil liberty protections; and

(8) review existing statutes governing national security systems, including National Security Directive 42, and assess the sufficiency of existing National Security Agency authorities for protecting such systems and assets that are critical to national security.

(c) SUBMISSION OF RECOMMENDATIONS.—The review required pursuant to subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 1727. Mr. KING (for himself and Mr. SASSIE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 2. REVIEW OF INTELLIGENCE AUTHORITIES TO INCREASE INTELLIGENCE SUPPORT TO THE BROADER PRIVATE SECTOR.

(a) REVIEW REQUIRED.—Not later than December 31, 2021, the Director of National Intelligence, in coordination with Director of the Cybersecurity and Infrastructure Security Agency and the Director of the National Security Agency, shall submit to the Select Committees on Intelligence and the Committee on Homeland Security and Governmental Affairs of the Senate and the Permanent Select Committee on Intelligence and the Committee on Homeland Security of the House of Representatives a comprehensive review of intelligence policies, procedures, and resources that identifies and addresses any legal or policy requirements that impede the ability of the National Intelligence community to carry out its responsibilities as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003) to—

(1) the private sector; and

(2) the Federal departments and agencies whose mission includes assisting the private sector in its cybersecurity and defense.

(b) ELEMENTS OF THE REVIEW.—The review submitted under subsection (a) shall—

(1) identify and address limitations in collection on foreign adversary malicious cyber activity targeting domestic critical infrastructure;

(2) identify limitations in the ability of the intelligence community to share threat intelligence information with the private sector;

(3) review downgrade and declassification procedures for cybersecurity threat intelligence information to improve the speed and timeliness of release;

(4) define criteria and procedures that would identify certain types of intelligence for exceptions to procedures and regulations governing such categories of information;

(5) examine current and projected mission requirements of the Cybersecurity Directorate of the National Security Agency to support other Federal departments and agencies and the private sector, including funding gaps;

(6) recommend budgetary changes needed to ensure that the National Security Agency meets expectations for increased support to other Federal department and agency cybersecurity efforts, including support to private sector critical infrastructure owners or operators;

(7) review cyber-related information-sharing consent processes, including consent to monitor, monitor, and assess gaps and opportunities for greater standardization and simplification while ensuring privacy and civil liberty protections; and

(8) review existing statutes governing national security systems, including National Security Directive 42, and assess the sufficiency of existing National Security Agency authorities for protecting such systems and assets that are critical to national security.

(c) SUBMISSION OF RECOMMENDATIONS.—The review required pursuant to subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 1728. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2215. Joint Cyber Planning Office.

SEC. 2216. Information Protection.

Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking ‘‘military’’ and inserting ‘‘2021’’;

(2) in the matter preceding clause (1), by striking ‘‘22,000’’ and inserting ‘‘25,000’’;

(3) in clause (1), by striking ‘‘Dec. 31, 2021’’ and inserting ‘‘Dec. 31, 2022’’;

(4) in clause (1), by striking ‘‘Dec. 31, 2021’’ and inserting ‘‘Dec. 31, 2023’’;

(5) in clause (2), by striking ‘‘Dec. 31, 2021’’ and inserting ‘‘Dec. 31, 2022’’;

SEC. 2. EXTENSION AND MODIFICATION OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking ‘‘2020’’ and inserting ‘‘2021’’;

(2) in the matter preceding clause (1), by striking ‘‘22,500’’ and inserting ‘‘25,500’’;

(3) in clause (1), by striking ‘‘Dec. 31, 2021’’ and inserting ‘‘Dec. 31, 2022’’;

(4) in clause (1), by striking ‘‘Dec. 31, 2021’’ and inserting ‘‘Dec. 31, 2023’’;

SEC. 3. EXPANDED VISA ELIGIBILITY.

Section 602(f) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking ‘‘2020’’ and inserting ‘‘2021’’;

(2) in the matter preceding clause (1), by striking ‘‘22,500’’ and inserting ‘‘25,500’’;

(3) in clause (1), by striking ‘‘Dec. 31, 2021’’ and inserting ‘‘Dec. 31, 2022’’;

(4) in clause (1), by striking ‘‘Dec. 31, 2021’’ and inserting ‘‘Dec. 31, 2023’’; and

(5) in clause (2), by striking ‘‘Dec. 31, 2021’’ and inserting ‘‘Dec. 31, 2022’’;

SEC. 4. EXPANDED VISA ELIGIBILITY.

Section 602(f) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking ‘‘2020’’ and inserting ‘‘2021’’;

(2) in the matter preceding clause (1), by striking ‘‘22,500’’ and inserting ‘‘25,500’’;

(3) in clause (1), by striking ‘‘Dec. 31, 2021’’ and inserting ‘‘Dec. 31, 2022’’;

(4) in clause (1), by striking ‘‘Dec. 31, 2021’’ and inserting ‘‘Dec. 31, 2023’’; and

(5) in clause (2), by striking ‘‘Dec. 31, 2021’’ and inserting ‘‘Dec. 31, 2022’’;
fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

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

SEC. 3. INCREASE IN FUNDING FOR STUDY BY CENTERS FOR DISEASE CONTROL AND PREVENTION RELATING TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCE CONTAMINATION IN DRINKING WATER.

(a) IN GENERAL.—The amount authorized to be appropriated by this Act for fiscal year 2021 for Operation and Maintenance, Defense Wide for SAG IGTN for the study by the Centers for Disease Control and Prevention under section 316(a)(2)(B)(ii) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1350) is hereby increased by $5,000,000.

(b) OFFSET.—The amount authorized to be appropriated by this Act for fiscal year 2021 for Operation and Maintenance, Army for SAG IGTN for Transportation is hereby reduced by $5,000,000.

SEC. 3173. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3. SPECIAL RULES FOR CERTAIN MONTHLY WORKERS’ COMPENSATION PAYMENTS AND OTHER PAYMENTS FOR FEDERAL GOVERNMENT PERSONNEL UNDER CHIEF OF MISSION AUTHORITY.

Section 961 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94) is amended—

(1) in subsection (a)(2) by inserting for other designated heads of Federal agencies after "The Secretary of State"; and

(2) in subsection (e)(2), by striking "Department of State" and inserting "Federal Government".

SEC. 3173. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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 IX, add the following:

SEC. 2. COORDINATION.—The Secretary of Veterans Affairs shall coordinate with the Secretary of Defense in carrying out paragraph (1) of section 3172.

(b) REPORTS.—

(1) INITIAL REPORT.—Not later than two years after the date on which the registry under subsection (a) is established, the Secretary of Veterans Affairs shall submit to Congress an initial report containing the following:

(A) An assessment of the effectiveness of actions taken by the Secretary of Veterans Affairs and the Secretary of Defense to collect and maintain information on the health effects of exposure to PFAS.

(B) Recommendations to improve the collection and maintenance of such information.

(C) Using established and previously published epidemiological studies, recommendations regarding the most effective and prudent means of addressing the medical needs of eligible individuals with respect to exposure to PFAS.

(2) FOLLOW-UP REPORT.—Not later than five years after submitting the initial report under paragraph (1), the Secretary of Veterans Affairs shall submit to Congress a follow-up report containing the following:

(A) An update to the initial report submitted under paragraph (1).

(B) An assessment of whether and to what degree the content of the registry established under subsection (a) is current and scientifically up-to-date.

(3) INDEPENDENT SCIENTIFIC ORGANIZATION.—The Secretary of Veterans Affairs shall enter into an agreement with an independent scientific organization to prepare the reports under paragraphs (1) and (2).

(c) RECOMMENDATIONS FOR ADDITIONAL EXPOSURES TO BE INCLUDED.—Not later than five years after the date of the enactment of this Act, and every five years thereafter, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Administrator of the Environmental Protection Agency, shall submit to Congress recommendations for additional chemicals with respect to which individuals exposed to such chemicals should be included in the registry established under subsection (a).

(d) ELIGIBLE INDIVIDUALDefined.—In this section, the term "eligible individual" means any individual who, on or after a date specified by the Secretary of Veterans Affairs through regulation, is serving in the Armed Forces at a military installation where AFPF was used or at another location of the Department of Defense where AFPF was used.

SEC. 3173. Mrs. SHAHEEN (for herself, Mr. DURBIN, Ms. HASSAN, Mr. BLUMENTHAL, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3. RESPONSE TO RELEASE OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES BY THE DEPARTMENT OF DEFENSE.

(a) PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES TASK FORCE.—
(1) In general.—The Secretary of Defense shall establish a task force to address the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances from activities of the Department of Defense (in this subsection referred to as the “PFAS Task Force”).

(2) Membership.—The members of the PFAS Task Force shall be—

(A) The Assistant Secretary of Defense for Research and Engineering;

(B) The Assistant Secretary of the Army for Installations, Environment, and Energy;

(C) The Assistant Secretary of the Navy for Energy, Installations, and Environment;

(D) The Assistant Secretary of the Air Force for Installations, Environment, and Energy;

(E) A liaison from the Department of Veterans Affairs to be determined by the Secretary of Veterans Affairs;

(3) Chairman.—The Assistant Secretary of Defense for Personnel and Readiness and such other individuals as the Secretary of Defense considers appropriate shall serve as the chairman of the PFAS Task Force.

(4) Support.—The Under Secretary of Defense for Personnel and Readiness shall provide such support as the Secretary of Defense considers appropriate to the PFAS Task Force.

(5) Duties.—The duties of the PFAS Task Force are the following—

(A) Analysis of the health aspects of exposure to perfluoroalkyl substances and polyfluoroalkyl substances.

(B) Establishment of clean-up standards and performance requirements relating to mitigating the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances.

(C) Finding and funding the procurement of alternative firefighting foams without perfluoroalkyl substances or polyfluoroalkyl substances.

(D) Establishing of standards that are supported by science for determining exposure and ensuring clean-up of perfluoroalkyl substances and polyfluoroalkyl substances.

(E) Establishment of interagency coordination with respect to mitigating the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances.

(F) Report.—Not later than 180 days after the date of enactment of this section, the Secretary of Defense shall submit to Congress a report on the activities of the task force.

(G) Blood testing for members of the Armed Forces and their dependents to determine exposure to perfluoroalkyl and polyfluoroalkyl substances.—

(1) In general.—Beginning on October 1, 2020, the Secretary of Defense shall make available, on an annual basis, to each member of the Armed Forces and their dependents blood testing to determine and document exposure to perfluoroalkyl substances and polyfluoroalkyl substances (commonly known as “PFAS”).

(2) Dependents defined.—In this subsection, the term “dependents” has the meaning given that term in section 1072(a) of title 10, United States Code.

SA 1734. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for certain activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ... ANNUAL REPORTS REGARDING THE SBIR PROGRAM OF THE DEPARTMENT OF DEFENSE

(a) Definitions.—In this section—

(1) the term “SBIR” has the meaning given to such term in section 9(y)(6)(B) of the Small Business Act (15 U.S.C. 638(y)(6)(B));

(2) the term “Secretary” means the Secretary of Defense.

(b) Requirements.—Not later than 90 days after the date of enactment of this Act, and not later than 120 days after the end of each fiscal year that begins after that date of enactment, after consultation with the Secretary of each branch of the Armed Forces, shall submit, through the Under Secretary of Defense for Research and Engineering, to Congress a report that addresses—

(1) the ways in which the Secretary, as of the date on which the report is submitted, is using incentives to Department of Defense program managers under section 9(y)(6)(B) of the Small Business Act (15 U.S.C. 638(y)(6)(B)) to increase the number of Phase I, Phase II, and Phase III SBIR awards by the Secretary that lead to technology transition into programs of record or fielded systems, which shall include the judgment of the Secretary regarding the adequacy of providing monetary incentives to those officers for that purpose;

(2) the extent to which the Department of Defense identifies and standardizes procedures and model contracts throughout the agency for Phase I, Phase II, and Phase III SBIR awards, as required under section 9 of the Small Business Act (15 U.S.C. 638(h)(2)(A)(I));

(3) with respect to each report submitted under this section after the submission of the first such report, the extent to which any incentives described in this section and implemented by the Secretary have resulted in an increased number of Phase II contracts under the SBIR program of the Department of Defense leading to technology transition into programs of record or fielded systems;

(4) the extent to which Phase I, Phase II, and Phase III SBIR contracts under the SBIR program of the Department of Defense align with the modernization priorities of the Department, including with respect to artificial intelligence, quantum science, hypersonics, and space; and

(p) any other action taken, and proposed to be taken, to increase the number of Department of Defense Phase II SBIR contracts leading to technology transition into programs of record or fielded systems.

SEC. 1735. Mr. BENNET (for himself, Mr. CASEY, Mr. BROWN, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for certain activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ... ANNUAL REPORTS ON MILITARY PERSONNEL AND EXTREMIST TACTICS

(a) In general.—Not later than February 28 each year, the Secretary of Defense shall submit to the congressional defense committee a report that sets forth a description and assessment of the interaction between members of the Armed Forces and extremist ideologies during the previous fiscal year.

(b) Elements.—Each report under subsection (a) shall include, for the year covered by such report, the following:

(1) Descriptions of departmental policies of the Department of Defense, and each Armed Force, on affiliations between members of the Armed Forces and recruits to the Armed Forces.

(2) A description and assessment of the current policies used by the Department, and each Armed Force, to identify and mitigate the affiliations described in paragraph (1).

(3) An assessment of the recruitment tactics and practices used by organizations that recruit the Armed Forces, including a description of the evolution of such tactics and practices.

(4) A listing of the installations currently subject to orders banning hate speech, and other symbols, among installation personnel.

(5) The number of violations of policies against the affiliations described in paragraph (1), including in facilities outside the Department of Defense selected by the Secretary for purposes of this subsection, and the number of reports of such violations, identified by the Department, and by each Armed Force, and a description of each such violation, including the nature of such affiliation and the disciplinary or other measures taken in response to such violation.

(6) If the disciplinary action authorized for violations described in paragraph (5) includes administrative separation from the Armed Forces—

(A) the number of individuals administratively separated from the Armed Forces in connection with such violations; and

(B) the number of individuals retained in the Armed Forces notwithstanding a substantiated finding of such a violation.

(7) An identification and assessment of the extent to which the number of such violations is on the increase, and a description and assessment of any trends in the number of such violations.

(8) A description and assessment of the training provided to members of the Armed Forces, and in order to prevent instances referred to in paragraph (1), and an identification of each Armed Force that provides implicit bias training, including a description of such training, the number of individuals trained, and the recipients of such training.

(9) A description and assessment of the frequency of assessments of the culture of diversity, equity, and inclusion in the Armed Forces.

(10) A description of any programs of the Department, and of the Armed Forces, that showed results in increasing diversity in the Armed Forces and among the grades of the Armed Forces.

(c) Additional Report in Connection With Decrease in Violations.—If the report under subsection (a) in 2021 identifies an increase in violations described in subsection (b)(5) between 2020 and 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives an additional report setting forth the results of a study, conducted for purposes of this subsection, on each activity outside the Department of Defense selected by the Secretary for purposes of this subsection, on the following:

(1) The causes of the increase.

(2) Recommendations for measures to address the increase.
(b) C ONTENT OF REPORT.—The report described in subsection (a) shall—

(1) include results of a thorough analysis of COVID–19 surveillance efforts, psychological health, and prevention programming data to describe the impact of COVID–19 on National Guard members’ mental health, including any changes in reported anxiety, depression, mood disorders, or risky behaviors;

(2) include an analysis of National Guard members who contracted COVID–19 and what accommodations or access to care they received;

(3) take into account the degree to which employment and economic stressors, reductions in pay, and workplace-induced stress increase stress on National Guard members during COVID–19;

(4) describe an evidence-based leadership response model for the National Guard that includes a summary of resources available to National Guard members during deployment to the COVID–19 pandemic;

(5) examine potential increases in substance use disorders, or risky behaviors that may increase under COVID–19 mobilization;

(6) identify barriers to access to healthcare, including physical and behavioral health care, during a member’s COVID–19 deployment such as—

(A) lack of TRICARE providers near a service member’s or eligible dependent’s location;

(B) lack of appointments available with TRICARE providers in the service member’s or eligible dependent’s location;

(C) telemedicine being less than ideal for providing health care, including appointments for behavioral health, for service members and their eligible dependents, in an area served by a military medical treatment facility; and

(D) lack of availability of telehealth and other technology enabled options; and

(7) identify increases to access to healthcare and use of healthcare, including physical and behavioral health, for service members and their eligible family members, such as—

(A) the number of service members and eligible dependents who, as a result of orders in response to the COVID–19 pandemic, became TRICARE beneficiaries;

(B) the rate of utilization of TRICARE benefits to obtain healthcare during their time of eligibility;

(C) receiving healthcare, to include physical and behavioral health, at a military medical treatment facility during their time as eligible beneficiaries; and

(D) the rate of utilization of telehealth and other technologies to receive healthcare, to include physical and behavioral health, during their time of eligibility.

SA 1736. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 862. BRIEFING ON ASSIGNMENT OF MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY TO THE JOINT ARTIFICIAL INTELLIGENCE CENTER OF THE DEPARTMENT OF DEFENSE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the commander of each installation of each of the military departments to establish lines of communication to both disseminate and collect best practices learned from other projects relating to smart base technology.

SA 1737. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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 IX, add the following:

SEC. 520. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF THE COMPTROLLER GENERAL OF THE UNITED STATES ON RECRUITMENT AND RETENTION OF FEMALE MEMBERS OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on a comprehensive plan to implement and accomplish the recommendations for the Department of Defense in keeping with the May 2020 report of the Comptroller Office titled “Female Active-Duty Personnel: Guidance and Plans Needed for Recruitment and Retention Efforts”, namely the recommendations as follows:

(1) The Secretary of Defense must ensure that the Under Secretary of Defense for Personnel and Readiness provides guidance to each of the Armed Forces to develop plans, with clearly defined goals, performance measures, and timeframes, to guide and monitor the efforts in connection with the recruitment and retention of female members.

(2) Each Secretary of a military department must develop a plan, with clearly defined goals, performance measures, and timeframes, to guide and monitor the efforts of each Armed Force under the jurisdiction of such Secretary in connection with the recruitment and retention of female members in such Armed Force.

SA 1738. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 82. RESEARCH AND STUDIES RELATING TO SMART BASE TECHNOLOGY.

(a) AUTHORITY TO ESTABLISH HUB.—The Secretary of Defense may establish a hub to serve as a repository for research and studies on smart base technology, including matters relating to progress and best practices.

(b) ASSESS AND CONSOLIDATE PROJECTS.—In consultation with each of the secretary of a military department, the Secretary of Defense shall assess and consolidate ongoing and planned projects relating to smart base technology.

(c) ADVANCEMENT OF OTHER PRIORITIES.—The Secretary of Defense, with such heads of appropriate offices in the Department to assess if any smart base technology would advance other Department priorities.

(d) ESTABLISHING LINKS OF COMMUNICATION.—The Secretary, acting through the hub established under subsection (a) if so established, shall establish links of communication with the commander of each installation of each of the military departments to establish lines of communication to both disseminate and collect best practices learned from other projects relating to smart base technology.
of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. 30101. DEFINITIONS.

(a) In general.—Not later than 120 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Sustainment, Systems, and bruises the Secretary of Defense for Health Affairs shall brief the appropriate committees of Congress on the effect of climate change on the health of members of the Armed Forces in the contiguous United States and outside the contiguous United States.

(b) ELEMENTS OF BRIEFING.—The briefing under subsection (a) shall specifically address possible increased incidents of—
(1) heat-related illness;
(2) water scarcity;
(3) vector borne disease; and
(4) extreme weather.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—
(1) the Committee on Armed Services and the Committee on Environment and Public Works of the Senate; and
(2) the Committee on Armed Services and the Committee on Energy and Commerce of the House of Representatives.

SEC. 30102. COLORADO WILDERNESS ADDITIONS.

(a) DESIGNATION.—Section 26(a) of the Colorado Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–677) is amended—
(1) in paragraph (18), by striking "1993" and inserting "1993, and certain Federal land within the White River National Forest that comprises approximately 6,696 acres, as generally depicted as 'Proposed Ptarmigan Peak Wilderness Additions' on the map entitled 'Proposed Ptarmigan Peak Wilderness Additions' and dated June 24, 2019"; and
(2) by adding at the end the following:—

"(23) HOLLY CROSS WILDERNESS ADDITION.—Certain Federal land within the White River National Forest that comprises approximately 3,866 acres, as generally depicted as 'Proposed Megan Dickie Wilderness Addition Proposal' on the map entitled 'Proposed Wilderness Addition Proposal' and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Holly Cross Wilderness designated by the map entitled 102a/4(a) of Public Law 96–560 (94 Stat. 2326).

"(24) HOOSIER RIDGE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 5,225 acres, as generally depicted as 'Proposed Hoosier Ridge Wilderness' on the map entitled 'Tenmile Wilderness' and dated June 24, 2019, which shall be known as the 'Hoosier Ridge Wilderness'.

"(25) TENMILE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 7,624 acres, as generally depicted as 'Proposed Tenmile Wilderness' on the map entitled 'Tenmile Wilderness Proposal' and dated June 24, 2019, which shall be known as the 'Tenmile Wilderness'.

"(26) EAGLES NEST WILDERNESS ADDITIONS.—Certain Federal land within the White River National Forest that comprises approximately 9,670 acres, as generally depicted as 'Proposed Freeman Creek Wilderness Addition' and 'Proposed Spraddle Creek Wilderness Addition' designated by the map entitled 'Eagles Nest Wilderness Additions Proposal' and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Eagles Nest Wilderness designated by Public Law 94–352 (90 Stat. 870)."

(b) APPLICABLE LAW.—Any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of this section shall be considered to be a reference to the date of enactment of this Act for purposes of administering a covered area.

(c) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may carry out any activity in a covered area on the date that is 180 days after the date of enactment of this Act; and

(d) MANAGEMENT.—The grazing of livestock on a covered area, if established before the date of enactment of this Act, shall be permitted to continue notwithstanding the regulations as are considered to be necessary by the Secretary, in accordance with—

SEC. 30103. WILLIAMS FORK MOUNTAINS WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land in the White River National Forest in the State, comprising approximately 8,036 acres, as generally depicted as "Proposed Williams Fork Mountains Wilderness" on the map entitled "Williams Fork Mountains Proposal" and dated June 24, 2019, is designated as a potential wilderness area.

(b) MANAGEMENT.—Subject to valid existing rights and except as provided in subsection (a), the Secretary shall publish a determination regarding whether to authorize livestock grazing or other use by livestock on the vacant allots known as—
(A) the "Big Hole Allotment"; and
(B) the "Blue Ridge Allotment".

(c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, in accordance with applicable laws (including regulations), the Secretary shall publish a determination regarding whether to authorize livestock grazing or other use by livestock on the vacant allots known as—
(A) the "Big Hole Allotment"; and
(B) the "Blue Ridge Allotment".

(d) MODIFICATION OF ALLOTMENTS.—In publishing a determination pursuant to paragraph (1), the Secretary may combine the vacant allots referred to in that paragraph.

(e) PERMIT OR OTHER AUTHORIZATION.—Not later than 1 year after the date on which a determination of the Secretary to authorize livestock grazing or other use by livestock is published under paragraph (1), if applicable, the Secretary shall grant a permit or other authorization for that livestock grazing or other use in accordance with applicable laws (including regulations).

(f) RANGE IMPROVEMENTS.—

(1) IN GENERAL.—If the Secretary permits livestock grazing or other use by livestock on the potential wilderness area under subsection (c), the Secretary, or a third party authorized by the Secretary, may use any motorized or mechanized transport or equipment or purposes of administering such range improvements as are necessary to obtain appropriate livestock management (including habitat and watershed restoration).

(2) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates on the date that is 5 years after the date on which the Secretary publishes a positive determination under subsection (c)(3).
SEC. 30104. TENMILE RECREATION MANAGEMENT AREA.
(a) DESIGNATION.—Subject to valid existing rights, the approximately 17,122 acres of Federal land located in the Tenmile Recreation Management Area in the State, as generally depicted as “Proposed Tenmile Recreation Management Area’’ on the map entitled “Tenmile Proposal Area’’ dated June 24, 2019, are designated as the “Tenmile Recreation Management Area”.

(b) PURPOSES.—The purposes of the Recreation Management Area are to conserve, protect, and enhance the benefit and enjoyment of present and future generations the wildlife, scenic, watershed, habitat, and ecological resources of the Recreation Management Area.

(c) MANAGEMENT.—
(I) IN GENERAL.—The Secretary shall manage the Recreation Management Area—
(A) in a manner that conserves, protects, and enhances—
(i) the purposes of the Recreation Management Area described in subsection (b); and
(ii) recreation opportunities, including mountain biking, hiking, fishing, horseback riding, snowshoeing, climbing, skiing, camping, and hunting; and

(B) in accordance with—
(1) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);
(ii) any other applicable laws (including regulations) and
(iii) this section.

(2) USES.—
(A) IN GENERAL.—The Secretary shall only authorize the use of vehicles in the Recreation Management Area as the Secretary determines would further the purposes described in subsection (b).

(B) VEHICLES.—
(I) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles in the Recreation Management Area shall be limited to—
(ii) N E W OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Recreation Management Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—
(1) rerouting or closing an existing road or trail to protect natural resources from degradation, as the Secretary determines to be appropriate;
(2) authorizing the use of motorized vehicles for administrative purposes or roadside camping;
(3) constructing temporary roads or permitting the use of motorized vehicles to carry out pre- or post-fire watershed protection projects;
(4) authorizing the use of motorized vehicles to carry out any activity described in subsection (d), (e)(1), or (f); or
(5) responding to an emergency.

(C) COMMERCIAL TIMBER.—
(I) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Recreation Management Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(D) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, or mitigate fire, insects, or disease in the Recreation Management Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(E) WATER.—
(I) EFFECT ON WATER MANAGEMENT INFRASTRUCTURE.—Nothing in this section affects the construction, repair, reconstruction, replacement, operation, maintenance, or renovation within the Recreation Management Area.

(A) water management infrastructure in existence on the date of enactment of this Act;

(B) any future infrastructure necessary for the development or exercise of water rights decreed before the date of enactment of this Act.

(ii) APPLICABLE LAW.—Section 3(e) of the James Peak Wilderness and Protection Area Public Law 107-216; 116 Stat. 1058 shall apply to the Recreation Management Area.

(i) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Recreation Management Area for—
(1) a regional transportation project, including—
(A) highway widening or realignment; and
(B) construction of multimodal transportation systems; or
(ii) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

(ii) APPLICABLE LAW.—Nothing in this section affects the designation of the Federal land located in the White River National Forest, as generally depicted as “Proposed Porcupine Gulch Wildlife Conservation Area Proposal” and dated June 24, 2019, and designated as the “Porcupine Gulch Wildlife Conservation Area” (referred to in this section as the “Wildlife Conservation Area”).

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are—
(I) to conserve and protect a wildlife migration corridor; and
(ii) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—The Secretary shall manage the Wildlife Conservation Area—
(I) in a manner that conserves, protects, and enhances the purposes described in subsection (b).

(ii) in accordance with—
(1) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);
(2) any other applicable laws (including regulations); and
(iii) this section.

(2) USES.—
(A) IN GENERAL.—The Secretary shall only authorize the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area that the Secretary determines are consistent with the purposes described in subsection (b).

(B) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—
(I) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles and mechanized transport in the Wilderness Conservation Area shall be prohibited.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii) and subsection (e), no new or temporary road shall be constructed within the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—
(1) authorizing the use of motorized vehicles and mechanized transport for administrative purposes;
(2) constructing temporary roads or permitting the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area for pre- or post-fire watershed protection projects;
(3) authorizing the use of motorized vehicles or mechanized transport to carry out activities described in subsection (d) or (e); or
(4) responding to an emergency.

(D) COMMERCIAL TIMBER.—
(I) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wilderness Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(E) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, and mitigate fire, insects, or disease in the Wilderness Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(F) REGIONAL TRANSPORTATION PROJECTS.—
Nothing in this section or section 30110(e) precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Wilderness Conservation Area for—
(I) a regional transportation project, including—
(A) highway widening or realignment; and
(B) construction of multimodal transportation systems; or
(ii) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (I).

(G) APPLICABLE LAW.—Nothing in this section affects the designation of the Federal land located in the White River National Forest, as generally depicted as “Proposed Porcupine Gulch Wildlife Conservation Area Proposal” and dated June 24, 2019, and designated as the “Porcupine Gulch Wildlife Conservation Area” (referred to in this section as the “Wildlife Conservation Area”).

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are—
(I) to conserve and protect a wildlife migration corridor; and
(ii) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—The Secretary shall manage the Wildlife Conservation Area—
(I) in a manner that conserves, protects, and enhances the purposes described in subsection (b).

(ii) in accordance with—
(1) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);
(2) any other applicable laws (including regulations); and
(iii) this section.

(2) USES.—
(A) IN GENERAL.—The Secretary shall only authorize the use of motorized vehicles in the Wilderness Conservation Area that the Secretary determines are consistent with the purposes described in subsection (b).

(B) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—
(I) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles and mechanized transport in the Wilderness Conservation Area shall be prohibited.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii) and subsection (e), no new or temporary road shall be constructed within the Wilderness Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—
(1) authorizing the use of motorized vehicles and mechanized transport for administrative purposes;
(2) constructing temporary roads or permitting the use of motorized vehicles and mechanized transport in the Wilderness Conservation Area for pre- or post-fire watershed protection projects;
(3) authorizing the use of motorized vehicles or mechanized transport to carry out activities described in subsection (d) or (e); or
(4) responding to an emergency.

(D) COMMERCIAL TIMBER.—
(I) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wilderness Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(E) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, and mitigate fire, insects, or disease in the Wilderness Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(F) REGIONAL TRANSPORTATION PROJECTS.—
Nothing in this section or section 30110(e) precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Wilderness Conservation Area for—
(I) a regional transportation project, including—
(A) highway widening or realignment; and
(B) construction of multimodal transportation systems; or
(ii) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (I).

(G) APPLICABLE LAW.—Nothing in this section affects the designation of the Federal
land within the Wildlife Conservation Area for purposes of—
(d) section 138 of title 23, United States Code; or
(ii) section 303 of title 49, United States Code.

(b) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

SEC. 3106. WILLIAMS FORK MOUNTAINS WILDLIFE CONSERVATION AREA

(a) DESIGNATION.—Subject to valid existing rights, the approximately 3,528 acres of Federal land in the White River National Forest in the State of Colorado as generally depicted as “Proposed Williams Fork Mountains Wildlife Conservation Area” on the map entitled “Williams Fork Mountains Proposal” and dated June 24, 2019, are designated as the “Williams Fork Mountains Wildlife Conservation Area” (referred to in this section as the “Wildlife Conservation Area”).

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(c) DIRECTORS.—

(i) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances purposes described in subsection (b); and

(B) in accordance with—

(A) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(B) any other applicable laws (including regulations); and

(ii) this section.

(ii) USGS.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (ii), the use of motorized vehicles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (i), no new or temporary road shall be constructed in the Wildlife Conservation Area.

(c) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(i) authorizing the use of motorized vehicles for administrative purposes;

(ii) authorizing the use of motorized vehicles to carry out activities described in subsection (d); or

(iii) responding to an emergency.

(d) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) EXCEPTION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(e) GRAZING.—The laws (including regulations) and policies followed by the Secretary in issuing and administering grazing permits or leases on the land as described in subsection (a) shall continue to apply with regard to the land in the Wildlife Conservation Area, consistent with the purposes described in subsection (b).

(f) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, or mitigate fire, insects, or disease in the Wildlife Conservation Area.

(g) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.
(b) FUNDING.—

(1) IN GENERAL.—There is established in the Federal Treasury a special account, to be known as the "Camp Hale Historic Preservation and Restoration Fund".

(2) AUTHORIZATION OF APPROPRIATIONS.—The Secretary shall be appropriated to the Camp Hale Historic Preservation and Restoration Fund $10,000,000, to be available to the Secretary until expended, for activities relating to the interpretation, preservation, and restoration carried out in and around the Historic Landscape.

(i) DESIGNATION OF OVERLOOK.—The interpretive site located beside United States Route 24 in the State, at 39°43'11"N 106°32'13"W, is designated as the "Sandy Treat Overlook".

SEC. 30108. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL WILDERNESS BOUNDARY ADJUSTMENT.

(a) PURPOSE.—This purpose of this section is to provide for the ongoing maintenance and use of portions of the Trail River Ranch and the associated property located within Rocky Mountain National Park in Grand County in the State.

(b) BOUNDARY ADJUSTMENT.—Section 1952(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 170) is amended by adding at the end the following:

"(c) BOUNDARY ADJUSTMENT.—The boundary of the Potential Wilderness is modified to exclude the area comprising approximately 15.5 acres of land identified as 'Potential Wilderness to Non-wilderness' on the map entitled 'Rocky Mountain National Park Proposed Wilderness Area Amendment' dated January 16, 2018.'"

SEC. 30110. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this subtitle affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this subtitle or an amendment made by this subtitle restricts or precludes—

(A) any low-level overflight of military aircraft over any area subject to this subtitle or an amendment made by this subtitle, including military flight training or transport over an area.

(b) SPECIAL MANAGEMENT AREA.

(1) IN GENERAL.—The term "Special Management Area" means each of—

(A) the Sheep Mountain Special Management Area designated by section 30103(a)(1); and

(B) the Liberty Bell East Special Management Area designated by section 30202(a)(2).

SEC. 30101. DEFINITIONS.

In this subtitle:

(1) COVERED LAND.—The term "covered land" means—

(A) any land designated as wilderness under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202); and

(B) a Special Management Area.

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

(3) POTENTIAL WILDERNESS.—The term "Potential Wilderness" means each of—

(A) the Lizard Head Wilderness Addition described in section 30202(a)(2); and

(B) the Lizard Head Wilderness Area designated by section 30202(a)(3).
Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mt. Sneffels Wilderness.

"(B) WHITEHOUSE ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 8,884 acres of land identified as Whitehouse Additions to the Mt. Sneffels Wilderness and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

"(29) MCKENNA PEAK WILDERNESS.—Certain Federal land in the State of Colorado comprising approximately 21,663 acres, as generally depicted on the map entitled “Proposed Whitehouse Additions to the Mt. Sneffels Wilderness” and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

SEC. 30203. SPECIAL MANAGEMENT AREAS.

(a) DESIGNATION.—

(1) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA.—The federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests in the State comprising approximately 11,892 acres, as generally depicted on the map entitled “Proposed Sheep Mountain Special Management Area” and dated September 19, 2018, is designated as the “Sheep Mountain Special Management Area”.

(b) PURPOSE.—The purpose of the Special Management Areas is to conserve and protect for future generations the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the Special Management Areas.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Special Management Areas in a manner that—

(A) conserves, protects, and enhances the resources and values of the Special Management Areas; and

(B) subject to paragraph (3), maintains or improves the wilderness character of the Special Management Areas and the suitability of the Special Management Areas for potential inclusion in the National Wilderness Preservation System; and

(C) is in accordance with—

(i) the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 3241 et seq.);

(ii) this subtitle; and

(iii) any other applicable laws.

(2) PROHIBITIONS.—The following shall be prohibited in the Special Management Areas: (A) Permanent roads.

(B) Except as necessary to meet the minimum requirements for the administration of the Federal land, to provide access for abandoned mine cleanup, and to protect public health and safety:

(i) the operation of motor vehicles, motorized equipment, or mechanical transport (other than as provided in paragraph (3)); and

(ii) the establishment of temporary roads.

(3) UNAUTHORIZED ACCESS.—(A) In GENERAL.—The Secretary may allow any activities (including helicopter access for recreation and maintenance and the competitive running event permitted since 1992) that have been authorized by permit or license as of the date of enactment of this Act to continue on the Special Management Areas, subject to such terms and conditions as the Secretary may require.

(B) PERMITTING.—The designation of the Special Management Areas with—

(i) the portion of the Sheep Mountain Special Management Area identified as “Opting Out of Valley Area” on the map entitled “Proposed Sheep Mountain Special Management Area” and dated September 19, 2018; and

(ii) the portion of the Liberty Bell East Special Management Area identified as “Liberty Bell Corridor” on the map entitled “Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area” and dated September 6, 2018.

(d) APPLICABLE LAW.—Water and water rights in the Special Management Areas shall be administered in accordance with section 8 of the Colorado Wilderness Act of 1988 (Public Law 100-69; 103 Stat. 962), except that, for purposes of this subsection—

(1) any reference contained in that section to “the lands designated as wilderness by this Act”, “the Piedra, Roubidoux, and Tabeguache areas identified in section 8 of this Act, or the Bowen Gulch Protection Area or the Fossil Ridge Recreation Management Area identified in sections 5 and 6 of this Act” shall be considered to be a reference to “the Special Management Areas”;

(2) any reference contained in that section to “this Act” shall be considered to be a reference to “this Act”, or “the areas described in sections 2, 5, 6, and 9 of this Act” shall be considered to be a reference to “this Act”.

SEC. 30204. RELEASE OF WILDERNESS STUDY AREAS.

(a) DOMINGUEZ CANYON WILDERNESS STUDY AREA.—Subtitle E of title II of Public Law 111–11 is amended—

(1) by redesignating section 2408 (16 U.S.C. 460zzz–7) as section 2409; and

(2) by inserting after section 2407 (16 U.S.C. 460zzz–6) the following:

"SEC. 2408. RELEASE.

"(a) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land and Water Conservation Act of 1965 (43 U.S.C. 1722(c)), the portions of the Dominguez Canyon Wilderness Study Area not designated as wilderness by this subtitle have been adequately studied for wilderness designation.

"(b) RELEASE.—Any public land referred to in subsection (a) that is not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202) and section 8 of the Colorado Wilderness Act of 1988 (Public Law 100–69; 103 Stat. 962) (as added by section 30202) shall be managed in accordance with applicable laws.

(b) DOMINGUEZ CANYON WILDERNESS STUDY AREA.—(1) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land and Water Conservation Act of 1965 (43 U.S.C. 1722(c)), the portions of the Dominguez Canyon Wilderness Study Area in which the land or interest in land is located.

(c) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior, as appropriate, may acquire any land or interest in land within the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202) only through exchange, donation, or purchase from a willing seller.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness or Special Management Area in which the land or interest in land is located.

(d) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary or the Secretary of the Interior, as appropriate, may acquire any land or interest in land within the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202) only through exchange, donation, or purchase from a willing seller.

(2) GRIZZLIES.—The Secretary, or the Secretary of the Interior, as appropriate, may acquire any land or interest in land within the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202) only through exchange, donation, or purchase from a willing seller.

(3) GRIZZLIES.—The Secretary, or the Secretary of the Interior, as appropriate, may acquire any land or interest in land under the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202)

(e) GROUNDHOGS.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

SEC. 30301. PURPOSES.
The purposes of this subtitle are—

(1) subject to valid existing rights, to withdraw certain Federal land in the Thompson Divide area from mineral and other disposal laws; and

(2) to promote the capture of fugitive methane emissions that would otherwise be emitted into the atmosphere—

(A) to reduce methane gas emissions; and

(B) to provide—

(i) new renewable electricity supplies and other beneficial uses of fugitive methane emissions; and

(ii) increased royalties for taxpayers.

SEC. 30302. DEFINITIONS.
In this subtitle:

(1) FUGITIVE METHANE EMISSIONS.—The term ‘‘fugitive methane emissions’’ means methane gas from the Federal land in Garfield, Gunnison, Delta, or Pitkin County in the State, as generally depicted on the pilot program map as ‘‘Fugitive Coal Mine Methane Use Pilot Program Area’’, that would leak or be vented into the atmosphere from an active, abandoned, or associated coal mine.

(2) PILOT PROGRAM.—The term ‘‘pilot program’’ means the Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program established by section 30305(a)(1).

(3) PILOT PROGRAM MAP.—The term ‘‘pilot program map’’ means the map entitled ‘‘Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program Area’’ and dated June 17, 2019.

(4) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of the Interior.

(5) THOMPSON DIVIDE LEASE.—

(A) IN GENERAL.—The term ‘‘Thompson Divide lease’’ means a lease on the Thompson Divide area as the ‘‘Thompson Divide Withdrawal and Protection Area’’.

(B) EXCLUSIONS.—The term ‘‘Thompson Divide lease’’ does not include any oil or gas lease that—

(i) is associated with a Wolf Creek Storage Field development right;

(ii) before the date of enactment of this Act, has expired, been cancelled, or otherwise terminated.

(6) THOMPSON DIVIDE MAP.—The term ‘‘Thompson Divide map’’ means the map entitled ‘‘Greater Thompson Divide Area Map’’ and dated June 13, 2019.

(7) THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.—The term ‘‘Thompson Divide Withdrawal and Protection Area’’ means the Federal land and minerals generally depicted on the Thompson Divide map as the ‘‘Thompson Divide Withdrawal and Protection Area’’.

(8) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.—

(A) IN GENERAL.—The term ‘‘Wolf Creek Storage Field development right’’ means a development right for any of the Federal minerals and other disposal rights, as generally depicted on the map entitled ‘‘Proposed Natura Canyon Mineral Withdrawal Area’’ and dated September 6, 2018, is withdrawn from—

(i) entry, appropriation, and disposal under the public land laws;

(ii) lease under any Federal oil or gas lease on Federal land and minerals generally depicted under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b); and

(iii) the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(B) W ITHDRAWAL.—Subject to valid existing rights, the Thompson Divide Withdrawal and Protection Area is withdrawn from—

(i) all Federal oil or gas leases and disposal rights under any Federal oil or gas lease on Federal land in the State;

(ii) increased royalties for taxpayers.

(1) all Federal oil or gas leases;

(2) location, entry, and patent under the mining laws;

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

Subtitle C—Thompson Divide

SEC. 30303. THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.

(a) WITHDRAWAL.—Subject to valid existing rights, the Thompson DivideWithdrawal and Protection Area is withdrawn from—

(i) all Federal oil or gas leases and disposal rights under any Federal oil or gas lease on Federal land in the State;

(ii) increased royalties for taxpayers.

(b) SURVEYS.—The exact acreage and legal description of the Thompson Divide Withdrawal and Protection Area shall be determined by surveys approved by the Secretary, in consultation with the Secretary of Agriculture.

(c) GRAZING.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be allowed to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land.

SEC. 30304. THOMPSON DIVIDE LEASE EXCHANGE.

(a) IN GENERAL.—In exchange for the relinquishment by a leaseholder of all Thompson Divide leases of the leaseholder, the Secretary may issue to the leaseholder credits for any bid, royalty, or rental payment due under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b).

(b) ISSUE OF CREDITS.—

(1) AMOUNT OF CREDITS.—

(i) the amount of any rental paid for the applicable Thompson Divide leases; and

(ii) the amount of any rental paid for the applicable Thompson Divide leases as of the date on which the leaseholder submits to the Secretary a notice of the decision to relinquish the applicable Thompson Divide leases; and

(iii) the amount of any expenses incurred by the leaseholder of the applicable Thompson Divide leases in the preparation of any drilling permit, sundry notice, or other related submission in support of the development of the applicable Thompson Divide leases.

(2) EXCLUSION.—The amount of a credit issued under subsection (a) shall not include—

(A) any expenses incurred by the leaseholder of the applicable Thompson Divide lease for legal fees or related expenses for legal work with respect to a Thompson Divide lease;

(B) the acquisition of any interest; and

(C) the use of a credit issued under subsection (a) for any purpose not consistent with this section.

(3) APPLICABILITY.—The use of a credit issued under subsection (a) is—

(i) subject to the applicable Thompson Divide leases;

(ii) subject to the applicable Thompson Divide leases as of the date the Secretary issues credits;

(iii) otherwise used for mineral extraction.

(4) TREATMENT OF CREDITS.—All amounts in the form of credits issued under subsection (a) are treated as if the Secretary is be—

(A) in the applicable Thompson Divide leases;

(B) in the applicable Thompson Divide leases as of the date the Secretary issues credits;

(C) not subject to the applicable Thompson Divide leases;

(D) subject to the applicable Thompson Divide leases as of the date the Secretary issues credits;

(E) otherwise used for mineral extraction.

(5) THOMPSON DIVIDE LEASE.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(i) complete an inventory of the usable methane emissions in accordance with subsection (b) and this section;

(ii) provide for the leasing of fugitive methane emissions in accordance with subsection (c); and

(iii) provide for the leasing of fugitive methane emissions in accordance with subsection (d).

(B) COORDINATION.—In developing the plan under this paragraph, the Secretary shall coordinate with—

(i) the State; and

(ii) the applicable Federal Government agencies.

(6) MINE SECURITY AGREEMENT.—The Secretary shall develop a plan—

(A) to reduce methane gas emissions; and

(B) to promote economic development; and

(C) to reduce methane gas emissions; and

(D) to improve air quality and public health.

(7) THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.—The term ‘‘Thompson Divide Withdrawal and Protection Area’’ means the Federal land and minerals generally depicted on the Thompson Divide map as the ‘‘Thompson Divide Withdrawal and Protection Area’’.

(8) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.—

(A) IN GENERAL.—The term ‘‘Wolf Creek Storage Field development right’’ means a development right for any of the Federal minerals and other disposal rights, as generally depicted on the map entitled ‘‘Proposed Natura Canyon Mineral Withdrawal Area’’ and dated September 6, 2018, is withdrawn from—

(i) entry, appropriation, and disposal under the public land laws;

(ii) lease under any Federal oil or gas lease on Federal land and minerals generally depicted under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b); and

(iii) the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(B) WITHDRAWAL.—Subject to valid existing rights, the Thompson Divide Withdrawal and Protection Area is withdrawn from—

(i) all Federal oil or gas leases and disposal rights under any Federal oil or gas lease on Federal land in the State;

(ii) increased royalties for taxpayers.

(1) all Federal oil or gas leases;

(2) location, entry, and patent under the mining laws;

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(9) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.—

(A) IN GENERAL.—The term ‘‘Wolf Creek Storage Field development right’’ means a development right for any of the Federal minerals and other disposal rights, as generally depicted on the map entitled ‘‘Proposed Natura Canyon Mineral Withdrawal Area’’ and dated September 6, 2018, is withdrawn from—

(i) entry, appropriation, and disposal under the public land laws;

(ii) lease under any Federal oil or gas lease on Federal land and minerals generally depicted under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b); and

(iii) the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(B) WITHDRAWAL.—Subject to valid existing rights, the Thompson Divide Withdrawal and Protection Area is withdrawn from—

(i) all Federal oil or gas leases and disposal rights under any Federal oil or gas lease on Federal land in the State;

(ii) increased royalties for taxpayers.

(1) all Federal oil or gas leases;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(10) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.—

(A) IN GENERAL.—The term ‘‘Wolf Creek Storage Field development right’’ means a development right for any of the Federal minerals and other disposal rights, as generally depicted on the map entitled ‘‘Proposed Natura Canyon Mineral Withdrawal Area’’ and dated September 6, 2018, is withdrawn from—

(i) entry, appropriation, and disposal under the public land laws; and

(ii) lease under any Federal oil or gas lease on Federal land and minerals generally depicted under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b).

(B) ISSUE OF CREDITS.—

(1) AMOUNT OF CREDITS.—

(i) the amount of any rental paid for the applicable Thompson Divide leases; and

(ii) the amount of any rental paid for the applicable Thompson Divide leases as of the date on which the leaseholder submits to the Secretary a notice of the decision to relinquish the applicable Thompson Divide leases; and

(iii) the amount of any expenses incurred by the leaseholder of the applicable Thompson Divide leases in the preparation of any drilling permit, sundry notice, or other related submission in support of the development of the applicable Thompson Divide leases.

(2) EXCLUSION.—The amount of a credit issued under subsection (a) shall not include—

(A) any expenses incurred by the leaseholder of the applicable Thompson Divide leases for legal fees or related expenses for legal work with respect to a Thompson Divide lease;

(B) the acquisition of any interest; and

(C) the use of a credit issued under subsection (a) for any purpose not consistent with this section.

(3) APPLICABILITY.—The use of a credit issued under subsection (a) is—

(i) subject to the applicable Thompson Divide leases;

(ii) subject to the applicable Thompson Divide leases as of the date the Secretary issues credits;

(iii) otherwise used for mineral extraction.

(4) TREATMENT OF CREDITS.—All amounts in the form of credits issued under subsection (a) are treated as if the Secretary is be—

(A) in the applicable Thompson Divide leases;

(B) in the applicable Thompson Divide leases as of the date the Secretary issues credits;

(C) not subject to the applicable Thompson Divide leases;

(D) subject to the applicable Thompson Divide leases as of the date the Secretary issues credits;

(E) otherwise used for mineral extraction.
Section (b), the Secretary shall carry out a program to encourage the use and destruction of fugitive methane emissions.

(2) FUGITIVE METHANE EMISSIONS FROM COAL MINES.—

(A) IN GENERAL.—The Secretary shall authorize the holder of a valid existing Federal coal lease for a mine that is producing fugitive methane emissions to capture for use, or destroy by flaring, the fugitive methane emissions.

(B) CONDITIONS.—The authority under subparagraph (A) expires—

(i) valid existing rights; and

(ii) such terms and conditions as the Secretary may require.

(C) LIMITATIONS.—The program carried out under subparagraph (A) shall only include fugitive methane emissions that can be captured for use, or destroyed by flaring, in a manner that does not—

(i) endanger the safety of any coal mine worker; or

(ii) unreasonably interfere with any ongoing operation at a coal mine.

(D) COOPERATION.—

(I) IN GENERAL.—The Secretary shall work cooperatively with the holders of valid existing Federal coal leases for mines that produce fugitive methane emissions to encourage—

(i) the capture of fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, or transforming the fugitive methane emissions into a different marketable material; and

(ii) if the beneficial use of the fugitive methane emissions is not feasible, the destruction of the fugitive methane emissions by flaring.

(II) GUIDANCE.—In furtherance of the purposes of this paragraph, not later than 1 year after the date of enactment of this Act, the Secretary shall issue guidance for the implementation of Federal authorities and programs to encourage the capture for use, or destruction by flaring, of fugitive methane emissions, while minimizing impacts on natural resources or other public interest values.

(E) ROYALTIES.—The Secretary shall determine whether any fugitive methane emissions used or destroyed pursuant to this paragraph are subject to the payment of a royalty under applicable law.

(F) FUGITIVE METHANE EMISSIONS FROM ABANDONED COAL MINEs.—

(A) IN GENERAL.—Except as otherwise provided in this section, notwithstanding section 306 of the Coal Mine and Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1273), and in accordance with section 21 of the Mineral Leasing Act (30 U.S.C. 214) and any other applicable law, the Secretary shall—

(i) authorize use for, or destruction by flaring, of fugitive methane emissions from abandoned coal mines on Federal land; and

(ii) make available for leasing such fugitive methane emissions from abandoned coal mines on Federal land as the Secretary considers to be in the public interest.

(B) SOURCE.—To the maximum extent practicable, the Secretary shall offer for lease each significant vent, seep, or other source of fugitive methane emissions from abandoned coal mines.

(C) CREDENTIALS.—A bid to lease fugitive methane emissions under this paragraph shall specify whether the prospective lessee intends—

(i) to capture the fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, or transforming the fugitive methane emissions into a different marketable material;

(ii) to destroy the fugitive methane emissions by flaring; or

(iii) to employ a specific combination of—

(I) capturing the fugitive methane emissions for beneficial use; and

(II) destroying the fugitive methane emissions by flaring.

(D) PRIORITY.—

(I) IN GENERAL.—In any case in which 2 or more qualified bids are submitted for a lease under this paragraph, the Secretary shall select the bid that the Secretary determines is likely to most significantly advance the public interest.

(II) CONSIDERATIONS.—In determining the public interest under clause (i), the Secretary shall take into account—

(I) the size of the overall decrease in the time-integrated radiative forcing of the fugitive methane emissions;

(ii) the impacts to other natural resource values, including wildlife, water, and air; and

(iii) other public interest values, including scenic, economic, recreational, and cultural values.

(E) LEASE FORM.—

(I) IN GENERAL.—The Secretary shall develop and provide to prospective bidders a lease form for leases issued under this paragraph.

(ii) DUE DILIGENCE.—The lease form developed under clause (i) shall include terms and conditions requiring the lessee to use the leased fugitive methane emissions to be put to beneficial use or flared by not later than 1 year after the date of issuance of the lease.

(F) ROYALTY RATE.—The Secretary shall develop a minimum bid and royalty rate for leases under this paragraph to advance the purposes of this section, to the maximum extent practicable.

(G) SEQUESTRATION.—If, by not later than 4 years after the date of enactment of this Act, any significant fugitive methane emissions from abandoned coal mines on Federal land are not leased under subsection (c)(3), the Secretary shall, in accordance with applicable law, take all reasonable measures—

(i) to cap those fugitive methane emissions at the source in any case in which the cap will result in the long-term sequestration of all or a significant portion of the fugitive methane emissions; or

(ii) if sequestration under paragraph (1) is not feasible, destroy the fugitive methane emissions by flaring.

(e) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of this Act the Secretary shall 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 detailing—

(I) the economic and environmental impacts of the pilot program, including information on increased royalties and estimates of avoided greenhouse gas emissions; and

(ii) any recommendations of the Secretary regarding whether the pilot program could be expanded geographically to include other significant sources of fugitive methane emissions from coal mines.
(3) prevents access to, or the development of, any new or existing coal mine or lease in Delta or Gunnison County in the State.

**Subtitle D—Curecanti National Recreation Area**

**SEC. 30401. DEFINITIONS.**

In this subtitle:

(1) MAP.—The term ‘‘map’’ means the map entitled ‘‘Curecanti National Recreation Area, Proposed Boundary,’’ number 618-100, 485C, and dated August 11, 2016.

(2) NATIONAL RECREATION AREA.—The term ‘‘National Recreation Area’’ means the Curecanti National Recreation Area established by section 30402(a).

(3) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of the Interior.

**SEC. 30402. CURECATI NATIONAL RECREATION AREA.**

(a) ESTABLISHMENT.—Effective beginning on the earlier of the date on which the Secretary approves a request under subsection (c)(2)(B)(i)(I) and the date that is 1 year after the date of enactment of this Act, there shall be established, as a unit of the National Park System the Curecanti National Recreation System, in accordance with this title, consisting of approximately 50,667 acres of land in the State, as generally depicted on the map as ‘‘Curecanti National Recreation Area Proposed Boundary’’.

(b) SUBMISSION OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the National Recreation Area in accordance with—

(A) this subtitle; and

(B) the laws (including regulations) generally applicable to units of the National Park System, as provided in section 10001(a), chapter 1003, and sections 10075(a), 100752, 100753, and 102101 of title 54, United States Code.

(2) DAM, POWER PLANT, AND RESERVOIR MANAGEMENT AND OPERATIONS.—

(A) IN GENERAL.—Nothing in this subtitle affects or interferes with the authority of the Secretary to—

(i) to operate the Uncompahgre Valley Reclamation Project under the reclamation laws;

(ii) to operate the Wayne N. Aspinall Unit of the Colorado River Storage Project under the Act of April 11, 1956 (commonly known as the ‘‘Wayne N. Aspinall Project Act’’) (43 U.S.C. 620 et seq.); or

(iii) under the Federal Water Project Act (16 U.S.C. 4601–12 et seq.).

(B) ADMINISTRATION.—

(i) SUBMISSION OF REQUEST TO RETAIN ADMINISTRATIVE JURISDICTION.—If, before the date that is 1 year after the date of enactment of this Act, the Commissioner of Reclamation submits to the Secretary a request for the Commissioner of Reclamation to retain administrative jurisdiction over the management and operation of land within the area identified on the map as ‘‘lands withdrawn or acquired for Bureau of Reclamation projects’’ that the Commissioner of Reclamation identifies as necessary for the effective operation of Bureau of Reclamation water facilities, the Secretary may—

(A) approve, approve with modifications, or disapprove the request; and

(B) if the request is approved under subclause (I), make any modifications to the map that are necessary to reflect that the Secretary retains administrative jurisdiction over the minimum quantity of land required to fulfill the reclamation mission.

(ii) TERMINATION OF LAND.—

(I) Administrative jurisdiction over the land identified on the map as ‘‘Lands withdrawn or acquired for Bureau of Reclamation projects’’, as modified pursuant to clause (i)(II), if applicable, shall be transferred from the Commissioner of Reclamation to the Director of the National Park Service by not later than the date that is 1 year after the date of enactment of this Act.

(ii) ACCESS TO TRANSFERRED LAND.—(a) IN GENERAL.—On the location of, any new or existing coal mine or lease in Delta or Gunnison County in the State, as generally depicted on the map as ‘‘Curecanti National Recreation Area Proposed Boundary’’, the Commissioner of Reclamation shall retain access to the land transferred to the Director of the National Park Service under subparagraph (I) for the operation, maintenance, and expansion or replacement of facilities.

(b) MEMORANDUM OF UNDERSTANDING.—The terms of the access authorized under item (aa) shall be determined by a memorandum of understanding entered into between the Commissioner of Reclamation and the Director of the National Park Service not later than 1 year after the date of enactment of this Act.

(3) MANAGEMENT AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into management agreements, or modify management agreements in existence on the date of enactment of this Act, relating to the management agreements in existence on the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(B) STATE AND PRIVATE LAND.—The Secretary may, in accordance with applicable Federal and State laws, authorize grazing on land acquired from the State or private landowners under section 30403, if grazing was established before the date of acquisition.

(C) PRIVATE LAND.—On private land acquired under section 30403 for the National Recreation Area on which authorized grazing is occurring before the date of enactment of this Act, the Secretary, in consultation with the lessee, may allow the continuation and renewal of grazing on the land based on the terms of acquisition or by agreement between the Secretary and the lessee, subject to applicable law (including regulations).

(D) FEDERAL LAND.—The Secretary shall—

(i) allow, consistent with the grazing uses, uses, and practices in effect as of the date of enactment of this Act, the continuation and renewal of grazing on Federal land located within the boundary of the National Recreation Area; and

(ii) retain all authorities to manage grazing in the National Recreation Area.

(4) RECREATIONAL ACTIVITIES.—

(A) AUTHORIZATION.—Except as provided in subparagraph (B), the Secretary shall allow boating, boating-related activities, hunting, and fishing in the National Recreation Area in accordance with applicable Federal and State laws.

(B) CLOSURES; DESIGNATION OF ZONES.—

(I) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, all or part of the National Recreation Area may be closed to, or designated as, a ‘‘Recreation Management Area’’ in accordance with—

(A) the applicable State laws.

(B) the rules of the Colorado Water Conservation District.

(C) a State water right held by the United States; or

(D) a conditional water right in existence on the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(ii) the applicable State laws.

(iii) the applicable State laws.

(iii) the applicable State laws.

(iv) the applicable State laws.

(v) the applicable State laws.

(B) CLOSURES; DESIGNATION OF ZONES.—

(I) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, all or part of the National Recreation Area may be closed to, or designated as, a ‘‘Recreation Management Area’’ in accordance with—

(A) the applicable State laws.

(B) the rules of the Colorado Water Conservation District.

(C) a State water right held by the United States; or

(D) a conditional water right in existence on the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(iii) the applicable State laws.

(iv) the applicable State laws.

(v) the applicable State laws.

(B) CLOSURES; DESIGNATION OF ZONES.—

(I) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, all or part of the National Recreation Area may be closed to, or designated as, a ‘‘Recreation Management Area’’ in accordance with—

(A) the applicable State laws.

(B) the rules of the Colorado Water Conservation District.

(C) a State water right held by the United States; or

(D) a conditional water right in existence on the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(vi) the applicable State laws.

(B) CLOSURES; DESIGNATION OF ZONES.—

(I) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, all or part of the National Recreation Area may be closed to, or designated as, a ‘‘Recreation Management Area’’ in accordance with—

(A) the applicable State laws.

(B) the rules of the Colorado Water Conservation District.

(C) a State water right held by the United States; or

(D) a conditional water right in existence on the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(E) CLOSURES; DESIGNATION OF ZONES.—

(I) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, all or part of the National Recreation Area may be closed to, or designated as, a ‘‘Recreation Management Area’’ in accordance with—

(A) the applicable State laws.

(B) the rules of the Colorado Water Conservation District.

(C) a State water right held by the United States; or

(D) a conditional water right in existence on the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(5) LANDOWNER ASSISTANCE.—On the written request of an individual that owns private land located not more than 3 miles from the boundary of the National Recreation Area, the Secretary may work in partnership with the individual to enhance the long-term conservation of natural, cultural, recreational, and economic values and in and around the National Recreation Area—

(A) by acquiring all or a portion of the private land or interests in private land located not more than 3 miles from the boundary of the National Recreation Area by purchase, exchange, or donation, in accordance with section 30403; and

(B) by providing technical assistance to the individual, including cooperative assistance;
(D) authorizes or imposes any new reserved Federal water right;
(E) shall be considered to be a relinquishment or reduction of any water right reserved by the United States or any water right with respect to the National Recreation Area;
(F) constitutes an express or implied reservation of any State or discharges the Secretary under subparagraph (A).

(9) FISHING EASEMENTS.—

(A) IN GENERAL.—Nothing in this subtitle diminishes or alters the fish and wildlife program for the Aspinall Unit developed under section 30404 of title 54, United States Code (commonly known as the “Colorado River Storage Project Act”) (70 Stat. 110, chapter 203; 43 U.S.C. 620g), by the United States Fish and Wildlife Service, the Bureau of Reclamation, and the Colorado Division of Wildlife (including any successor in interest to that division) that provides for the acquisition of public access fishing easements as mitigation for the Aspinall Unit (referred to in this paragraph as the “program”).

(B) ACQUISITION OF FISHING EASEMENTS.—The Secretary shall continue to fulfill the obligation of the Secretary under the program to acquire 26 miles of class 1 public fishing easements to provide to sportmen access to the fishing area within the Upper Gummison Basin upstream of the Aspinall Unit, subject to the condition that no existing fishing access downstream of the Aspinall Unit shall be closed or terminated or mileage requirement under the program.

(C) PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(i) develop a plan for fulfilling the obligation of the Secretary described in subparagraph (B); and

(ii) submit to Congress a report that—

(I) includes the plan developed under clause (i); and

(II) describes any progress made in the acquisition of public access fishing easements as mitigation for the Aspinall Unit under the program.

SEC. 30404. ACQUISITION OF LAND; BOUNDARY MANAGEMENT.

(a) ACQUISITION.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundary of the National Recreation Area.

(2) MANNER OF ACQUISITION.—

(A) I N GENERAL.—The Secretary may acquire land described in paragraph (1) by—

(i) develop a plan for fulfilling the obligation of the Secretary described in subparagraph (B); and

(ii) submit to Congress a report that—

(I) includes the plan developed under clause (i); and

(II) describes any progress made in the acquisition of public access fishing easements as mitigation for the Aspinall Unit under the program.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) FOREST SERVICE LAND.—

(A) IN GENERAL.—Administrative jurisdiction over the approximately 2,560 acres of land identified on the map as “Bureau of Land Management proposed transfer to National Park Service” is transferred from the Director of the Bureau of Land Management to the Director of the National Park Service, who shall continue to fulfill the obligation of the Secretary under the program for the Aspinall Unit.

(B) BOUNDARY ADJUSTMENT.—The boundary of the Gunnison National Forest shall be adjusted to exclude the land transferred to the Secretary under subparagraph (A).

(C) NATIONAL RECREATION AREA.—The 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 perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water from the wells owned and operated by the water authority or State, shall be able to receive payment under subsection (a) for—

(i) a local water authority or State, as the case may be, to a Federal tort claims Act, and any other Federal tort liability, and mitigation of perfluorooctane sulfonic acid and perfluorooctanoic acid incurred before January 1, 2018, and otherwise covered under this section;

(ii) the elevated levels of perfluorooctane sulfonic 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, 2018, and ending on the date of the enactment of this Act.

(c) AGREEMENT.—

(1) IN GENERAL.—The Secretary of the Air Force may enter into such agreements with a local water authority or State for 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 for costs paid using amounts appropriated to the Environmental Restoration Account, Air Force, as established under section 2703(a)(4) of title 10, United States Code.

(d) ELIGIBILITY FOR PAYMENT.—To be eligible for payment under this section, the elevated levels of perfluorooctane sulfonic 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.

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Air Force shall pay an amount under this section for the construction and in effect on October 1, 2017.

(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 for costs paid using amounts appropriated to the Environmental Restoration Account, Air Force, as established under section 2703(a)(4) of title 10, United States Code.

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

(g) A VAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Air Force shall pay an amount under this section for the construction and in effect on October 1, 2017.
(d) Definitions.—In this section:
(1) The term ‘combat trauma injuries’ means severe injuries likely to occur during combat, including—
(A) hemorrhage;
(B) tension pneumothorax;
(C) amputation resulting from blast injury;
(D) compromises to the airway; and
(E) other injuries.
(2) The term ‘human-based training methods’ means, with respect to training individuals in the use of systems and devices that do not use animals, including—
(A) simulators;
(B) partial task trainers;
(C) moulage;
(D) simulated combat environments;
(E) human cadavers; and
(F) rotations in civilian and military trauma centers.
(3) The term ‘partial task trainers’ means training aids that allow individuals to learn or practice specific medical procedures.
(b) Clerical Amendment.—The table of sections at the beginning of chapter 101 of such title is amended by adding at the end the following section:
"§ 2017. Use of human-based methods for certain medical training."
"(a) Repeal.—The Military Selective Service Act (50 U.S.C. 3802) et seq. is repealed.
(b) Transfers in Connection with Repeal.—Notwithstanding the proviso in section 10a(4) of the Military Selective Service Act (50 U.S.C. 3806), the Office of Selective Service Records shall not be reestablished upon the repeal of the Act. Not later than 180 days after the date of the enactment of this Act, the assets, contracts, property, and records held by the Selective Service System, and the unexpended balances of any appropriations available to the Selective Service System, shall be transferred to the Administrator of General Services upon the repeal of the Act. The Director of the Office of Personnel Management shall assist officers and employees of the Selective Service System to transfer to other positions in the executive branch.
(c) Effect on Existing Sanctions.—
(1) Notwithstanding any other provision of law, a person may not be denied a right, privilege, benefit, or employment position under Federal law on the grounds that the person failed to present himself for registration under section 3 of the Military Selective Service Act (50 U.S.C. 3802), before the repeal of that Act by subsection (a).
(2) A State, political subdivision of a State, or political authority of two or more States may not deny any right, privilege, benefit, or employment position under Federal law on the grounds that the person failed to present himself for registration under section 3 of the Military Selective Service Act (50 U.S.C. 3802), before the repeal of that Act by subsection (a).
(3) The term ‘State’ means a State, the District of Columbia, and a territory or possession of the United States.
(d) Conscientious Objectors.—Nothing contained in this Act shall be construed to undermine or diminish the rights of conscientious objectors under laws and regulations of the United States.
"(2) Each report under this subsection on such title is amended by adding at the end the following:
"(a) 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:
oscope in subsection (a), shall not be reason for any entity of the U.S. Government to determine that a person lacks good moral character or is unsuited for any privilege or benefit.
(b) Conscientious Objectors.—Nothing contained in this Act shall be construed to undermine or diminish the rights of conscientious objectors under laws and regulations of the United States.
"(1) The term ‘combat trauma injuries’ means severe injuries likely to occur during combat, including—
(A) hemorrhage;
(B) tension pneumothorax;
(C) amputation resulting from blast injury;
(D) compromises to the airway; and
(E) other injuries.
(b) Clerical Amendment.—The table of sections at the beginning of chapter 101 of such title is amended by adding at the end the following section:
"§ 2017. Use of human-based methods for certain medical training."
"(1) The term ‘partial task trainers’ means training aids that allow individuals to learn or practice specific medical procedures.
(b) Clerical Amendment.—The table of sections at the beginning of chapter 101 of such title is amended by adding at the end the following section:
"(a) Repeal.—The Military Selective Service Act (50 U.S.C. 3802) et seq. is repealed.
(b) Transfers in Connection with Repeal.—Notwithstanding the proviso in section 10a(4) of the Military Selective Service Act (50 U.S.C. 3806), the Office of Selective Service Records shall not be reestablished upon the repeal of the Act. Not later than 180 days after the date of the enactment of this Act, the assets, contracts, property, and records held by the Selective Service System, and the unexpended balances of any appropriations available to the Selective Service System, shall be transferred to the Administrator of General Services upon the repeal of the Act. The Director of the Office of Personnel Management shall assist officers and employees of the Selective Service System to transfer to other positions in the executive branch.
(c) Effect on Existing Sanctions.—
(1) Notwithstanding any other provision of law, a person may not be denied a right, privilege, benefit, or employment position under Federal law on the grounds that the person failed to present himself for registration under section 3 of the Military Selective Service Act (50 U.S.C. 3802), before the repeal of that Act by subsection (a).
(2) A State, political subdivision of a State, or political authority of two or more States may not deny any right, privilege, benefit, or employment position under Federal law on the grounds that the person failed to present himself for registration under section 3 of the Military Selective Service Act (50 U.S.C. 3802), before the repeal of that Act by subsection (a).
(3) The term ‘State’ means a State, the District of Columbia, and a territory or possession of the United States.
(d) Conscientious Objectors.—Nothing contained in this Act shall be construed to undermine or diminish the rights of conscientious objectors under laws and regulations of the United States.
"(2) Each report under this subsection on such title is amended by adding at the end the following section:
SEC. 2703. CONTINUATION OF CERTAIN REMEDIATION ACTIVITIES.

(a) IN GENERAL.—The Secretary of the Army may not suspend remediation activities conducted at a location under a settlement agreement pursuant to a base closure law notwithstanding that—

(1) the Secretary determines that the quantity and depth of contamination at the location has exceeded original estimates; and

(2) such agreement expires in 2020.

(b) BASE CLOSURE LAW DEFINED.—In this section the term "base closure law" has the meaning given that term in section 101(a)(17) of title 10, United States Code.

SEC. 1750. MR. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4094, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXVII, add the following:

SEC. 2703. CONTINUITY OF THE ECONOMY PLAN.

(a) REQUIREMENT.—

(1) IN GENERAL.—The President shall develop and maintain a plan to maintain and restore the economy of the United States in a recovery from a severe economic degradation caused by a significant event.

(b) COORDINATION.—In developing the plan required under subsection (a)(1), the President shall—

(1) receive advice from—

(A) the Secretary of Homeland Security;

(B) the Secretary of Defense; and

(C) the head of any other agency that the President determines necessary to complete the plan;

(2) consult with relevant State, Tribal, and local governments and organizations that represent those governments; and

(3) consult with any other non-Federal entity that the President determines necessary to complete the plan.

(c) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and not less frequently than every 3 years thereafter, the President shall submit the plan required under subsection (a)(1) and the information described in paragraph (2) to—

(A) the majority and minority leaders of the Senate;

(B) the Speaker and the minority leader of the House of Representatives;

(C) the Committee on Armed Services of the Senate;

(D) the Committee on Armed Services of the House of Representatives;

(E) the Committee on Homeland Security and Governmental Affairs of the Senate;

(F) Committee on Homeland Security of the House of Representatives; and

(G) any other committee of the Senate or the House of Representatives that has jurisdiction over the subject of the plan.

(2) INFORMATION.—In the event of a distribution network disturbance or degradation, including a distribution network disturbance or degradation caused by a significant event, the President shall provide to Congress a report on the benefits of dependence on internet communications networks, data-hosting services, and cloud services; and

(3) EVALUATION.—In the event of a distribution network disturbance or degradation, the President shall—

(A) an analysis of the extent to which the economy of the United States would be protected, verified, and uncorrupted status which the preservation of data in a protected, verified, and uncorrupted status would be required for the quick recovery of the economy of the United States in the face of a significant disruption following a significant event; and

(B) any other information and analysis determined to be necessary by the President.
SA 1751. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriate relief in the fiscal year for the military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and to direct the Secretary, in consultation with the Secretary of Homeland Security and in consultation with the Chief of the National Guard Bureau, to conduct a pilot program to assess the feasibility and capability of the development of a capability within the National Guard through which a National Guard of a State remotely provides cybersecurity technical assistance in training, preparation, and response to cyber incidents.

(a) PILOT PROGRAMS AUTHORIZED.—The Secretary of the Army and the Secretary of the Air Force may each, in coordination with the Secretary of Homeland Security and in consultation with the Chief of the National Guard Bureau, conduct a pilot program to assess the feasibility and capability of the development of a capability within the National Guard through which a National Guard of a State remotely provides cybersecurity technical assistance in training, preparation, and response to cyber incidents. If such Secretary elects to conduct such a pilot program, such Secretary shall be known as an “administering Secretary” for purposes of this section, and any reference in this section to “the pilot program” shall be treated as a reference to the pilot program conducted by such Secretary.

(b) ASSESSMENT PRIOR TO COMMENCEMENT.—For purposes of evaluating existing platforms, technologies, and capabilities under subsection (c), and for establishingeligibility and participation requirements of the pilot program, an administering Secretary, in consultation with the Chief of the National Guard Bureau, shall, prior to commencing the pilot program—

(1) conduct an assessment of—
(A) existing cyber response capacities of the Army National Guard or Air National Guard, as applicable, in each State; and
(B) any existing platform, technology, or capability of a National Guard that provides the capability described in subsection (a);
and
(2) determine whether a platform, technology, or capability described in paragraph (1)(B) is suitable for expansion for purposes of the pilot program.

c) ELEMENTS.—A pilot program under subsection (a) shall include the following:

(1) A technical capability that enables the National Guard, remotely, to provide cybersecurity technical assistance to State governments and National Guards of other States, without the need to deploy outside its home State.

(2) Policies, processes, procedures, and authorities for use of such a capability, including with respect to the following:
(A) The roles and responsibilities of both requesting and deploying State governments and National Guards with respect to such technical assistance, taking into account the matters specified in the pilot program.
(B) Necessary updates to the Defense Cyber Incident Coordinating Procedure, or any other applicable Department of Defense instruction, for purposes of implementing the capability.

(c) Program management and governance structures for deployment and maintenance of the capability.

(d) Security when performing remote support, including in such matters as authentication and authorization.

(3) The conduct, in coordination with the Chief of the National Guard Bureau and the Secretary of Homeland Security and in consultation with the Federal Bureau of Investigation, other Federal agencies, and appropriate non-Federal entities, at least one exercise to demonstrate the capability, which exercise shall include the following:

(A) Participation of not fewer than two State governments and their National Guards.

(B) Circumstances designed to test and validate the policies, processes, procedures, and authorities developed pursuant to paragraph (2).

(c) AN after action review of the exercise.

(d) USE OF EXISTING TECHNOLOGY.—An administering Secretary may use an existing platform, technology, or capability to provide the capability described in subsection (a) under the pilot program.

(e) ELIGIBILITY AND PARTICIPATION REQUIREMENTS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau, establish requirements with respect to eligibility and participation of State governments and their National Guards in the pilot program.

(f) CONSTRUCTION WITH CERTAIN CURRENT AUTHORITY.—Nothing in a pilot program under subsection (a) may be construed as affecting or altering the command authorities otherwise applicable to any unit of the National Guard unit participating in the pilot program.
him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense directions that exist among field offices in the implementation of such standards.

(b) Report Required.—(1) IN GENERAL.—Not later than 90 days after the completion of the review under subsection (a), the Secretary shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives containing the findings of the review.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, except that the report may include a classified annex, if necessary.

SA 1753. Mr. Peters submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense weaknesses for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle F of title X, insert the following:

SEC. 10. REPORT AND REPORT ON NON-CONTAINERIZED CARGO STANDARDS.

(a) REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct a review of U.S. Customs and Border Protection standards for screening incoming noncontainerized cargo that identifies any differences that exist among field offices in the implementation of such standards.

(b) Report Required.—(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives containing the findings of the review.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, except that the report may include a classified annex, if necessary.

SA 1754. Mrs. Gillibrand (for herself, Mr. Schumer, and Ms. Duckworth) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense weaknesses that exist among field offices in the implementation of such standards.

SA 1755. Mrs. Gillibrand (for herself and Ms. Collins) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense weaknesses that exist among field offices in the implementation of such standards.

SEC. 520. NONDISCRIMINATION WITH RESPECT TO SERVICE MEMBERS AND VETERANS. (a) IN GENERAL.—Chapter 37 of title 10, United States Code, is amended by inserting after section 651 the following new section: "§ 651a. Members: nondiscrimination standards for eligibility for service. Any personnel policy developed or implemented by the Department of Defense with respect to members of the armed forces shall ensure equality of treatment and opportunity for all persons in the armed forces, without regard to race, color, national origin, religion, or sex (including gender identity or sexual orientation) of an individual."

(b) EQUALITY OF TREATMENT IN SERVICE.—Any personnel policy developed or implemented by the Department of Defense with respect to members of the armed forces shall ensure equality of treatment and opportunity for all persons in the armed forces, without regard to race, color, national origin, religion, or sex (including gender identity or sexual orientation) of an individual.

(c) GENDER IDENTITIES DEFINED.—In this section, the term ‘gender identity’ means the gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual’s designated sex at birth.

(d) RULE OF CONSTRUCTION.—Nothing in this section relieves a member from meeting applicable military and medical standards, including deployability, or requires retention of the member in service if the member fails to meet such standards.
SA 1756. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 8. EXPANSION OF OPEN BURN PIT REGISTRY OF DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE OPEN BURN PIT SITES USED IN SYRIA AND EGYPT.

Section 201(c)(2) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note) is amended, in the matter preceding subparagraph (A), by striking "or Iraq" and inserting "Iraq; Syria; or Egypt".

SA 1757. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 9. CONCURRENT RECEIPT OF VOLUNTARY SEPARATION PAY AND VETERANS DISABILITY COMPENSATION.

(a) Voluntary Separation Pay for Transfer to the Reserves.—Section 1175a(c)(4) of title 10, United States Code, is amended by striking "but there shall be deducted" and all that follows through the end of the paragraph and inserting a period.

(b) Voluntary Separation Pay Pay.—Section 1175a(h) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking "AND DISABILITY COMPENSATION"; and

(2) in paragraph (2)—

(A) by striking "(A) Except as provided in subparagraphs (B) and (C), a member" and inserting "A member";

(B) by striking "but there shall be" and all that follows through "Income Revenue Code of 1986"; and

(C) by striking subparagraphs (B) and (C).

(c) Coordination With Concurrent Receipt Limitation.—Section 5304(a) of title 38, United States Code, is amended by adding at the end the following: 

"(3) Paragraph (1) of this subsection does not apply to an award of voluntary separation incentive pay under section 1175 of title 10 or voluntary separation pay under section 1175a of that title."

SA 1758. Mrs. BLACKBURN (for herself, Mr. MENENDEZ, Mr. SCOTT of Florida, and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 300A. OPEN TECHNOLOGY FUND.

(a) Authority.—

(1) ESTABLISHMENT.—There is established the Open Technology Fund, which shall carry out this section.

(2) USE OF GRANT FUNDS.—The Open Technology Fund shall use grant funds received pursuant to subsection (a)(2) to—

(A) provide for an annual grant to the Open Technology Fund to reflect current mission needs to support the Open Technology Fund; and

(B) support research, development, and implementation of technologies that are secure, transparent, and competitive.

(3) TECHNICAL ASSISTANCE.—The Open Technology Fund shall provide technical assistance to governments, the private sector, and civil society organizations to enable the establishment and implementation of laws, regulations, and policies that support the development and widespread adoption of Internet freedom technologies.

(4) INFORMATION SHARING.—The Open Technology Fund shall provide technical assistance to governments, the private sector, and civil society organizations to enable the establishment and implementation of laws, regulations, and policies that support the development and widespread adoption of Internet freedom technologies.

(5) USE OF GRANT FUNDS.—The Open Technology Fund shall use grant funds received pursuant to subsection (a)(2) to—

(A) support fully open-source tools, code, and components, to the extent practicable, to ensure such supported technologies are accessible, transparent, and secure;

(B) require that any such tools, components, code, or technology supported by the Open Technology Fund remain fully open-source, to the extent practicable;

(C) support fully open-source tools, code, and components, to the extent practicable, to ensure such supported technologies are accessible, transparent, and secure;

(D) require that any such tools, components, code, or technology supported by the Open Technology Fund remain fully open-source, to the extent practicable.

"(c) Methooodology.—In carrying out subsection (b), the Open Technology Fund shall—

(1) provide for an annual grant to the Open Technology Fund to reflect current mission needs to support the Open Technology Fund; and

(2) support research, development, and implementation of technologies that are secure, transparent, and competitive.

"(d) TECHNICAL ASSISTANCE.—The Open Technology Fund shall provide technical assistance to governments, the private sector, and civil society organizations to enable the establishment and implementation of laws, regulations, and policies that support the development and widespread adoption of Internet freedom technologies.

"(e) Use of Grant Funds.—The Open Technology Fund shall use grant funds received pursuant to subsection (a)(2) to—

(A) provide for an annual grant to the Open Technology Fund to reflect current mission needs to support the Open Technology Fund; and

(B) support research, development, and implementation of technologies that are secure, transparent, and competitive.

"(f) Information Sharing.—The Open Technology Fund shall provide technical assistance to governments, the private sector, and civil society organizations to enable the establishment and implementation of laws, regulations, and policies that support the development and widespread adoption of Internet freedom technologies.

"(g) Use of Grant Funds.—The Open Technology Fund shall use grant funds received pursuant to subsection (a)(2) to—

(A) provide for an annual grant to the Open Technology Fund to reflect current mission needs to support the Open Technology Fund; and

(B) support research, development, and implementation of technologies that are secure, transparent, and competitive.
“(7) implement an independent review process, through which proposals are reviewed by such experts to ensure the highest degree of technical review and due diligence;”

“(8) in consultation with the public and private sectors, foreign allies, and partner countries to maximize efficiencies and eliminate duplication of efforts; and”

“(9) any other methodology approved by the United States Agency for Global Media in furtherance of the mission of the Open Technology Fund.”

“(d) GRANT AGREEMENT.—Any grant agreement with, or grants made to, the Open Technology Fund under this section shall be subject to the following limitations and restrictions:

“(1) The headquarters of the Open Technology Fund and its senior administrative and managerial staff shall be located in a location which ensures economy, operational effectiveness, and accountability to the United States Agency for Global Media.

“(2) Grants awarded under this section shall be made pursuant to a grant agreement requiring that:

“(A) grant funds are only used for activities consistent with this section; and

“(B) failure to comply with such requirement shall result in termination of the grant without further fiscal obligation to the United States Government.

“(3) Each grant agreement under this section shall require that each contract entered into by the Open Technology Fund specify that:

“(A) should be kept to a minimum; and

“(B) to the maximum extent feasible, should not exceed the costs that would have been incurred if the Open Technology Fund had been operated as a Federal entity rather than as a grantee.

“(4) Each grant agreement under this section shall require that any lease agreements entered into by the Open Technology Fund shall be, to the maximum extent possible, assignable to the United States Government.

“(5) Grant and managerial costs for operation of the Open Technology Fund—

“(A) be kept to a minimum; and

“(B) to the maximum extent feasible, should not exceed the costs that would have been incurred if the Open Technology Fund had been operated as a Federal entity rather than as a grantee.

“(6) Grant funds may not be used for any activity whose purpose is influencing the passage or defeat of legislation considered by Congress.

“(e) RELATIONSHIP TO THE UNITED STATES AGENCY FOR GLOBAL MEDIA.—

“(1) IN GENERAL.—The Open Technology Fund is not a Federal agency or instrumentality by the United States Agency for Global Media in accordance with section 305.

“(2) ASSISTANCE.—The United States Agency for Global Media, its broadcast entities, and the Open Technology Fund should render such assistance to each other as may be necessary to carry out the purposes of this section and the Open Technology Fund consistent with this provision under this Act.

“(f) NOT A FEDERAL AGENCY OR INSTRUMENTALITY.—Nothing in this section may be construed to make the Open Technology Fund an agency or instrumentality of the Federal Government.

“(g) DETAILEE.—Employees of a grantee of the Open Technology Fund shall ensure that any detailees are deconflicted from other United States Government departments. Agencies shall still share information and best practices relating to the implementation of subsections (b) and (c).

“(1) ANNUAL REPORT.—The Open Technology Fund shall highlight, in its annual report, internet freedom activities, including a comprehensive assessment of the Open Technology Fund’s activities relating to the implementation of subsections (b) and (c), which shall include:

“(A) an assessment of the current state of global internet freedom, including:

“(i) trends in censorship and surveillance technologies as it appears; and

“(ii) the threats such pose to journalists, citizens, and human rights and civil society organizations; and

“(B) a description of the technology projects supported by the Open Technology Fund and the associated impact of such projects in the most recently completed year.

“(2) IMPLEMENT AN INDEPENDENT REVIEW—

“(i) the countries and regions in which such technologies were deployed;

“(ii) any associated metrics indicating audience usage of such technologies; and

“(iii) future-year technology project initiatives.

“(3) ASSESSMENT OF THE EFFECTIVENESS OF THE OPEN TECHNOLOGY FUND.—Not later than 2 years after the date of the enactment of this section, the Inspector General of the Department of State shall submit a report to the appropriate congressional committees that indicates:

“(A) whether the Open Technology Fund is:

“(i) technically sound;

“(ii) cost effective; and

“(iii) satisfying the requirements under this section; and

“(B) the extent to which the interests of the United States are being served by maintaining the work of the Open Technology Fund.

“(4) AUDIT AUTHORITIES.—

“(1) IN GENERAL.—Financial transactions of the Open Technology Fund that relate to functions carried out under this section may be audited by the Government Accountability Office in accordance with such principles and procedures as may be prescribed by the Comptroller General of the United States.

“(2) ACCESS BY GAO.—The Government Accountability Office shall have access to all books, accounts, records, reports, files, papers, and property belonging to or in use by the Open Technology Fund pursuant to financial transactions as may be necessary to facilitate an audit. The Government Accountability Office shall be afforded full facilities for verifying transactions with any assets held by depositories, fiscal agents, and custodial agents, accounts, records, reports, files, papers, and property of the Open Technology Fund to remain in the possession and custody of the Open Technology Fund.

“(5) EXERCISE OF AUTHORITIES.—Notwithstanding any other provision of law, the Inspector General of the Department of State and the Foreign Service is authorized to exercise the authorities of the Inspector General under section 6209 of any other law with respect to the Open Technology Fund.

“(6) USE OF FUNDS.—The Open Technology Fund shall be used to carry out section 309A of the United States International Broadcasting Act of 1994, as added by paragraph (1)—

“(A) $20,000,000 for fiscal year 2021; and

“(B) $25,000,000 for fiscal year 2022.

“(e) UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1999 (22 U.S.C. 6553) is amended by striking “October 1, 2020” and inserting “October 1, 2025.”

“SA 1759. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of 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. 2. ELIGIBILITY OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR CERTAIN SMALL BUSINESS ADMINISTRATIVE OFFICES.


“(1) in section 21(a) (15 U.S.C. 638(a))—

“(A) in paragraph (1), by inserting before “The Administration shall require” the following new sentence: “The previous sentence shall not apply to an applicant that has its principal office located in the Commonwealth of the Northern Mariana Islands.”;

“(B) in paragraph (4)(E)(IX), by striking “American Samoa” and inserting “American Samoa, and the Commonwealth of the Northern Mariana Islands”; and

“(2) in section 34(a)(9) (15 U.S.C. 657d(a)(9)), by striking “and” and inserting “American Samoa, and the Commonwealth of the Northern Mariana Islands”.

“SA 1760. Mr. MORAN (for himself, Mr. TESTER, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 8. MODIFICATION TO FIRST DIVISION MONUMENT.

“(a) AUTHORIZATION.—The Society of the First Infantry Division may make modifications to the First Division Monument located on Federal land in President’s Park in the District of Columbia to honor the dead of the First Infantry Division, United States Forces, in—
SA 1762. Mr. MURPHY (for himself, Mr. BLUMENTHAL, Ms. WARREN, Mr. MARKET, and Mr. BINDER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 129c. Force structure decisions: criteria used in assessments; public availability of criteria.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘Department of Defense enforcement officer’’ means an officer in a position in the Department of Defense who is authorized by law to engage in or supervise a law enforcement function;

(2) the term ‘‘Department of Defense law enforcement officer’’ means an employee in a position in the Department of Defense who is authorized by law to engage in or supervise a law enforcement function.

(b) REQUIREMENT.—On and after the date that is 30 days after the date of enactment of this Act, each Department of Defense law enforcement officer, Department of Defense contractor employee, Department of Defense contractor employee, Department of Defense contractor employee, and Department of Defense contractor employee, shall make available to the public the criteria to be used by the Department of Defense in selecting the installation for modernization or force structure changes, including applicable criteria specified in subsection (a) and such other criteria as will be used in making the decision.

(Sec. 1656. Report on electromagnetic pulse hardening of ground-based strategic deterrent weapons system.)

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on establishing requirements and protocols to ensure that the ground-based strategic deterrent weapons system is hardened against electromagnetic pulse testing.

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

(1) The testing protocols the ground-based strategic deterrent program will use for electromagnetic pulse testing.

(2) How requirements for electromagnetic pulse hardening of ground-based strategic deterrence systems will be integrated into the ground-based strategic deterrent program.

(3) Plans for electromagnetic pulse verification tests of the ground-based strategic deterrence system.

(4) Plans for electromagnetic pulse testing of the ground-based strategic deterrence system.

(5) Plans to sustain electromagnetic pulse hardening of the ground-based strategic deterrent weapons system.

SA 1764. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 129e. Force structure decisions: criteria used in assessments; public availability of criteria.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘Department of Defense contractor employee’’ means an employee or officer of a contractor employed by an entity described in section 101(a)(4) of title 10, United States Code, or a member of the National Guard, as defined in section 101(c) of title 32, United States Code.

(b) REQUIREMENT.—On and after the date that is 30 days after the date of enactment of this Act, each Department of Defense law enforcement officer, Department of Defense contractor employee, Department of Defense contractor employee, and Department of Defense contractor employee, shall make available to the public the criteria to be used by the Department of Defense in selecting the installation for modernization or force structure changes, including applicable criteria specified in subsection (a) and such other criteria as will be used in making the decision.

(Sec. 1657. Concurrent use of department of defense education assistance and Montgomery GI Bill-selected reserve benefits.)

(a) IN GENERAL.—Section 1633 of title 10, United States Code, is amended by adding at the end the following new subsection:

‘‘(k) In the case of an individual entitled to educational assistance under this chapter who is pursuing education or training described in subsection (a) or (c) of section 2007 of this title on a half-time or more basis, the Secretary shall consider the enrollment of the individual, pay the individual educational assistance allowance under this
chapter for pursuit of such education or training as if the individual were not also eligible to receive or in receipt of educational assistance under section 2007 for pursuit of such education or training.

“(2) (A) In the case of an individual entitled to educational assistance under this chapter who is pursuing education or training described in subsection (b) or (c) of section 1606 of this title on a less than half-time basis, the Secretary concerned shall, at the election of the individual, pay the individual an educational assistance allowance to meet all or a portion of the charges of the educational institution for tuition or expenses for the education or training that are not paid by the Department of Defense, in coordination with the Secretary concerned, so that through such partnerships, all can benefit from each other's investment and expertise, ensuring United States leadership in the industries of the future;

(B)(i) The amount of the educational assistance allowance provided to an individual under this paragraph for a month shall be the amount of the educational assistance allowance to which that individual would be entitled for the month under subsection (b), (d), (e), or (f).

(ii) The number of months of entitlement charged under this chapter in the case of an individual who is paid an educational assistance allowance under this paragraph shall equal to the number (including any fraction) determined by dividing the total amount of educational assistance allowance paid the individual by the full-time monthly institutional rate of educational assistance which such individual would otherwise receive under paragraph (b), (d), (e), or (f) of section 1606 of this title before the period at the end.

SA 1766. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lies on the table; as follows:

At the end of section A of title X, add the following:

SEC. 1. SHORT TITLE.

This subtitle may be cited as the "Industries of the Future Act of 2020".

SEC. 2. SENSE OF CONGRESS ON INVESTMENT AND DEVELOPMENT FOCUSED ON INDUSTRIES OF THE FUTURE.

(a) In general.—Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit to Congress a report on research and development investments across the Federal government as follows:

(1) A definition, for purposes of this Act, of the term "industries of the future" that includes emerging technologies.

(2) An assessment of the current baseline of investments in civilian research and development efforts focused on industries of the future, such as artificial intelligence, quantum information science, bioinformation, and wireless networks and infrastructure, advanced manufacturing, and synthetic biology.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A definition, for purposes of this Act, of the term "industries of the future" that includes emerging technologies.

(2) An assessment of the current baseline of investments in civilian research and development efforts focused on industries of the future, such as artificial intelligence, quantum information science, bioinformation, and wireless networks and infrastructure, advanced manufacturing, and synthetic biology.

(3) A plan to double such baseline investments in artificial intelligence and quantum information science by fiscal year 2022.

(4) A detailed plan to increase investments described in paragraphs (2), (3), and (4) in industries of the future to $10,000,000,000 per year by fiscal year 2025.

(5) A plan to leverage investments described in paragraphs (2), (3), and (4) in industries of the future to elicit complementary investments by non-Federal entities to the greatest extent practicable.

(6) Proposed legislation to implement such plans.

SEC. 3. REPORT ON FEDERAL RESEARCH AND DEVELOPMENT FOCUSED ON INDUSTRIES OF THE FUTURE.

(a) Establishment.—The President shall establish or designate a council to advise the Director of the Office of Science and Technology Policy on matters relevant to the Director and the industries of the future as follows:

(1) A chairperson of the Subcommittee on Research and Development of the Senate Appropriations Committee and the House of Representatives a report on the following:

(1) The number of individuals who separated from the Armed Forces by chapter 86 of title 10, United States Code, for the purpose of attending a post-secondary educational institution during the two-year period preceding the submittal of the report.

(2) Of the individuals described in paragraph (1) who did not receive a Separation History and Physical Examination from the Department of Defense.

(3) Of the individuals described in paragraph (2), the number who applied for benefits from the Department of Veterans Affairs.

(b) Members.——The President shall appoint the following:

(1) An expert who is a practicing scientist or engineer.

(2) An expert who is a military officer.

(3) An expert who is an academic.

(4) An expert who is a practitioner of law.

(5) An expert who is an industry leader.

(6) An expert who is a labor leader.

(7) An expert who is a member of the armed forces.

(8) An expert who is a veteran or a survivor of a veteran.

(9) An expert who is a member of an organization representing consumers.

(10) An expert who is a member of an organization representing the federal government.

(11) An expert who is a member of an organization representing the private sector.

(12) An expert who is a member of an organization representing the state and local governments.

(c) Responsibility.——The council shall:

(1) Identify industry research initiatives in the United States that are of particular importance in industries of the future;

(2) Determine the extent to which Federal investments in the councils' identified research initiatives are of particular importance to industries of the future;

(3) Determine the extent to which Federal investments in the councils' identified research initiatives are needed for United States leadership in industries of the future.

(d) Authorization.——The council shall:

(1) Identify industry research initiatives in the United States that are of particular importance in industries of the future;

(2) Determine the extent to which Federal investments in the councils' identified research initiatives are of particular importance to industries of the future;

(3) Determine the extent to which Federal investments in the councils' identified research initiatives are needed for United States leadership in industries of the future.

(4) The United States must encourage opportunities for collaboration between the Federal Government and the private sector so that through such partnerships, all can benefit from each other's investment and expertise, ensuring United States leadership in the industries of the future;

(5) In order for the United States to maintain its global economic edge, Federal investments must be made in research and development efforts focused on industries of the future, such as artificial intelligence, quantum information science, bioinformation, and wireless networks and infrastructure, advanced manufacturing, and synthetic biology.

SEC. 4. INDUSTRIES OF THE FUTURE COORDINATION COUNCIL.

(a) Establishment.—The President shall establish or designate a council to advise the Director of the Office of Science and Technology Policy on matters relevant to the Director and the industries of the future as follows:

(1) A chairperson of the Subcommittee on Research and Development of the Senate Appropriations Committee and the House of Representatives a report on the following:

(1) The number of individuals who separated from the Armed Forces by chapter 86 of title 10, United States Code, for the purpose of attending a post-secondary educational institution during the two-year period preceding the submittal of the report.

(2) Of the individuals described in paragraph (1) who did not receive a Separation History and Physical Examination from the Department of Defense.

(3) Of the individuals described in paragraph (2), the number who applied for benefits from the Department of Veterans Affairs.

(b) Members.——The President shall appoint the following:

(1) An expert who is a practicing scientist or engineer.

(2) An expert who is a military officer.

(3) An expert who is an academic.

(4) An expert who is a practitioner of law.

(5) An expert who is an industry leader.

(6) An expert who is a labor leader.

(7) An expert who is a member of the armed forces.

(8) An expert who is a veteran or a survivor of a veteran.

(9) An expert who is a member of an organization representing consumers.

(10) An expert who is a member of an organization representing the federal government.

(11) An expert who is a member of an organization representing the private sector.

(12) An expert who is a member of an organization representing the state and local governments.

(13) An expert who is a member of an organization representing the United States intelligence community.

(14) An expert who is a member of an organization representing the United States Department of Defense.

(15) An expert who is a member of an organization representing the United States Department of Energy.

(16) An expert who is a member of an organization representing the United States Department of Transportation.

(17) An expert who is a member of an organization representing the United States Department of Agriculture.

(18) An expert who is a member of an organization representing the United States Department of Commerce.

(19) An expert who is a member of an organization representing the United States Department of Homeland Security.

(20) An expert who is a member of an organization representing the United States Department of Labor.

(21) An expert who is a member of an organization representing the United States Department of Health and Human Services.

(22) An expert who is a member of an organization representing the United States Department of Housing and Urban Development.

(23) An expert who is a member of an organization representing the United States Department of Transportation.

(24) An expert who is a member of an organization representing the United States Department of Education.

(25) An expert who is a member of an organization representing the United States Department of Veterans Affairs.

(26) An expert who is a member of an organization representing the United States Department of Commerce.

(27) An expert who is a member of an organization representing the United States Department of Homeland Security.

(28) An expert who is a member of an organization representing the United States Department of Education.

(c) Responsibility.——The council shall:

(1) Identify industry research initiatives in the United States that are of particular importance in industries of the future;

(2) Determine the extent to which Federal investments in the council's identified research initiatives are of particular importance to industries of the future;

(3) Determine the extent to which Federal investments in the council's identified research initiatives are needed for United States leadership in industries of the future.

(d) Authorization.——The council shall:

(1) Identify industry research initiatives in the United States that are of particular importance in industries of the future;

(2) Determine the extent to which Federal investments in the council's identified research initiatives are of particular importance to industries of the future;

(3) Determine the extent to which Federal investments in the council's identified research initiatives are needed for United States leadership in industries of the future.
SEC. 1144. SUPPORT TO TRANSITION ASSISTANCE PROGRAMS.

(a) Amendments in Title 38.—The amendment made by section 1144(a) of title 38, United States Code, relating to the submittal of claims to the Secretary of Veterans Affairs for compensation under chapter 11 or 13 of title 38, United States Code, shall be construed as authorizing the Secretary of Defense, after the date of the enactment of this Act, to provide the Department of Defense to offer—

(1) transitioning and support to transition assistance programs of a veteran service organization that are carried out under section 1144 of title 10, United States Code, to members of the Armed Forces stationed at military installations to be present at any portion of the Armed Forces stationed at such installations.

(b) Representation of Military Personnel.—Any representative of a veteran service organization authorized to provide transitioning and support to transition assistance programs under subsection (a) of this section shall be present at any portion of the Armed Forces stationed at any military installation to be present at any portion of such military installation.

(c) Assistance to State and local governments.—The Department of Defense shall—

(1) coordinate with and utilize relevant existing partnerships and other multisector collaborations to advance the industries of the future.

(2) develop the workforce that will support the modern defense mission.

(3) expand outreach to veterans impacted by Don’t Ask, Don’t Tell or similar policy prior to enactment of this Act.

(d) Expansion of Outreach.—The Department of Defense shall—

(1) expand outreach to veterans impacted by Don’t Ask, Don’t Tell or similar policy prior to the enactment of this Act.

(e) Assistance to Public and Private Entities.—The Department of Defense shall—

(1) assist non-Federal Entities in providing services to veterans, to the extent possible, coordinate and conduct outreach to impacted veterans through the Veterans community and networks, including through the Department of Veterans Affairs and veterans service organizations, that ensures veterans understand the review process and are available to them for upgrading military records.

(f) Veterans Service Organization.—The Secretary of Defense shall, whenever possible, coordinate and conduct outreach to impacted veterans through the Veterans community and networks, including through the Department of Veterans Affairs and veterans service organizations, that ensures veterans understand the review process and that are available to them for upgrading military records.

(g) National Science and Technology Council.—The Department of Defense shall—

(1) provide a report to Congress on participation of veterans service organizations in the program carried out under section 1144 of title 10, United States Code.

(h) Public Law 116-92.—Nothing in this section shall be construed as authorizing the Secretary of Defense to offer—

(1) an endorsement or endorsement of a particular veterans service organization to carry out a program carried out under section 1144 of title 10, United States Code.

(i) Veterans Service Organization.—The Secretary of Defense shall—

(1) submit to Congress a report on participation of veterans service organizations in the program carried out under section 1144 of title 10, United States Code.

(j) Consolidation.—In this section, the term ''veterans'' includes academy, industry, and nonprofit organizations.

(k) Coordination.—The Secretary of Defense shall—

(1) provide the Director with advice on matters relevant to the report required by section 1144.
Secretary shall terminate the Tiger Team.

(II) A description of the manner in which the work described in clauses (i) and (II) of subparagraph (A) will be carried out, including an allocation of the work among the Tiger Team and the external stakeholders.

(C) A schedule for the implementation, carrying out, and completion of the plan required under subparagraph (A).

(D) A description of the additional funding, personnel, or other resources of the Department of Defense, for military construction, and defense activities of the Department of Energy, to prescribe military activities of the Department of Energy, to prescribe military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SA 1772, Mr. SCHATZ (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SA 1771. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of 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. 3 . ASSESSMENT OF RISKS TO DEFENSE COMMUNITIES.

(a) PROGRAM.—The Secretary of Defense shall establish a program that ensures that the Secretary of each military department is able to—

(1) conduct exercises to assess and to the degree feasible quantify the potential impact of current and projected risks to military installation resilience resulting from vulnerabilities to critical infrastructure inside and outside of the military installation, including community infrastructure not under the jurisdiction of the Secretary concerned; and

(2) improve collaboration and information sharing ofcri tical infrastructure vulnerabilities with stakeholders in the civilian community that are necessary to reduce the risks to military installation resilience.

(b) VULNERABILITY ASSESSMENTS.—In carrying out the program under subsection (a), consistent with the use of military installation resilience and State-owned installations of the National Guard to ensure the readiness of the armed forces, the Secretary of each military department shall assess current and projected vulnerabilities related to military installation infrastructure and community infrastructure that impact military installation resilience described in section 2864(c) of this title, including vulnerabilities resulting from interdependencies in the following critical infrastructure sectors:

SEC. 2816. Defense community vulnerability assessments and exercises
resilience component of the installation master plans of the Department of Defense under section 2864 of this title;

(2) modeling and analytical products described in paragraph (1); and

(3) any additional material used to inform the conduct of the exercises under paragraph (1).

(1) The Secretary of each military department shall conduct an exercise under paragraph (1) each year, the name and location of each military installation where an assessment and exercise was conducted under this section in the previous year, and for other purposes; which was—

(a) the term ‘Commission’ means the Federal Emergency Management Agency;

(b) the term ‘Commission’ means the Federal Emergency Management Agency; and

(c) the term ‘Commission’ means the Federal Emergency Management Agency.

SEC. 02. DEFINITIONS.

(a) DEFINITIONS.—In this section—

(1) the term ‘SECC’ means a State Emergency Alert Distribution Improvement Program under section 2816 of this title;

(2) the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States; and

(3) the term ‘State EAS Plan’ means a State Emergency Alert System Plan.

SA 1773. Mr. SCHATZ (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year for other purposes; which was ordered to lie on the table; as follows:

At appropriate place, insert the following:

Subtitle.—READI Act

SEC. 01. SHORT TITLE.

This subtitle may be cited as the ‘‘Reliable Emergency Alert Distribution Improvement Act of 2020’’ or ‘‘READI Act’’.

SEC. 02. DEFINITIONS.

In this subtitle—

(a) the term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency;

(b) the term ‘’ means the Federal Communications Commission;

(c) the term ‘Commission’ means the Federal Communications Commission;

(d) the term ‘Commission’ means the Federal Communications Commission; and

(e) the term ‘Commission’ means the Federal Communications Commission.

SA 1773. Mr. SCHATZ (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year for other purposes; which was ordered to lie on the table; as follows:

At appropriate place, insert the following:

Subtitle.—READI Act

SEC. 01. SHORT TITLE.

This subtitle may be cited as the ‘‘Reliable Emergency Alert Distribution Improvement Act of 2020’’ or ‘‘READI Act’’.

SEC. 02. DEFINITIONS.

In this subtitle—

(a) the term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency;

(b) the term ‘’ means the Federal Communications Commission;

(c) the term ‘Commission’ means the Federal Communications Commission;

(d) the term ‘Commission’ means the Federal Communications Commission; and

(e) the term ‘Commission’ means the Federal Communications Commission.

SA 1773. Mr. SCHATZ (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year for other purposes; which was ordered to lie on the table; as follows:

At appropriate place, insert the following:

Subtitle.—READI Act

SEC. 01. SHORT TITLE.

This subtitle may be cited as the ‘‘Reliable Emergency Alert Distribution Improvement Act of 2020’’ or ‘‘READI Act’’.

SEC. 02. DEFINITIONS.

In this subtitle—

(a) the term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency;
SEC. 05. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM GUIDANCE.

(a) In general.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop and issue guidance on how State, Tribal, and local governments may participate in the integrated public alert and warning system of the United States described in section 526 of the Homeland Security Act of 2002 (6 U.S.C. 321o) (referred to in this section as the “public alert and warning system”) while maintaining the integrity of the public alert and warning system, including—

(1) guidance on the categories of public emergencies and appropriate circumstances that warrant an alert and warning from State, Tribal, and local governments using the public alert and warning system;

(2) procedures for State, Tribal, and local government officials to authenticate civil emergencies and initiate, modify, and cancel alerts transmitted through the public alert and warning system, including protocols and technology capabilities for—

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

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

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

(3) the standardization, functionality, and interoperability of incident management and warning tools used by State, Tribal, and local governments to notify the public of an emergency through the public alert and warning system;

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

(5) the procedures, protocols, and guidance concerning the protective action plans that State, Tribal, and local governments should issue to the public following an alert issued under the public alert and warning system;

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

(7) a plan by which State, Tribal, and local government officials may, during an emergency, contact each other as well as Federal officials and participants in the Emergency Alert System and the Wireless Emergency Alert System, when appropriate for maintaining the integrity of the public alert and warning system;

(b) Coordination with National Advisory Council.—The Administrator shall ensure that the guidance developed under subsection (a) do not conflict with recommendations made for improving the public alert and warning system provided in the report submitted by the National Advisory Council under section 2(b)(7)(B) of the Integrated Public Alert and Warning System Modernization Act of 2015 (Public Law 114–143; 130 Stat. 332).

(c) Public Consultation.—In developing the guidance under subsection (a), the Administrator shall ensure appropriate public consultation and, to the extent practicable, coordinate the development of the guidance with stakeholders of the public alert and warning system, including—

(1) appropriate personnel from Federal agencies, including the National Institute of Standards and Technology, the Federal Emergency Management Agency, and the Commission;

(2) representatives of State and local governments and emergency services personnel, who shall be selected from among individuals nominated by national organizations representing those governments and personnel;

(3) representatives of federally recognized Indian Tribes and national Indian organizations;

(4) communications service providers;

(5) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(6) third-party service bureaus;

(7) the national organization representing the licensees and permittees of noncommercial broadcast television stations;

(8) technical experts from the broadcasting industry;

(9) educators from the Emergency Management Institute; and

(10) other individuals with technical expertise as the Administrator determines appropriate.

(d) Inapplicability of FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the development of the guidance under this section.

(e) Rule of Construction.—Nothing in subsection (a) shall be construed to amend, supplement, or abridge the authority of the Commission under sections 6404 and 6421 of title 47, United States Code, to—

(1) establish a system to receive from the Administrator reports of false alerts transmitted through the public alert and warning system;

(2) prescribe military 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. 382. PROHIBITION ON CONSTRUCTING WALLS, FENCES, OR ASSOCIATED ROADS ON SOUTHERN BORDER OF UNITED STATES.

The Secretary of Defense may not use any of the amounts authorized in this Act to—

(1) provide support under section 264 of the United States Code for the construction with the construction of a wall or fence on the southern border of the United States or a road associated with such a wall or fence; and

(2) enter into an agreement to construct or provide support for the construction of such a wall, fence, or road;

SEC. 1775. Mr. BLUMENTHAL submitted a report to the Senate, in connection with the 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:

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

SEC. 08. INTERNET AND ONLINE STREAMING SERVICES EMERGENCY ALERT TRANSMISSION.

(a) Study.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for—

(1) the Commission to use the Emergency Alert System to inform the public of a natural disaster or emergency;

(2) the President; and

(3) the Administrator.

(b) Coordination with National Advisory Council.—In developing the rules under subsection (a), the Administrator shall ensure appropriate public consultation and, to the extent practicable, coordinate the development of the rules with stakeholders of the public alert and warning system, including—

(1) appropriate personnel from Federal agencies, including the National Institute of Standards and Technology, the Federal Emergency Management Agency, and the Commission;

(2) representatives of State and local governments and emergency services personnel, who shall be selected from among individuals nominated by national organizations representing those governments and personnel;

(3) representatives of federally recognized Indian Tribes and national Indian organizations;

(4) communications service providers;

(5) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(6) third-party service bureaus;

(7) the national organization representing the licensees and permittees of noncommercial broadcast television stations;

(8) technical experts from the broadcasting industry;

(9) educators from the Emergency Management Institute; and

(10) other individuals with technical expertise as the Administrator determines appropriate.

(c) Inapplicability of FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the development of the rules under this section.

(d) Rule of Construction.—Nothing in subsection (a) shall be construed to amend, supplement, or abridge the authority of the Commission under sections 6404 and 6421 of title 47, United States Code, to—

(1) establish a system to receive from the Administrator reports of false alerts transmitted through the public alert and warning system;
"(1) 10 years; and
"(2) the period the individual has already served in the uniformed services; or
"(3) is described in section 3311(b)(10)."

(2) CONFORMING AMENDMENTS.—Such section is amended—
(A) in subsection (a)—
(i) by striking paragraph (2); and
(ii) by striking "(1)"; and
(B) in subsection (b)(2), by striking "under subsection (b)(1)" and inserting "under subsection (b)(2)"; and
(C) in subsection (i)—
(i) in subparagraph (A), by inserting "and" after the semicolon;
(ii) by striking subparagraph (B); and
(iii) by redesignating subparagraph (C) as subparagraph (B).

(b) MODIFICATION OF TIME TO TRANSFER.—
(1) IN GENERAL.—Paragraph (1) of subsection (i) of such section is amended to read as follows:
"(1) TIME FOR TRANSFER.—Subject to the time limitation for use of entitlement under section 3322 of this title, and except as provided in subsection (k), an individual approved to transfer entitlement to educational assistance under this section may transfer it at any time.

(2) CONFORMING AMENDMENTS.—Such section is further amended—
(A) by amending subsection (g) to read as follows:
"(g) COMMENCEMENT OF USE.—If a dependent to whom entitlement to educational assistance is transferred under this section is a child, the dependent may not commence the use of the transferred entitlement until either—
"(i) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or
"(ii) the attainment by the child of 18 years of age.");
(B) by striking subsection (k); and
(C) by redesignating subsection (i) as subsection (k).

SA 1776. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

Subtitle E—Arbitration Rights of Members of the Armed Forces and Veterans

SEC. 641. SHORT TITLE.

This subtitle may be cited as the "Justice for Servicemembers Act".

SEC. 642. PURPOSES.

The purposes of this subtitle are—
(1) to prohibit predispute arbitration agreements that force arbitration of disputes arising from claims brought under chapter 43 of title 38, United States Code, and the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.); and
(2) to prohibit agreements and practices that interfere with the right of persons to participate in joint, class, or collective action related to disputes arising from claims brought under the provisions of the laws described in paragraph (1).

SEC. 643. ARBITRATION OF DISPUTES INVOLVING THE RIGHTS OF SERVICEMEMBERS AND VETERANS.

(a) In General.—Title 9, United States Code, is amended by adding at the end the following:

"CHAPTER 4—ARBITRATION OF SERVICE-MEMBER AND VETERAN DISPUTES

"Sec. 401. Definitions.
"(a) No validity or enforceability.

"401. Definitions.—"In this chapter—
"(1) the term ‘predispute arbitration agreement’ means an agreement to arbitrate a dispute that has not yet arisen at the time of the making of the agreement; and
"(2) the term ‘predispute joint-action waiver’ means an agreement, whether or not part of a predispute arbitration agreement, that if it is made after a specific dispute has arisen and the dispute is identified in the waiver before the period at the end; and
"(3) C ONFORMING AMENDMENTS.—Such section is not in conflict with chapter 4; and
"(C) in subsection (J), by inserting ‘and' before the period at the end.

(b) APPLICABILITY.—
"(1) IN GENERAL.—An issue as to whether this chapter applies with respect to a dispute shall be determined under Federal law. The applicability of this chapter to an agreement to arbitrate and the validity and enforceability of an agreement to which this chapter applies shall be determined by a court, rather than an arbitrator, irrespective of whether the party resisting arbitration challenges the arbitration agreement specifically or in conjunction with other terms of the contract containing such agreement, and irrespective of whether the agreement purports to delegate such determinations to an arbitrator.

"(2) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in this chapter shall apply to any arbitration provision in a contract between an employer and a labor organization or between labor organizations, except that no such arbitration provision shall have the effect of waiving the right of a worker to seek judicial enforcement of a right arising under a provision of the Constitution of the United States, a State constitution, or a Federal or State statute, or public policy arising therefrom.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—
(1) IN GENERAL.—Title 9, United States Code, is amended—
(A) in section 107(a) of the Servicemembers Civil Relief Act (50 U.S.C. 3901(b)) is amended—
(i) in the second sentence, by inserting ‘and if it is made after a specific dispute has arisen and the dispute is identified in the waiver before the period at the end.';
(ii) by adding at the end the following:
"(2) Application of amendments made by section 307 of title 38, United States Code (to the extent that this chapter applies with respect to any reimbursement received on or after the date of enactment of this Act).

(c) JUDICIAL WAIVER.—This subtitle, and the amendments made by this subtitle, shall apply with respect to any dispute or claim that arises or accrues on or after the date of enactment of this Act.

SA 1777. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 7, as follows:

SEC. 1005. REMOVAL OF LIMITATION ON REIMBURSEMENT FOR EMERGENCY TREATMENT OF AMOUNTS OWED TO A THIRD PARTY WHEN THE VETERAN IS RESPONSIBLE UNDER A HEALTH-PPLAN CONTRACT.

(a) In General.—Subsection (c)(4) of section 1725 of title 38, United States Code, is amended by striking subparagraph (D).

(b) Application of Amendment.—The amendment made by subsection (a) shall apply with respect to any reimbursement request under section 1725 of such title submitted to the Department of Veterans Affairs for emergency treatment furnished on or after February 1, 2010.

(c) Impact on Existing Court Case.—Nothing in this section or the amendment made by this section shall limit the rights of any member of the Wolf case seeking relief in Wolf v. Wilkie, No. 18-6901 (Vet. App. filed October 30, 2019).

(d) Definitions.—In this section:
"(1) EMERGENCY TREATMENT; HEALTH-PPLAN CONTRACT.—The terms ‘emergency treatment' and ‘health-plan contract' have the meanings given those terms in section 1725(f) of title 38, United States Code.

(2) Reimbursement Request.—The term ‘reimbursement request' means a claim by a veteran for reimbursement of a copayment, deductible, coinsurance, or similar
payment for emergency treatment furnished to the veteran in a non-Department of Veterans Affairs facility and made by a veteran who had coverage under a health-plan contract, in accordance with the value of emergency treatment that was rejected or denied by the Department of Veterans Affairs, whether the rejection or denial was final or not.

SA 1778. Ms. DUCKWORTH (for herself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 295. REPORT ON HAZARDOUS WASTE INCINERATORS USED TO DISPOSE OF PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES AND PERFLUOROOCTANOIC ACID.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that identifies each hazardous waste incinerator used by the Department of Defense to dispose of perfluoralkyl substances, polyfluoralkyl substances, and perfluorooctanoic acid.

SA 1779. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH SOUTHEAST ASIAN COUNTRIES.

(a) In General.—The Secretary of Defense, in consultation with the Secretary of State, may establish a program—

(1) to enhance the cyber security, resilience, and readiness of United States partners in Southeast Asia; and

(2) to increase regional cooperation between the United States and Southeast Asian countries on cyber issues.

(b) Locations.—The Secretary of Defense, in consultation with the Secretary of State, shall identify not fewer than three pilot countries identified under subsection (a) that—

(1) Provision of training to cybersecurity and computer science professionals in the pilot countries identified under subsection (a)

(2) An evaluation of legal and other barriers to reforms relevant to cybersecurity and technology in such pilot countries.

(c) Elements.—The activities of the pilot program under subsection (a) shall include the following:

SEC. 1262. PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH SOUTHEAST ASIAN COUNTRIES.

(a) In General.—The Secretary of Defense, in consultation with the Secretary of State, shall establish a program—

(1) to enhance the cyber security, resilience, and readiness of United States partners in Southeast Asia; and

(2) to establish cooperation between the United States and Southeast Asian countries on cyber issues.

(b) Locations.—The Secretary of Defense, in consultation with the Secretary of State, shall identify not fewer than three pilot countries in Southeast Asia, including Vietnam, in which the pilot program under subsection (a) shall be carried out.

(c) Elements.—The activities of the pilot program under subsection (a) shall include the following:

(1) Provision of training to cybersecurity and computer science professionals in the pilot countries identified under subsection (a)

(2) An expansion of the capacity of organizations involved in the training of such cybersecurity and computer science professionals.

(3) The facilitation of regular policy dialogues between and among the United States Government and the governments of such pilot countries.

(4) An evaluation of legal and other barriers to reforms relevant to cybersecurity and technology in such pilot countries.

(5) A feasibility study on establishing a public-private partnership to build cloud-computing capacity in such pilot countries and in Southeast Asia more broadly.

(6) The development of cooperative exercises, to be carried out in future years, to enhance collaboration between the United States Government and the governments of such pilot countries.

(d) Authorization of Appropriations.—There is authorized to be appropriated $5,000,000 for fiscal year 2021 to carry out this section.

(e) Reports.—

(1) Design of Pilot Program.—Not later than January 1, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the design of the pilot program under subsection (a).

(2) Progess Report.—Not later than December 31, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the progress report on the pilot program under subsection (a) that includes—

(A) a description of the activities conducted and the results of such activities; and

(B) an assessment of legal and other barriers to reforms relevant to cybersecurity and technology in the pilot countries identified under subsection (a).

(f) Authorization of Appropriations.—There is authorized to be appropriated $5,000,000 for fiscal year 2021 to carry out this section.

(g) Offset.—The amount authorized to be appropriated by this Act for operation and maintenance, Navy, and available for SAG ICCS for military information support operations, is hereby reduced by $5,000,000.

(h) Appropriations Committees of Congress Defined.—In this section—

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

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

SA 1780. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH SOUTHEAST ASIAN COUNTRIES.

(a) In General.—The Secretary of Defense, in consultation with the Secretary of State, shall establish a program—

(1) to enhance the cyber security, resilience, and readiness of United States partners in Southeast Asia; and

(2) to increase regional cooperation between the United States and Southeast Asian countries on cyber issues.

(b) Locations.—The Secretary of Defense, in consultation with the Secretary of State, shall identify not fewer than three pilot countries in Southeast Asia, including Vietnam, in which the pilot program under subsection (a) shall be carried out.

(c) Elements.—The activities of the pilot program under subsection (a) shall include the following:

(1) Provision of training to cybersecurity and computer science professionals in the pilot countries identified under subsection (a)

(2) An expansion of the capacity of organizations involved in the training of such cybersecurity and computer science professionals.

(3) The facilitation of regular policy dialogues between and among the United States Government and the governments of such pilot countries.

(4) An evaluation of legal and other barriers to reforms relevant to cybersecurity and technology in such pilot countries.

(5) A feasibility study on establishing a public-private partnership to build cloud-computing capacity in such pilot countries and in Southeast Asia more broadly.

(6) The development of cooperative exercises, to be carried out in future years, to enhance collaboration between the United States Government and the governments of such pilot countries.

(d) Authorization of Appropriations.—There is authorized to be appropriated $5,000,000 for fiscal year 2021 to carry out this section.

(e) Reports.—

(1) Design of Pilot Program.—Not later than January 1, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the design of the pilot program under subsection (a).

(2) Progress Report.—Not later than December 31, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the progress report on the pilot program under subsection (a) that includes—

(A) a description of the activities conducted and the results of such activities; and

(B) an assessment of legal and other barriers to reforms relevant to cybersecurity and technology in the pilot countries identified under subsection (a).

(f) Authorization of Appropriations.—There is authorized to be appropriated $5,000,000 for fiscal year 2021 to carry out this section.

(g) Offset.—The amount authorized to be appropriated by this Act for operation and maintenance, Navy, and available for SAG ICCS for military information support operations, is hereby reduced by $5,000,000.

(h) Appropriations Committees of Congress Defined.—In this section—

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

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.
the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for 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 1785. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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 I, insert the following:

SEC. 2. LIMITATION ON ALTERATION OF LARGE SURFACE COMBATANT MIX.

(a) SENATE OF CONGRESS.—It is the sense of Congress that—

(1) the United States shipbuilding and supporting industrial base constitute a national security imperative that is unique and must be protected;

(2) a healthy and efficient industrial base continues to be a fundamental driver for achieving and sustaining a successful shipbuilding procurement strategy;

(3) without consistent and continuous commitment to steady and predictable acquisition profiles, the industrial base will struggle and some elements may not survive; and

(4) proposed reductions in the future-years defense program for large surface combatants would adversely affect the shipbuilding base and long-term strategic objectives of the Navy.

(b) LIMITATION.—

(1) IN GENERAL.—The Secretary of the Navy may not reduce from the 2016 Navy Force Structure Assessment to implement the results of a new force structure assessment or new annual long-range plan for construction of naval vessels that base reduce the requirement for large surface combatants to fewer than 104 such vessels until the date on which the Secretary of the Navy submits to the congressional defense committees the certification under paragraph (1) and the report under subsection (c).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification, in writing, that each of the following conditions have been satisfied:

(A) the large surface combatant shipbuilding industrial base and supporting vendor base would not significantly deteriorate due to a reduced procurement profile.

(B) the shoulders of large surface combatants will remain viable, in terms of sufficient new construction ship procurement, to construct the next class of Large Surface Combatants.

(C) the Navy can mitigate the reduction in anti-air and ballistic missile defense capabilities due to having a reduced number of DDG–51 Destroyers with the advanced AN/SPY-6 radar in the next three decades.

(3) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that includes—

(A) a description of likely detrimental impacts of the large surface combatant mix on the industrial base and the Navy’s plan to mitigate any such impacts if the fiscal year 2021 future-years defense program were implemented;

(B) a review of the benefits to the Navy fleet of the new AN/SPY-6 radar to be deployed aboard Flight III variant DDG–51 Destroyers currently under construction, as well as an analysis of impacts to the fleet’s warfighting capabilities, should the number of such destroyers be reduced; and

(C) a plan to fully implement section 131 of the National Defense Authorization for Fiscal Year 2020 (Public Law 116–92), including subsystem prototyping efforts and funding by fiscal year.

SA 1786. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10. EXPANSION OF ELIGIBILITY FOR HOSPITAL CARE, MEDICAL SERVICES, AND SUBSEQUENT HOSPITAL CARE FROM THE DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE VETERANS WITH TYPE 1 DIABETES WHO HAVE BEEN EXPOSED TO A HERBICIDE AGENT.

The Comptroller General of the United States shall submit to Congress a report on how the Department of Veterans Affairs has handled claims for disability-related benefits claims by veterans with type 1 diabetes who have been exposed to a herbicide agent (as defined in section 1116(a)(3) of title 38, United States Code).

SA 1787. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Section 1710(a)(2)(E) of title 38, United States Code, is amended by striking “of the Mexican border period or of World War I;” and inserting—

“(i) the Mexican border period;

(ii) World War I; or

(iii) World War II.”;

SA 1788. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3. REPORT ON REGULATIONS AND PROCEDURES TO IMPLEMENT PROGRAMS ON AWARD OF MEDALS OR COMMENDATIONS TO HANDLERS OF MILITARY WORKING DOGS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the regulations and other procedures prescribed by the Secretary of the Navy for handlers of military working dogs required by section 582 of the John S. McCain National Defense Authorization Act for Fiscal Year 2018 (10 U.S.C. 2121 note prec.).
of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle A of title X, add the following:

SEC. 1064. REPORT ON PANDEMIC PREPAREDNESS AND PLANNING OF THE NAVY.

Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report containing a description of the Navy’s efforts to prepare and respond to future pandemics, including future outbreaks of the Coronavirus Disease 2019 (COVID-19).

The report shall include a written description of plans, including any necessary corresponding budgetary actions, for the following:

(1) Efforts to prevent and mitigate the impacts of future pandemics at both private and public shipyards, and to protect the health and safety of both military personnel and civilian workers at such shipyards.

(2) Protocol and mitigation strategies once an outbreak of a highly contagious illness occurs aboard a Navy vessel while underway.

(3) Efforts to develop and adopt a technology and protocols to prevent and mitigate the spread of future pandemics aboard Navy ships and among Navy personnel, including the development of technologies and protocols in conjunction with the following:

(A) Artificial intelligence and data-driven infectious disease modeling and interventions.

(B) Shipboard airflow management and disinfectant technologies.

(C) Personal protective equipment, sensors, and diagnostic systems.

(D) Minimally crewed and autonomous supply vehicles.

SA 1788. Mr. SANDERS (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle A of title X, add the following:

SEC. \(1064\). REDUCTION IN AMOUNT AUTHORIZED TO BE APPROPRIATED FOR FISCAL YEAR 2021 BY THIS ACT.

If during any fiscal year after fiscal year 2025, the Secretary of Defense determines that a department, agency, or other element of the Department of Defense has not achieved an unqualified opinion on its full financial statements for the calendar year ending during such fiscal year—

(1) the amount available to such department, agency, or element for such fiscal year in which such determination is made shall be equal to—

(A) the amount otherwise authorized to be appropriated for such department, agency, or element for the fiscal year; minus

(B) the lesser of—

(i) an amount equal to 0.5 percent of the amount described in subparagraph (A); or

(ii) $100,000,000.

(2) the amount unavailable to such department, agency, or element for that fiscal year pursuant to paragraph (1) shall be applied on a pro rata basis against each program, project, and activity funded by the amount described in section 8101 of the Department of the Interior and Related Agencies Appropriations Act, 2021, and for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle A of title X, add the following:

SEC. 1065. REDUCTION IN AMOUNT AUTHORIZED TO BE APPROPRIATED FOR FISCAL YEAR 2021 BY THIS ACT.

If during any fiscal year after fiscal year 2025, the Secretary of Defense determines that a department, agency, or other element of the Department of Defense has not achieved an unqualified opinion on its full financial statements for the calendar year ending during such fiscal year—

(1) the aggregate amount authorized to be appropriated for such department, agency, or element for the fiscal year; minus

(B) the amount unavailable to such department, agency, or element for that fiscal year pursuant to paragraph (1) shall be applied on a pro rata basis against each program, project, and activity funded by the amount described in section 8101 of the Department of the Interior and Related Agencies Appropriations Act, 2021, and for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle A of title X, add the following:
among the accounts and funds for which amounts are authorized to be appropriated by this Act (other than military personnel and the Defense Health Program), and shall be applied on a prorata basis across each program, project, and activity funded by the account or fund concerned.

SA 1791. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 8. ASSISTANCE FOR DEPLOYMENT-RELATED SUPPORT OF MEMBERS OF THE FORCES UNDERGOING DEPLOYMENT AND THEIR FAMILIES BEYOND THE YELLOW RIBBON RE-INTEGRATION PROGRAM.

Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2274note) is amended—

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

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

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

"(1) Employment counseling.

"(2) Behavioral health counseling.

"(3) Suicide prevention.

"(4) Housing advocacy.

"(5) Financial counseling.

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

SA 1792. Mr. DURBIN (for himself, Mr. PAUL, Ms. DUCKWORTH, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10. LIMITATION ON SECURITY ASSISTANCE TO CAMEROON.

(a) In General.—Except as provided in subsection (b), no Federal funds may be obligated or expended to provide any security assistance to engage in any security cooperation with the Government of Cameroon until the date on which the Secretary of Defense determines in consultation with the Secretary of State that the Government of Cameroon has satisfied and maintained all of the cooperating Congressionally imposed conditions that such military and security forces—

(1) have demonstrated significant progress in abiding by international human rights standards and preventing abuses in the Anglophone conflict; and

(2) are not using any United States assistance in carrying out such abuses.

(b) Exception.—Notwithstanding subsection (a), Federal funds may be obligated or expended to conduct or support programs or activities that support the efforts of the Government of Cameroon to meet the minimum standards and prevent abuses in the Anglophone conflict.

SEC. 11. LIMITATION ON SECURITY ASSISTANCE TO IRAQ.

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

(b) National Defense Funds Defined.—In this section, the term "national defense funds" means—

(1) amounts authorized to be appropriated for any purpose under this division or authorized to be appropriated in division A of any National Defense Authorization Act for any of the fiscal years 2016 through 2020, including any amounts of such an authorization made available to the Department of Defense and transferred to another authorization by the Secretary of Defense for purposes of transferring authority available to the Secretary; and

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

SA 1794. Mr. DURBIN (for himself, Mr. CARDIN, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12. LIMITATION ON USE OF NATIONAL DEFENSE FUNDS FOR PHYSICAL BARRIER ALONG THE SOUTHERN BORDER.

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

(b) National Defense Funds Defined.—In this section, the term "national defense funds" means—

(1) amounts authorized to be appropriated for any purpose under this division or authorized to be appropriated in division A of any National Defense Authorization Act for any of the fiscal years 2016 through 2020, including any amounts of such an authorization made available to the Department of Defense and transferred to another authorization by the Secretary of Defense for purposes of transferring authority available to the Secretary; and

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

(c) Authorization for Additional Funding for Training of Security Forces.—Notwithstanding section 1000(b) of the National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 2304 note), the Secretary of Defense may provide or solicit training for service members of the Armed Forces or veterans, and may transfer (or obligate, expend, or otherwise use) military 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 VII, add the following:

SEC. 752. PILOT PROGRAM TO PROMOTE MILITARY READINESS IN THE PROVISION OF PROSTHETIC AND ORTHOTIC CARE.

(a) Grants Required.—

(1) In General.—The Secretary shall carry out a program under this section to award and administer grants to institutions determined by the Secretary to be eligible for the award of such grants to enable such institutions to establish or expand an existing accredited master's degree program in orthotics and prosthetics.

(2) Priority.—The Secretary shall give priority to the award of grants under this section to institutions that have entered into a partnership with a public or private sector entity, including a facility administered by the Department of Veterans Affairs, that offers students training or experience in meeting the unique needs of members of the Armed Forces who have experienced limb loss or limb impairment, including by offering clinical rotations at a public or private sector orthotics and prosthetics practice that serves members of the Armed Forces or veterans.

(c) Limitation on Use of National Defense Funds.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a request for proposals from institutions eligible for grants under this section.

(b) Grant Application.—An institution that seeks a grant under this section shall submit to the Secretary an application that contains—

(1) a description of the program that describes the nature of the program, the population that will receive services, and the various types of services to be provided under the program that are appropriate for the needs of the population that will receive services;

(2) a description of the partnership between the institution that requests a grant under this section and any other entity that will participate in the program that describes the obligations of each partnership participant; and

(3) any other information that the Secretary may require, including—

(a) a demonstration of a willingness and ability to participate in a partnership described in subsection (a)(2); and

(b) a demonstration of an ability to achieve and maintain an accredited orthotics and prosthetics program after the end of the grant period.

(c) Grant Use.—An institution awarded a grant under this section shall use grant amounts for any purpose as follows:

(1) To establish or expand an accredited orthotics and prosthetics master's degree program.

(2) To train doctoral candidates in orthotics and prosthetics, or in fields related...
to orthotics and prosthetics, to prepare such candidates to instruct in orthotics and prosthetics programs.
(3) To train and retain faculty in orthotics and prosthetics education, or in fields related to orthotics and prosthetics education, to prepare such faculty to instruct in orthotics and prosthetics programs.
(4) To research projects or faculty time to undertake research in orthotics and prosthetics for the purpose of furthering the teaching abilities of such faculty.
(5) To acquire equipment for orthotics and prosthetics education.

(b) ADMISSIONS PREFERENCE.—To the extent practicable, an institution awarded a grant under this section shall give preference to veterans in admission to the master’s degree program in orthotics and prosthetics established or expanded under this section.

c) LIMITATION ON GRANT AMOUNT.—The amount of any grant awarded to an institution under this section may not exceed $3,000,000.

(d) PERIOD OF USE OF FUNDS.—An institution awarded a grant under this section may use the grant amount for a period of three years after the award of the grant.

(e) REPORT.—
(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the House of Representatives a report on the pilot program conducted under this section.

(f) REPORTED.—
(1) Neil A. Armstrong, through his own destiny, or for the purpose of establishing or expanding under this section.

(g) REPORT.—
(2) ELEMENTS.—The report required by subsection (a), of the Standing Rules of the Senate, the following committee is authorized to meet during the session of the Senate on Wednesday, June 24, 2020, at 10 a.m., to conduct a hearing.

Mr. ALEXANDER. Mr. President, I have a request for one committee to meet during today’s session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today’s session of the Senate:

COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, June 24, 2020, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, June 24, 2020, at a time to be determined, to conduct a hearing on nominations.

NEIL A. ARMSTRONG TEST FACILITY ACT

Mr. McCONNEL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 433, S. 2472.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2472) to redesignate the NASA John H. Glenn Research Center at Plum Brook Station, Ohio, as the NASA John H. Glenn Research Center at the Neil A. Armstrong Test Facility.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation.

Mr. McCONNEL. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. McCONNEL. Mr. President, I ask unanimous consent that notwithstanding the provision of rule XXII, the cloture motion with respect to the motion to proceed to Calendar No. 483, S. 4049, ripened at 1:30 p.m., Thursday, June 25, 2020.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JUNE 25, 2020

Mr. McCONNEL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, June 25, 2020.

Without objection, that for the purpose of conducting the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the consideration and vote hereafter be of the day, and that morning business be closed; finally, that following leader remarks, the Senate resume consideration of the motion to proceed to Calendar No. 483, S. 4049, under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNEL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

Without objection, the Senate, at 6:45 p.m., adjourned until Thursday, June 25, 2020, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate: