

SA 4003. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3928. Mr. WARNER (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. None of the amounts appropriated or otherwise made available by this division may be used to grant, deny, or revoke access, or eligibility for access, to classified information except in compliance with the Constitution of the United States and in accordance with the processes and procedures under—

(1) Executive Orders 12968 and 13467, as such Executive Orders were in effect on August 15, 2018;

(2) part 147 of title 32, Code of Federal Regulations, as such part was in effect on August 15, 2018; and

(3) applicable department and agency regulations that govern access to classified information and due process requirements.

SA 3929. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. None of the amounts appropriated or otherwise made available by this Act, or by any other Act, may be obligated or expended to construct or operate any Family Residential Center or other family detention center or facility for immigrants.

SA 3930. Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. The Secretary of Health and Human Services shall utilize \$5,000,000 of amount appropriated under this title to establish an emergency fund to be available for purchases of the overdose reversal drug, naloxone by States that are at risk for exhausting State resources for such purchases.

SA 3931. Mr. BLUMENTHAL (for himself, Mr. MARKEY, Mr. UDALL, Mr. SCHATZ, Mr. BOOKER, and Mr. BROWN) submitted an amendment intended to

be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 254, line 5, strike “funds” and all that follows through “specified,” on line 7, and insert “\$2,000,000,000 to the accounts specified under section 4002 of the ACA”.

SA 3932. Mr. BLUMENTHAL (for himself, Mr. MARKEY, Mr. BOOKER, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 219, line 22, strike “\$334,000,000” and insert “\$454,000,000”.

SA 3933. Ms. HEITKAMP (for herself, Ms. MURKOWSKI, and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. From amounts appropriated under this title, under the heading “Maternal and Child Health”, up to \$1,000,000 shall be used for awarding grants for the purchase and implementation of telehealth services, including pilots and demonstrations for the use of electronic health records or other necessary technology and equipment (including ultra sound machines or other technology and equipment that is useful for caring for pregnant women) to coordinate obstetric care between pregnant women living in rural areas and obstetric care providers.

SA 3934. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by title III of this division for procurement may be used to procure BLU-137 ordnance until the Secretary of Defense submits to the congressional defense committees a written certification that—

(1) the bid contract for procurement of such ordnance has been awarded to the lowest bidders;

(2) the bid contract for procurement of such ordnance has been awarded to two or more offerors in order to maintain price competition and assured supply for all future task orders under the contract; and

(3) no awardee is under the ownership, control, or influence of—

(A) any foreign person; or

(B) any individual subject to sanctions by the United States.

SA 3935. Mr. TOOMEY submitted an amendment intended to be proposed to

amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by this division may be used to procure any oil products from any refinery that currently receives more than 20 percent of its crude oil from Russia.

SA 3936. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by this division may be used for the planning, design, or construction of electric or heat generation, or for obtaining electric or heating services, for medical facilities at military installations in Germany if the fuel used for such generation is only natural gas.

SA 3937. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. **HHS STUDY AND REPORT ON REDUCING IMPROPER MEDICAID PAYMENTS.**

(a) **STUDY.**—The Secretary of Health and Human Services shall conduct a study on ways to improve the data sharing between the Centers for Medicare & Medicaid Services and the Social Security Administration in order to reduce improper payments under the Medicaid program.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

(c) **WITHHOLD OF FUNDS UNTIL STUDY INITIATED.**—None of the funds appropriated or otherwise made available to the Secretary of Health and Human Services under this division may be obligated or expended until the Secretary initiates the study under subsection (a).

SA 3938. Mr. GRAHAM (for himself, Mr. MENENDEZ, Mr. GARDNER, Mr. CARDIN, Mr. MCCAIN, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION C—DEFENDING AMERICAN SECURITY FROM KREMLIN AGGRESSION
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This division may be cited as the “Defending American Security from Kremlin Aggression Act of 2018”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Sense of Congress.
- Sec. 3. Statement of policy on Crimea.

TITLE I—MATTERS RELATING TO NORTH ATLANTIC TREATY ORGANIZATION

Subtitle A—Opposition of the Senate to Withdrawal From NATO

- Sec. 101. Opposition of the Senate to withdrawal from North Atlantic Treaty.
- Sec. 102. Limitation on use of funds.
- Sec. 103. Authorization for Senate Legal Counsel to represent Senate in opposition to withdrawal from the North Atlantic Treaty.
- Sec. 104. Reporting requirement.

Subtitle B—Strengthening the NATO Alliance

- Sec. 111. Report on NATO alliance resilience and United States diplomatic posture.
- Sec. 112. Expedited NATO excess defense articles transfer program.
- Sec. 113. Appropriate congressional committees defined.

TITLE II—MATTERS RELATING TO THE DEPARTMENT OF STATE

Subtitle A—Public Diplomacy Modernization

- Sec. 201. Avoiding duplication of programs and efforts.
- Sec. 202. Improving research and evaluation of public diplomacy.

Subtitle B—Other Matters

- Sec. 211. Department of State responsibilities with respect to cyberspace policy.
- Sec. 212. Sense of Congress.

TITLE III—CHEMICAL WEAPONS NONPROLIFERATION

- Sec. 301. Short title.
- Sec. 302. Findings.
- Sec. 303. Statement of policy.
- Sec. 304. Report on use of chemical weapons by the Russian Federation.
- Sec. 305. Authorization of appropriations.
- Sec. 306. Chemical Weapons Convention defined.

TITLE IV—INTERNATIONAL CYBERCRIME PREVENTION ACT

- Sec. 401. Short title.
- Sec. 402. Predicate offenses.
- Sec. 403. Forfeiture.
- Sec. 404. Shutting down botnets.
- Sec. 405. Aggravated damage to a critical infrastructure computer.
- Sec. 406. Stopping trafficking in botnets; forfeiture.

TITLE V—COMBATING ELECTION INTERFERENCE

- Sec. 501. Prohibition on interference with voting systems.
- Sec. 502. Inadmissibility of aliens seeking to interfere in United States elections.

TITLE VI—SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION

Subtitle A—Expansion of Countering America's Adversaries Through Sanctions Act

- Sec. 601. Imposition of additional sanctions with respect to the Russian Federation.
- Sec. 602. Congressional review and continued applicability of sanctions under the Sergei Magnitsky Rule of Law Accountability Act of 2012.

Subtitle B—Coordination With the European Union

- Sec. 611. Sense of Congress on coordination with allies with respect to sanctions with respect to the Russian Federation.
- Sec. 612. Office of Sanctions Coordination of the Department of State.
- Sec. 613. Report on coordination of sanctions between the United States and European Union.

Subtitle C—Reports Relating to Sanctions With Respect to the Russian Federation

- Sec. 621. Definitions.
- Sec. 622. Updated report on oligarchs and parastatal entities of the Russian Federation.
- Sec. 623. Report on the personal net worth and assets of Vladimir Putin.
- Sec. 624. Report on section 224 of the Countering America's Adversaries Through Sanctions Act.
- Sec. 625. Report on section 225 of the Countering America's Adversaries Through Sanctions Act.
- Sec. 626. Report on section 226 of the Countering America's Adversaries Through Sanctions Act.
- Sec. 627. Report on section 228 of the Countering America's Adversaries Through Sanctions Act.
- Sec. 628. Report on Section 233 of the Countering America's Adversaries Through Sanctions Act.
- Sec. 629. Report on section 234 of the Countering America's Adversaries Through Sanctions Act.

Subtitle D—General Provisions

- Sec. 631. Exception relating to activities of the National Aeronautics and Space Administration.
- Sec. 632. Rule of construction.

TITLE VII—OTHER MATTERS RELATING TO THE RUSSIAN FEDERATION

- Sec. 701. Determination on designation of the Russian Federation as a state sponsor of terrorism.
- Sec. 702. Expansion of geographic targeting orders of Financial Crimes Enforcement Network.
- Sec. 703. Extension of limitations on importation of uranium from Russian Federation.
- Sec. 704. Establishment of a National Fusion Center to respond to threats from the Government of the Russian Federation.
- Sec. 705. Countering Russian Influence Fund.
- Sec. 706. Coordinating aid and assistance across Europe and Eurasia.
- Sec. 707. Addressing abuse and misuse by the Russian Federation of INTERPOL red notices and red diffusions.
- Sec. 708. Report on accountability for war crimes and crimes against humanity by the Russian Federation in Syria.
- Sec. 709. Report on activities of the Russian Federation in Syria.
- Sec. 710. Sense of Congress on responsibility of technology companies for state-sponsored disinformation.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should immediately marshal and support a whole-of-government response by Federal agencies to address the threat posed by the Government of the Russian Federation and to work to prevent interference by that Government and other foreign state actors in United States institutions and democratic processes;

(2) the President should publicly call for the Government of the Russian Federation

to return Crimea to the control of the Government of Ukraine, end its support for separatist violence in eastern Ukraine, end its occupation of and support for separatists on the territory of Georgia and Moldova, and cease enabling the brutal regime of Bashar al-Assad in Syria to commit war crimes;

(3) the President should unequivocally condemn and counter the ongoing interference in United States institutions and democratic processes by the President of the Russian Federation, Vladimir Putin, his government, and affiliates of his government;

(4) the conclusion of the United States intelligence community and law enforcement agencies and other United States Government officials that the Russian Federation has perpetrated, and continues to perpetrate, such interference, is correct;

(5) the United States should continue to participate actively as a member of the North Atlantic Treaty Organization by—

(A) upholding the Organization's core principles of collective defense, democratic rule of law, and peaceful settlement of disputes;

(B) boosting coordination and deterrence capacity among member countries; and

(C) supporting accession processes of prospective member countries who meet the obligations of membership.

(6) Congress reiterates its strong support for the Russia Sanctions Review Act of 2017 (22 U.S.C. 9511), which allows for congressional review of an action to waive the application of sanctions under the provisions of the Countering America's Adversaries Through Sanctions Act (Public Law 115-44; 131 Stat. 886) relating to the Russian Federation or a licensing action that significantly alters United States foreign policy with regard to the Russian Federation; and

(7) sanctions imposed with respect to the Russian Federation have been most effective when developed and coordinated in close consultation with the European Union.

SEC. 3. STATEMENT OF POLICY ON CRIMEA.

It is the policy of the United States that—

(1) the United States will never recognize the illegal annexation of Crimea by the Russian Federation, similar to the 1940 Welles Declaration in which the United States refused to recognize the Soviet annexation of the Baltic States;

(2) Crimea is part of the sovereign territory of Ukraine;

(3) Crimea is part of Ukraine and the United States rejects attempts to change the status, demographics, or political nature of Crimea;

(4) the United States reaffirms its unwavering support for democracy, human rights, and the rule of law for all individuals in Crimea, including non-Russian ethnic groups and religious minorities;

(5) the United States condemns all human rights violations against individuals in Crimea, and underscores the culpability of the Government of the Russian Federation for such violations while the territory of Crimea is under illegal Russian occupation;

(6) the United States, in coordination with the European Union, the North Atlantic Treaty Organization, and members of the international community, should prioritize efforts to prevent the further consolidation of illegal occupying powers in Crimea, reaffirm unified opposition to the actions of the Russian Federation in Crimea, and secure the human rights of individuals there; and

(7) the United States welcomes the sanctions that have been imposed and maintained as of the date of the enactment of this Act by the United States and the European Union against persons engaged in furthering the illegal occupation of Crimea by the Russian Federation.

TITLE I—MATTERS RELATING TO NORTH ATLANTIC TREATY ORGANIZATION

Subtitle A—Opposition of the Senate to Withdrawal From NATO

SEC. 101. OPPOSITION OF THE SENATE TO WITHDRAWAL FROM NORTH ATLANTIC TREATY.

The Senate opposes any effort to withdraw the United States from the North Atlantic Treaty, done at Washington, D.C., April 4, 1949.

SEC. 102. LIMITATION ON USE OF FUNDS.

No funds authorized or appropriated by any Act may be used to support, directly or indirectly, any efforts on the part of any United States Government official to take steps to withdraw the United States from the North Atlantic Treaty, done at Washington, D.C., April 4, 1949, until such time as the Senate passes, by an affirmative vote of two-thirds of Members, a resolution advising and consenting to the withdrawal of the United States from the treaty.

SEC. 103. AUTHORIZATION FOR SENATE LEGAL COUNSEL TO REPRESENT SENATE IN OPPOSITION TO WITHDRAWAL FROM THE NORTH ATLANTIC TREATY.

The Senate Legal Counsel is authorized to represent the Senate in initiating or intervening in any judicial proceedings in any Federal court of competent jurisdiction, on behalf of the Senate, in order to oppose any withdrawal of the United States from the North Atlantic Treaty in the absence of the passage by the Senate of a resolution described in section 102.

SEC. 104. REPORTING REQUIREMENT.

The Senate Legal Counsel shall report as soon as practicable to the Committee on Foreign Relations of the Senate with respect to any judicial proceedings which the Senate Legal Counsel initiates or in which it intervenes pursuant to this title.

Subtitle B—Strengthening the NATO Alliance

SEC. 111. REPORT ON NATO ALLIANCE RESILIENCE AND UNITED STATES DIPLOMATIC POSTURE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State, in consultation with the Secretary of Defense, shall submit a report to the appropriate congressional committees providing an assessment of the threats and challenges facing the NATO alliance and United States diplomatic posture.

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

(1) A review of current and emerging United States national security interests in the NATO area of responsibility.

(2) A review of current United States political and diplomatic engagement and political-military coordination with NATO and NATO member states.

(3) Options for the realignment of United States engagement with NATO to respond to new threats and challenges presented by the Government of the Russian Federation to the NATO alliance, as well as new opportunities presented by allies and partners.

(4) The views of counterpart governments, including heads of state, heads of government, political leaders, and military commanders in the region.

SEC. 112. EXPEDITED NATO EXCESS DEFENSE ARTICLES TRANSFER PROGRAM.

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report with recommendations regarding the need for and suitability of transferring excess defense articles under this section to

countries in the NATO alliance, with particular emphasis on the foreign policy benefits as it pertains to those member states currently purchasing defense articles or services from the Russian Federation.

(b) PERIOD FOR REVIEW BY CONGRESS OF RECOMMENDATIONS FOR EDA TRANSFER TO NATO MEMBERS.—During the 30-calendar day period following submission by the Secretary of Defense of the report required under subsection (a), the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives shall, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the recommendations included in the report.

(c) TRANSFER AUTHORITY.—The President is authorized to transfer such excess defense articles in a fiscal year as the Secretary of Defense recommends pursuant to this section to countries for which receipt of such articles was justified pursuant to the annual congressional presentation documents for military assistance programs, or for which receipt of such articles was separately justified to Congress, for such fiscal year.

(d) LIMITATIONS ON TRANSFERS.—The President may transfer excess defense articles under this section only if—

(1) such articles are drawn from existing stocks of the Department of Defense;

(2) funds available to the Department of Defense for the procurement of defense equipment are not expended in connection with the transfer;

(3) the President determines that the transfer of such articles will not have an adverse impact on the military readiness of the United States;

(4) with respect to a proposed transfer of such articles on a grant basis, the President determines that the transfer is preferable to a transfer on a sales basis, after taking into account the potential proceeds from, and likelihood of, such sales, and the comparative foreign policy benefits that may accrue to the United States as the result of a transfer on either a grant or sales basis; and

(5) the President determines that the transfer of such articles will not have an adverse impact on the national technology and industrial base and, particularly, will not reduce the opportunities of entities in the national technology and industrial base to sell new or used equipment to the countries to which such articles are transferred.

(e) TERMS OF TRANSFERS.—

(1) NO COST TO RECIPIENT COUNTRY.—Excess defense articles may be transferred under this section without cost to the recipient country.

(2) PRIORITY.—Notwithstanding any other provision of law, the delivery of excess defense articles under this section to member countries of NATO that still purchase defense goods and services from the Russian Federation and pledge to decrease such purchases shall be given priority to the maximum extent feasible over the delivery of such excess defense articles to other countries.

(3) TRANSPORTATION AND RELATED COSTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), funds available to the Department of Defense may not be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of this section.

(B) EXCEPTION.—The President may provide for the transportation of excess defense articles without charge to a country for the costs of such transportation if—

(i) it is determined that it is in the national interest of the United States to do so;

(ii) the recipient is a NATO member state currently purchasing defense goods and services from the Russian Federation that has pledged to reduce such purchases;

(iii) the total weight of the transfer does not exceed 50,000 pounds; and

(iv) such transportation is accomplished on a space available basis.

SEC. 113. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title, the term “appropriate congressional committees” means—

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

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

TITLE II—MATTERS RELATING TO THE DEPARTMENT OF STATE

Subtitle A—Public Diplomacy Modernization

SEC. 201. AVOIDING DUPLICATION OF PROGRAMS AND EFFORTS.

The Under Secretary for Public Diplomacy and Public Affairs of the Department of State shall—

(1) identify opportunities for greater efficiency of operations, including through improved coordination of efforts across public diplomacy bureaus and offices of the Department; and

(2) maximize shared use of resources between, and within, such public diplomacy bureaus and offices in cases in which programs, facilities, or administrative functions are duplicative or substantially overlapping.

SEC. 202. IMPROVING RESEARCH AND EVALUATION OF PUBLIC DIPLOMACY.

(a) IN GENERAL.—The Secretary of State shall—

(1) conduct regular research and evaluation of public diplomacy programs and activities of the Department, including through the routine use of audience research, digital analytics, and impact evaluations, to plan and execute such programs and activities; and

(2) make the findings of the research and evaluations conducted under paragraph (1) available to Congress.

(b) DIRECTOR OF RESEARCH AND EVALUATION.—

(1) APPOINTMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall appoint a Director of Research and Evaluation in the Office of Policy, Planning, and Resources for the Under Secretary for Public Diplomacy and Public Affairs.

(2) LIMITATION ON APPOINTMENT.—The appointment of a Director of Research and Evaluation pursuant to paragraph (1) shall not result in an increase in the overall full-time equivalent positions within the Department.

(3) RESPONSIBILITIES.—The Director of Research and Evaluation shall—

(A) coordinate and oversee the research and evaluation of public diplomacy programs of the Department of State—

(i) to improve public diplomacy strategies and tactics; and

(ii) to ensure that programs are increasing the knowledge, understanding, and trust of the United States among relevant target audiences;

(B) report to the Director of Policy and Planning in the Office of Policy, Planning, and Resources under the Under Secretary for Public Diplomacy and Public Affairs of the Department;

(C) routinely organize and oversee audience research, digital analytics, and impact evaluations across all public diplomacy bureaus and offices of the Department;

(D) support embassy public affairs sections;

(E) share appropriate public diplomacy research and evaluation information within the Department and with other Federal departments and agencies;

(F) regularly design and coordinate standardized research questions, methodologies, and procedures to ensure that public diplomacy activities across all public diplomacy bureaus and offices are designed to meet appropriate foreign policy objectives; and

(G) report biannually to the United States Advisory Commission on Public Diplomacy, through the Commission's Subcommittee on Research and Evaluation established pursuant to subsection (f), regarding the research and evaluation of all public diplomacy bureaus and offices of the Department.

(4) GUIDANCE AND TRAINING.—Not later than one year after the appointment of the Director of Research and Evaluation pursuant to paragraph (1), the Director shall create guidance and training for all public diplomacy officers regarding the reading and interpretation of public diplomacy program evaluation findings to ensure that such findings and lessons learned are implemented in the planning and evaluation of all public diplomacy programs and activities throughout the Department.

(C) PRIORITIZING RESEARCH AND EVALUATION.—

(1) IN GENERAL.—The Director of Policy, Planning, and Resources shall ensure that research and evaluation, as coordinated and overseen by the Director of Research and Evaluation, supports strategic planning and resource allocation across all public diplomacy bureaus and offices of the Department.

(2) ALLOCATION OF RESOURCES.—Amounts allocated for the purposes of research and evaluation of public diplomacy programs and activities pursuant to subsection (a) shall be made available to be disbursed at the direction of the Director of Research and Evaluation among the research and evaluation staff across all public diplomacy bureaus and offices of the Department.

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

(A) the Under Secretary for Public Diplomacy and Public Affairs of the Department of State should coordinate the human and financial resources that support the Department's public diplomacy and public affairs programs and activities;

(B) proposals or plans related to resource allocations for public diplomacy bureaus and offices should be routed through the Office of the Under Secretary for Public Diplomacy and Public Affairs for review and clearance; and

(C) the Department should allocate, for the purposes of research and evaluation of public diplomacy activities and programs pursuant to subsection (a)—

(i) 3 to 5 percent of program funds made available under the heading "EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS"; and

(ii) 3 to 5 percent of program funds allocated for public diplomacy programs under the heading "DIPLOMATIC AND CONSULAR PROGRAMS".

(d) LIMITED EXEMPTION.—Chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act") shall not apply to collections of information directed at foreign individuals conducted by, or on behalf of, the Department of State for the purpose of audience research, monitoring, and evaluations, and in connection with the Department's activities conducted pursuant to the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.), the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.), section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 22 U.S.C. 2656 note), or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(e) LIMITED EXEMPTION TO THE PRIVACY ACT.—The Department shall maintain, col-

lect, use, and disseminate records (as such term is defined in section 552a(a)(4) of title 5, United States Code) for research and data analysis of public diplomacy efforts intended for foreign audiences. Such research and data analysis shall be reasonably tailored to meet the purposes of this subsection and shall be carried out with due regard for privacy and civil liberties guidance and oversight.

(F) ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—

(1) SUBCOMMITTEE FOR RESEARCH AND EVALUATION.—The Advisory Commission on Public Diplomacy shall establish a Subcommittee for Research and Evaluation to monitor and advise on the research and evaluation activities of the Department and the Broadcasting Board of Governors.

(2) REPORT.—The Subcommittee for Research and Evaluation established pursuant to paragraph (1) shall submit an annual report to Congress in conjunction with the Commission on Public Diplomacy's Comprehensive Annual Report on the performance of the Department and the Broadcasting Board of Governors in carrying out research and evaluations of their respective public diplomacy programming.

(3) REPEAL OF SUNSET.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is hereby repealed.

(g) DEFINITIONS.—In this section:

(1) AUDIENCE RESEARCH.—The term "audience research" means research conducted at the outset of a public diplomacy program or campaign planning and design on specific audience segments to understand the attitudes, interests, knowledge, and behaviors of such audience segments.

(2) DIGITAL ANALYTICS.—The term "digital analytics" means the analysis of qualitative and quantitative data, accumulated in digital format, to indicate the outputs and outcomes of a public diplomacy program or campaign.

(3) IMPACT EVALUATION.—The term "impact evaluation" means an assessment of the changes in the audience targeted by a public diplomacy program or campaign that can be attributed to such program or campaign.

(4) PUBLIC DIPLOMACY BUREAUS AND OFFICES.—The term "public diplomacy bureaus and offices" means the Bureau of Educational and Cultural Affairs, the Bureau of Public Affairs, the Bureau of International Information Programs, the Office of Policy, Planning, and Resources, the Global Engagement Center, and the public diplomacy functions within the regional and functional bureaus.

Subtitle B—Other Matters

SEC. 211. DEPARTMENT OF STATE RESPONSIBILITIES WITH RESPECT TO CYBERSPACE POLICY.

(a) OFFICE OF CYBERSPACE AND THE DIGITAL ECONOMY.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

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

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

"(g) OFFICE OF CYBERSPACE AND THE DIGITAL ECONOMY.—

"(1) IN GENERAL.—There is established, within the Department of State, an Office of Cyberspace and the Digital Economy (referred to in this subsection as the 'Office'). The head of the Office shall have the rank and status of ambassador and shall be appointed by the President, by and with the advice and consent of the Senate.

"(2) DUTIES.—

"(A) IN GENERAL.—The head of the Office shall perform such duties and exercise such powers as the Secretary of State shall pre-

scribe, including implementing the United States international cyberspace policy strategy issued by the Department of State in March 2016 pursuant to section 402 of the Cybersecurity Act of 2015 (division N of Public Law 114-113; 129 Stat. 2978).

"(B) DUTIES DESCRIBED.—The principal duties and responsibilities of the head of the Office shall be—

"(i) to serve as the principal cyber policy official within the senior management of the Department of State and as the advisor to the Secretary of State for cyber issues;

"(ii) to lead the Department of State's diplomatic cyberspace efforts, including efforts relating to international cybersecurity, Internet access, Internet freedom, digital economy, cybercrime, deterrence and international responses to cyber threats, and other issues that the Secretary assigns to the Office;

"(iii) to promote an open, interoperable, reliable, unfettered, and secure information and communications technology infrastructure globally;

"(iv) to represent the Secretary of State in interagency efforts to develop and advance cyberspace policy described in subparagraph (A);

"(v) to coordinate cyberspace efforts and other relevant functions, including countering terrorists' use of cyberspace, within the Department of State and with other components of the United States Government;

"(vi) to act as a liaison to public and private sector entities on relevant cyberspace issues;

"(vii) to lead United States Government efforts to establish a global deterrence framework;

"(viii) to develop and execute adversary-specific strategies to influence adversary decisionmaking through the imposition of costs and deterrence strategies;

"(ix) to advise the Secretary and coordinate with foreign governments on external responses to national security level cyber incidents, including coordination on diplomatic response efforts to support allies threatened by malicious cyber activity, in conjunction with members of the North Atlantic Treaty Organization and other like-minded countries;

"(x) to promote the adoption of national processes and programs that enable threat detection, prevention, and response to malicious cyber activity emanating from the territory of a foreign country, including as such activity relates to the United States' European allies, as appropriate;

"(xi) to promote the building of foreign capacity to protect the global network with the goal of enabling like-minded participation in deterrence frameworks;

"(xii) to promote the maintenance of an open and interoperable Internet governed by the multi-stakeholder model, instead of by centralized government control;

"(xiii) to promote an international regulatory environment for technology investments and the Internet that benefits United States economic and national security interests;

"(xiv) to promote cross border flow of data and combat international initiatives seeking to impose unreasonable requirements on United States businesses;

"(xv) to promote international policies to protect the integrity of United States and international telecommunications infrastructure from foreign-based, cyber-enabled threats;

"(xvi) to serve as the interagency coordinator for the United States Government on engagement with foreign governments on

cyberspace and digital economy issues described in the Defending American Security from Kremlin Aggression Act of 2018;

“(xvii) to promote international policies to secure radio frequency spectrum for United States businesses and national security needs;

“(xviii) to promote and protect the exercise of human rights, including freedom of speech and religion, through the Internet;

“(xix) to build capacity of United States diplomatic officials to engage on cyber issues;

“(xx) to encourage the development and adoption by foreign countries of internationally recognized standards, policies, and best practices; and

“(xxi) to promote and advance international policies that protect individuals’ private data.

“(3) **QUALIFICATIONS.**—The head of the Office should be an individual of demonstrated competency in the fields of—

“(A) cybersecurity and other relevant cyber issues; and

“(B) international diplomacy.

“(4) **ORGANIZATIONAL PLACEMENT.**—

“(A) **INITIAL PLACEMENT.**—During the 4-year period beginning on the date of the enactment of the Defending American Security from Kremlin Aggression Act of 2018, the head of the Office shall report to the Under Secretary for Political Affairs or to an official holding a higher position than the Under Secretary for Political Affairs in the Department of State.

“(B) **SUBSEQUENT PLACEMENT.**—After the conclusion of the 4-year period referred to in subparagraph (A), the head of the Office shall report to—

“(i) an appropriate Under Secretary; or

“(ii) an official holding a higher position than Under Secretary.

“(5) **RULE OF CONSTRUCTION.**—Nothing in this subsection may be construed to preclude—

“(A) the Office from being elevated to a Bureau within the Department of State; or

“(B) the head of the Office from being elevated to an Assistant Secretary, if such an Assistant Secretary position does not increase the number of Assistant Secretary positions at the Department above the number authorized under subsection (c)(1).”.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Office of Cyberspace and the Digital Economy established under section 1(g) of the State Department Basic Authorities Act of 1956, as added by subsection (a)—

(1) should be a Bureau of the Department of State headed by an Assistant Secretary, subject to the rule of construction specified in paragraph (5)(B) of such section 1(g); and

(2) should coordinate with other bureaus of the Department of State and use all tools at the disposal of the Office to combat activities taken by the Russian Federation, or on behalf of the Russian Federation, to undermine the cybersecurity and democratic values of the United States and other nations.

(c) **UNITED NATIONS.**—The Permanent Representative of the United States to the United Nations should use the voice, vote, and influence of the United States to oppose any measure that is inconsistent with the United States international cyberspace policy strategy issued by the Department of State in March 2016 pursuant to section 402 of the Cybersecurity Act of 2015 (division N of Public Law 114–113; 129 Stat. 2978).

SEC. 212. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Broadcasting Board of Governors and its grantee networks have a critical mission to inform, engage, and connect people around the world in support of freedom and democracy; and

(2) those networks must adhere to professional journalistic standards and integrity and not engage in disinformation activities.

TITLE III—CHEMICAL WEAPONS NONPROLIFERATION

SEC. 301. SHORT TITLE.

This title may be cited as the “Chemical Weapons Nonproliferation Act of 2018”.

SEC. 302. FINDINGS.

Congress makes the following findings:

(1) The international norm against the use of chemical weapons has severely eroded since 2012. At least 4 actors between 2012 and the date of the enactment of this Act have used chemical weapons: Syria, North Korea, the Russian Federation, and the Islamic State of Iraq and the Levant in Iraq and Syria.

(2) On March 4, 2018, the Government of the Russian Federation knowingly used novichok, a lethal chemical agent, in an attempt to kill former Russian military intelligence officer Sergei Skripal and his daughter Yulia, in Salisbury, United Kingdom.

(3) On June 27, 2018, the Organisation for the Prohibition of Chemical Weapons (in this title referred to as the “OPCW”), during its Fourth Special Session of the Conference of the States Parties to the Chemical Weapons Convention, voted favorably in adopting a decision to “put in place arrangements to identify the perpetrators of the use of chemical weapons in the Syrian Arab Republic by identifying and reporting on all information potentially relevant to the origin of those chemical weapons in those instances in which the OPCW Fact-Finding Mission in Syria determines or has determined that use or likely use occurred, and cases for which the OPCW-UN Joint Investigative Mechanism has not issued a report; and decide[d] also that the Secretariat shall provide regular reports on its investigations to the Council and to the United Nations Secretary-General for their consideration”.

(4) The Government of the Russian Federation attempted to impede the adoption of the identification mechanism in the Fourth Special Session of the Conference of the States Parties to the Chemical Weapons Convention, and has repeatedly worked to degrade the OPCW’s ability to identify chemical weapons users.

(5) The Government of the Russian Federation has shown itself to be unwilling or incapable of compelling the President of Syria, Bashar al-Assad, an ally of the Russian Federation, to stop using chemical weapons against the civilian population in Syria.

(6) The United States remains steadfast in its commitment to its key ally the United Kingdom, its commitment to the mutual defense of the North Atlantic Treaty Organization, and its commitment to the Chemical Weapons Convention.

(7) Thirty-four countries, including the United States, have joined the International Partnership against Impunity for the use of Chemical Weapons, which represents a political commitment by participating countries to hold to account persons responsible for the use of chemical weapons.

SEC. 303. STATEMENT OF POLICY.

It shall be the policy of the United States—

(1) to protect and defend the interests of the United States, allies of the United States, and the international community at large from the continuing threat of chemical weapons and their proliferation;

(2) to maintain a steadfast commitment to the Chemical Weapons Convention and the OPCW;

(3) to promote and strengthen the investigative and identification mechanisms of the OPCW through the provision of additional resources and technical equipment to

better allow the OPCW to detect, identify, and attribute chemical weapons attacks;

(4) to pressure the Government of the Russian Federation to halt its efforts to degrade the international efforts of the United Nations and the OPCW to investigate chemical weapons attacks and to designate perpetrators of such attacks by—

(A) highlighting within international fora, including the United Nations General Assembly and the OPCW, the repeated efforts of the Government of the Russian Federation to degrade international efforts to investigate chemical weapons attacks; and

(B) consulting with allies and partners of the United States with respect to methods for strengthening the investigative mechanisms of the OPCW;

(5) to examine additional avenues for investigating, identifying, and holding accountable chemical weapons users if the Government of the Russian Federation continues in its attempts to block or hinder investigations of the OPCW; and

(6) to punish the Government of the Russian Federation for, and deter that Government from, any chemical weapons production and use through the imposition of sanctions, diplomatic isolation, and the use of the mechanisms specified in the Chemical Weapons Convention for violations of the Convention.

SEC. 304. REPORT ON USE OF CHEMICAL WEAPONS BY THE RUSSIAN FEDERATION.

Not later than 30 days after the date of the enactment of this Act, and annually thereafter, the Legal Adviser of the Department of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes an assessment of—

(1) whether the certification of the non-compliance of the Russian Federation with the Chemical Weapons Convention in the report of the Department of State entitled “Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments”, submitted to Congress pursuant to section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a), and dated April 2018, is a legal determination of the use of chemical weapons by the Government of the Russian Federation;

(2) whether the mandatory sanctions required by the Chemical and Biological Weapons and Warfare Elimination Act of 1991 (22 U.S.C. 5601 et seq.) have been imposed with respect to the Russian Federation; and

(3) whether the Government of the Russian Federation has taken any steps to avoid additional sanctions required by that Act within the 3-month period specified in section 307(b)(1) of that Act (22 U.S.C. 5605(b)(1)) after a determination of the use of chemical weapons under section 306(a)(1) of that Act (22 U.S.C. 5604(a)(1)).

SEC. 305. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated to the Secretary of State \$30,000,000 for each of fiscal years 2019 through 2023, to be provided to the OPCW as a voluntary contribution pursuant to section 301(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2221(a)) for the purpose of strengthening the OPCW’s investigative and identification mechanisms for chemical weapons attacks.

(b) **AVAILABILITY OF FUNDS.**—Amounts authorized to be appropriated pursuant to subsection (a) shall remain available until expended.

SEC. 306. CHEMICAL WEAPONS CONVENTION DEFINED.

In this title, the term “Chemical Weapons Convention” means the Convention on the

Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, done at Geneva September 3, 1992, and entered into force April 29, 1997.

TITLE IV—INTERNATIONAL CYBERCRIME PREVENTION ACT

SEC. 401. SHORT TITLE.

This title may be cited as the “International Cybercrime Prevention Act”.

SEC. 402. PREDICATE OFFENSES.

Part I of title 18, United States Code, is amended—

(1) in section 1956(c)(7)(D)—

(A) by striking “or section 2339D” and inserting “section 2339D”; and

(B) by striking “of this title, section 46502” and inserting “, or section 2512 (relating to the manufacture, distribution, possession, and advertising of wire, oral, or electronic communication intercepting devices) of this title, section 46502”; and

(2) in section 1961(1), by inserting “section 1030 (relating to fraud and related activity in connection with computers) if the act indictable under section 1030 is felonious,” before “section 1084”.

SEC. 403. FORFEITURE.

(a) IN GENERAL.—Section 2513 of title 18, United States Code, is amended to read as follows:

“§2513. Confiscation of wire, oral, or electronic communication intercepting devices and other property

“(a) CRIMINAL FORFEITURE.—

“(1) IN GENERAL.—The court, in imposing a sentence on any person convicted of a violation of section 2511 or 2512, or convicted of conspiracy to violate section 2511 or 2512, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

“(A) such person’s interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

“(B) any property, real or personal, constituting or derived from any gross proceeds, or any property traceable to such property, that such person obtained or retained directly or indirectly as a result of such violation.

“(2) FORFEITURE PROCEDURES.—Pursuant to section 2461(c) of title 28, the provisions of section 413 of the Controlled Substances Act (21 U.S.C. 853), other than subsection (d) thereof, shall apply to criminal forfeitures under this subsection.

“(b) CIVIL FORFEITURE.—

“(1) IN GENERAL.—The following shall be subject to forfeiture to the United States in accordance with provisions of chapter 46 and no property right shall exist in them:

“(A) Any property, real or personal, used or intended to be used, in any manner, to commit, or facilitate the commission of a violation of section 2511 or 2512, or a conspiracy to violate section 2511 or 2512.

“(B) Any property, real or personal, constituting, or traceable to the gross proceeds taken, obtained, or retained in connection with or as a result of a violation of section 2511 or 2512, or a conspiracy to violate section 2511 or 2512.

“(2) FORFEITURE PROCEDURES.—Seizures and forfeitures under this subsection shall be governed by the provisions of chapter 46, relating to civil forfeitures, except that such duties as are imposed on the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security or the Attorney General.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 119 is amended by striking the item relating to section 2513 and inserting the following:

“2513. Confiscation of wire, oral, or electronic communication intercepting devices and other property.”.

SEC. 404. SHUTTING DOWN BOTNETS.

(a) AMENDMENT.—Section 1345 of title 18, United States Code, is amended—

(1) in the heading, by inserting “and abuse” after “fraud”; and

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “or” at the end;

(ii) in subparagraph (C), by inserting “or” after the semicolon; and

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

“(D) violating or about to violate section 1030(a)(5) of this title where such conduct has caused or would cause damage (as defined in section 1030) without authorization to 100 or more protected computers (as defined in section 1030) during any 1-year period, including by—

“(i) impairing the availability or integrity of the protected computers without authorization; or

“(ii) installing or maintaining control over malicious software on the protected computers that, without authorization, has caused or would cause damage to the protected computers;”; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting “, a violation described in subsection (a)(1)(D),” before “or a Federal”; and

(3) by adding at the end the following:

“(c) A restraining order, prohibition, or other action described in subsection (b), if issued in circumstances described in subsection (a)(1)(D), may, upon application of the Attorney General—

“(1) specify that no cause of action shall lie in any court against a person for complying with the restraining order, prohibition, or other action; and

“(2) provide that the United States shall pay to such person a fee for reimbursement for such costs as are reasonably necessary and which have been directly incurred in complying with the restraining order, prohibition, or other action.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 18, United States Code, is amended by striking the item relating to section 1345 and inserting the following:

“1345. Injunctions against fraud and abuse.”.

SEC. 405. AGGRAVATED DAMAGE TO A CRITICAL INFRASTRUCTURE COMPUTER.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:

“§1030A. Aggravated damage to a critical infrastructure computer

“(a) OFFENSE.—It shall be unlawful, during and in relation to a felony violation of section 1030, to knowingly cause or attempt to cause damage to a critical infrastructure computer, if such damage results in (or, in the case of an attempted offense, would, if completed, have resulted in) the substantial impairment—

“(1) of the operation of the critical infrastructure computer; or

“(2) of the critical infrastructure associated with such computer.

“(b) PENALTY.—Any person who violates subsection (a) shall, in addition to the term of punishment provided for the felony violation of section 1030, be fined under this title, imprisoned for not more than 20 years, or both.

“(c) CONSECUTIVE SENTENCE.—Notwithstanding any other provision of law—

“(1) a court shall not place any person convicted of a violation of this section on probation;

“(2) except as provided in paragraph (4), no term of imprisonment imposed on a person under this section shall run concurrently with any term of imprisonment imposed on the person under any other provision of law, including any term of imprisonment imposed for the felony violation of section 1030;

“(3) in determining any term of imprisonment to be imposed for the felony violation of section 1030, a court shall not in any way reduce the term to be imposed for such violation to compensate for, or otherwise take into account, any separate term of imprisonment imposed or to be imposed for a violation of this section; and

“(4) a term of imprisonment imposed on a person for a violation of this section may, in the discretion of the court, run concurrently, in whole or in part, only with another term of imprisonment that is imposed by the court at the same time on that person for an additional violation of this section, if such discretion shall be exercised in accordance with any applicable guidelines and policy statements issued by the United States Sentencing Commission pursuant to section 994 of title 28.

“(d) DEFINITIONS.—In this section—

“(1) the terms ‘computer’ and ‘damage’ have the meanings given the terms in section 1030; and

“(2) the term ‘critical infrastructure’ means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have catastrophic regional or national effects on public health or safety, economic security, or national security, including voter registration databases, voting machines, and other communications systems that manage the election process or report and display results on behalf of State and local governments.”.

(b) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following:

“1030A. Aggravated damage to a critical infrastructure computer.”.

SEC. 406. STOPPING TRAFFICKING IN BOTNETS; FORFEITURE.

Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (7), by adding “or” at the end; and

(B) by inserting after paragraph (7) the following:

“(8) intentionally traffics in the means of access to a protected computer, if—

“(A) the trafficker knows or has reason to know the protected computer has been damaged in a manner prohibited by this section; and

“(B) the promise or agreement to pay for the means of access is made by, or on behalf of, a person the trafficker knows or has reason to know intends to use the means of access to—

“(i) damage a protected computer in a manner prohibited by this section; or

“(ii) violate section 1037 or 1343;”; and

(2) in subsection (c)(3)—

(A) in subparagraph (A), by striking “(a)(4) or (a)(7)” and inserting “(a)(4), (a)(7), or (a)(8)”; and

(B) in subparagraph (B), by striking “(a)(4), or (a)(7)” and inserting “(a)(4), (a)(7), or (a)(8)”; and

(3) in subsection (e)—

(A) in paragraph (11), by striking “and” at the end;

(B) in paragraph (12), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(13) the term ‘traffic’, except as provided in subsection (a)(6), means transfer, or otherwise dispose of, to another as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value.”;

(4) in subsection (g), in the first sentence, by inserting “, except for a violation of subsection (a)(8),” after “of this section”; and

(5) by striking subsections (i) and (j) and inserting the following:

“(i) CRIMINAL FORFEITURE.—

“(1) The court, in imposing sentence on any person convicted of a violation of this section, or convicted of conspiracy to violate this section, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

“(A) such person’s interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

“(B) any property, real or personal, constituting or derived from any gross proceeds, or any property traceable to such property, that such person obtained, directly or indirectly, as a result of such violation.

“(2) The criminal forfeiture of property under this subsection, including any seizure and disposition of the property, and any related judicial or administrative proceeding, shall be governed by the provisions of section 413 of the Controlled Substances Act (21 U.S.C. 853), except subsection (d) of that section.

“(j) CIVIL FORFEITURE OF PROPERTY USED IN THE COMMISSION OF AN OFFENSE.—

“(1) Any personal property, including any Internet domain name or Internet Protocol address, that was used or intended to be used to commit or to facilitate the commission of any violation of this section, or a conspiracy to violate this section shall be subject to forfeiture to the United States, and no property right shall exist in such property.

“(2) Seizures and forfeitures under this subsection shall be governed by the provisions of chapter 46 relating to civil forfeitures, except that such duties as are imposed on the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security or the Attorney General.”.

TITLE V—COMBATING ELECTION INTERFERENCE

SEC. 501. PROHIBITION ON INTERFERENCE WITH VOTING SYSTEMS.

Section 1030(e) of title 18, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by adding “or” at the end; and

(C) by adding at the end the following:

“(C) that—

“(i) is part of a voting system; and

“(ii) (I) is used for the management, support, or administration of a Federal election; or

“(II) has moved in or otherwise affects interstate or foreign commerce.”;

(2) in paragraph (11), by striking “and” at the end;

(3) in paragraph (12), by striking the period and inserting a semicolon; and

(4) by adding at the end the following:

“(13) the term ‘Federal election’ means any election (as defined in section 301(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(1))) for Federal office (as defined

in section 301(3) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(3))); and

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

SEC. 502. INADMISSIBILITY OF ALIENS SEEKING TO INTERFERE IN UNITED STATES ELECTIONS.

(a) DEFINED TERM.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

“(53) The term ‘improper interference in a United States election’ means conduct by an alien that—

“(A)(i) violates Federal criminal, voting rights, or campaign finance law; or

“(ii) is under the direction of a foreign government; and

“(B) interferes with a general or primary Federal, State, or local election or caucus, including—

“(i) the campaign of a candidate; and

“(ii) a ballot measure, including—

“(I) an amendment;

“(II) a bond issue;

“(III) an initiative;

“(IV) a recall;

“(V) a referral; and

“(VI) a referendum.”.

(b) IMPROPER INTERFERENCE IN UNITED STATES ELECTIONS.—Section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)) is amended by adding at the end the following:

“(H) IMPROPER INTERFERENCE IN A UNITED STATES ELECTION.—Any alien who is seeking admission to the United States to engage in improper interference in a United States election, or who has engaged in improper interference in a United States election, is inadmissible.”.

TITLE VI—SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION

Subtitle A—Expansion of Countering America’s Adversaries Through Sanctions Act SEC. 601. IMPOSITION OF ADDITIONAL SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION.

(a) IN GENERAL.—Part 2 of subtitle A of title II of the Countering America’s Adversaries Through Sanctions Act (22 U.S.C. 9521 et seq.) is amended—

(1) by redesignating sections 235, 236, 237, and 238 as sections 239A, 239B, 239D, and 239E, respectively; and

(2) by inserting after section 234 the following:

“SEC. 235. SANCTIONS WITH RESPECT TO TRANSACTIONS WITH CERTAIN RUSSIAN POLITICAL FIGURES AND OLIGARCHS.

“On and after that date that is 180 days after the date of the enactment of the Defending American Security from Kremlin Aggression Act of 2018, the President shall impose the sanctions described in section 224(b) with respect to—

“(1) political figures, oligarchs, and other persons that facilitate illicit and corrupt activities, directly or indirectly, on behalf of the President of the Russian Federation, Vladimir Putin, and persons acting for or on behalf of such political figures, oligarchs, and persons;

“(2) Russian parastatal entities that facilitate illicit and corrupt activities, directly or indirectly, on behalf of the President of the Russian Federation, Vladimir Putin;

“(3) family members of persons described in paragraph (1) or (2) that derive significant benefits from such illicit and corrupt activities; and

“(4) persons, including financial institutions, engaging in significant transactions with persons described in paragraph (1), (2), or (3).

“SEC. 236. SANCTIONS WITH RESPECT TO TRANSACTIONS RELATED TO INVESTMENTS IN ENERGY PROJECTS SUPPORTED BY RUSSIAN STATE-OWNED OR PARASTATAL ENTITIES OUTSIDE OF THE RUSSIAN FEDERATION.

“On and after the date that is 180 days after the date of the enactment of the Defending American Security from Kremlin Aggression Act of 2018, the President shall impose five or more of the sanctions described in section 239A with respect to a person if the Secretary of the Treasury determines that the person knowingly, on or after such date of enactment, invests in an energy project outside of the Russian Federation—

“(1) that is supported by a Russian parastatal entity or an entity owned or controlled by the Government of the Russian Federation; and

“(2) the total value of which exceeds or is reasonably expected to exceed \$250,000,000.

“SEC. 237. SANCTIONS WITH RESPECT TO SUPPORT FOR THE DEVELOPMENT OF CRUDE OIL RESOURCES IN THE RUSSIAN FEDERATION.

“(a) IN GENERAL.—The President shall impose five or more of the sanctions described in section 239A with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of the Defending American Security from Kremlin Aggression Act of 2018, sells, leases, or provides to the Russian Federation goods, services, technology, financing, or support described in subsection (b)—

“(1) any of which has a fair market value of \$1,000,000 or more; or

“(2) that, during a 12-month period, have an aggregate fair market value of \$5,000,000 or more.

“(b) GOODS, SERVICES, TECHNOLOGY, FINANCING, OR SUPPORT DESCRIBED.—Goods, services, technology, financing, or support described in this subsection are goods, services, technology, financing or support that could directly and significantly contribute to the Russian Federation’s—

“(1) ability to develop crude oil resources located in the Russian Federation; or

“(2) production of crude oil resources in the Russian Federation, including any direct and significant assistance with respect to the construction, modernization, or repair of infrastructure that would facilitate the development of crude oil resources located in the Russian Federation.

“(c) APPLICABILITY.—The requirement to impose sanctions under subsection (a) shall not apply with respect to the maintenance of projects that are ongoing as of the date of the enactment of the Defending American Security from Kremlin Aggression Act of 2018.

“(d) REQUIREMENT TO ISSUE GUIDANCE.—Not later than 90 days after the date of enactment of the Defending American Security from Kremlin Aggression Act of 2018, the Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Energy, shall issue regulations—

“(1) clarifying how the exception under subsection (c) will be applied; and

“(2) listing specific goods, services, technology, financing, and support covered by subsection (b).

“SEC. 238. PROHIBITION ON AND SANCTIONS WITH RESPECT TO TRANSACTIONS RELATING TO NEW SOVEREIGN DEBT OF THE RUSSIAN FEDERATION.

“(a) IN GENERAL.—Not later than 90 days after the date of the enactment of the Defending American Security from Kremlin Aggression Act of 2018, the President shall—

“(1) prescribe regulations prohibiting United States persons from engaging in transactions with, providing financing for, or

in any other way dealing in Russian sovereign debt issued on or after the date that is 180 days after such date of enactment; and

“(2) exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of one or more of the Russian financial institutions specified in subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

“(b) **RUSSIAN FINANCIAL INSTITUTIONS SPECIFIED.**—The Russian financial institutions specified in this subsection are the following:

“(1) Vnesheconombank.

“(2) Sberbank.

“(3) VTB Bank.

“(4) Gazprombank.

“(5) Bank of Moscow.

“(6) Rosselkhozbank.

“(7) Promsvyazbank.

“(8) Vnesheconombank.

“(c) **RUSSIAN SOVEREIGN DEBT DEFINED.**—In this section, the term ‘Russian sovereign debt’ means—

“(1) bonds issued by the Central Bank, the National Wealth Fund, or the Federal Treasury of the Russian Federation, or agents or affiliates of any of those entities, with a maturity of more than 14 days;

“(2) foreign exchange swap agreements with the Central Bank, the National Wealth Fund, or the Federal Treasury of the Russian Federation with a duration of more than 14 days; and

“(3) any other financial instrument, the duration or maturity of which is more than 14 days, that—

“(A) the President determines represents the sovereign debt of the Government of the Russian Federation; or

“(B) is issued by a Russian financial institution specified in subsection (b).

“SEC. 239. SANCTIONS WITH RESPECT TO TRANSACTIONS WITH THE CYBER SECTOR OF THE RUSSIAN FEDERATION.

“On and after the date that is 60 days after the date of the enactment of the Defending American Security from Kremlin Aggression Act of 2018, the President shall impose five or more of the sanctions described in section 239A with respect to any person, including any financial institution, that the President determines—

“(1) engages in significant transactions with any person in the Russian Federation that has the capacity or ability to support or facilitate malicious cyber activities; or

“(2) is owned or controlled by, or acts or purports to act for or on behalf of, directly or indirectly, a person that engages in significant transactions described in paragraph (1).”.

(b) **SANCTIONS DESCRIBED.**—Section 239A(a) of the Countering America's Adversaries Through Sanctions Act, as redesignated by subsection (a)(1), is amended in the matter preceding paragraph (1) by striking “or 233(a)” each place it appears and inserting “233(a), 236, 237, or 239”.

(c) **TERMINATION.**—Section 239B(c) of the Countering America's Adversaries Through Sanctions Act, as redesignated by subsection (a)(1), is amended by striking “or 234” and inserting “234, 235, 236, 237, 238, or 239”.

(d) **IMPLEMENTATION AND PENALTIES.**—Part 2 of subtitle A of title II of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9521 et seq.) is amended by inserting after section 239A, as redesignated by subsection (a)(1), the following:

“SEC. 239C. IMPLEMENTATION AND PENALTIES.

“(a) **IMPLEMENTATION.**—The President may exercise all authorities provided to the

President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this part.

“(b) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of this part or any regulation, license, or order issued to carry out this part shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.”.

(e) **CLERICAL AMENDMENT.**—The table of contents for the Countering America's Adversaries Through Sanctions Act is amended by striking the items relating to sections 235 through 238 and inserting the following:

“Sec. 235. Sanctions with respect to transactions with certain Russian political figures and oligarchs.

“Sec. 236. Sanctions with respect to transactions related to investments in energy projects supported by Russian state-owned or parastatal entities outside of the Russian Federation.

“Sec. 237. Sanctions with respect to support for the development of crude oil resources in the Russian Federation.

“Sec. 238. Prohibition on and sanctions with respect to transactions relating to new sovereign debt of the Russian Federation.

“Sec. 239. Sanctions with respect to transactions with the cyber sector of the Russian Federation.

“Sec. 239A. Sanctions described.

“Sec. 239B. Exceptions, waiver, and termination.

“Sec. 239C. Implementation and penalties.

“Sec. 239D. Exception relating to activities of the National Aeronautics and Space Administration.

“Sec. 239E. Rule of construction.”.

(f) **CONFORMING AMENDMENTS.**—Part 2 of subtitle A of title II of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9521 et seq.), as amended by this section, is further amended—

(1) in section 231, by striking subsection (e); and

(2) by striking “section 235” each place it appears and inserting “section 239A”.

(g) **GUIDANCE.**—The President shall, in a prompt and timely way, publish guidance on the implementation of this subtitle and the amendments made by this subtitle and any regulations prescribed pursuant to this subtitle or any such amendment.

SEC. 602. CONGRESSIONAL REVIEW AND CONTINUED APPLICABILITY OF SANCTIONS UNDER THE SERGEI MAGNITSKY RULE OF LAW ACCOUNTABILITY ACT OF 2012.

Section 216(a)(2)(B)(i) of the Russia Sanctions Review Act of 2017 (22 U.S.C. 9511(a)(2)(B)(i)) is amended—

(1) in subclause (II), by striking “; or” and inserting a semicolon;

(2) in subclause (III), by striking “; and” and inserting “; or”; and

(3) by adding at the end the following:

“(IV) the Sergei Magnitsky Rule of Law Accountability Act of 2012 (title IV of Public Law 112–208; 22 U.S.C. 5811 note); and”.

Subtitle B—Coordination With the European Union

SEC. 611. SENSE OF CONGRESS ON COORDINATION WITH ALLIES WITH RESPECT TO SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION.

It is the sense of Congress that the President should—

(1) continue to uphold and seek unity with European and other key partners with respect to sanctions implemented with respect to the Russian Federation, which have been effective and instrumental in countering the aggression of the Russian Federation;

(2) engage to the fullest extent possible with governments that are partners of the United States with regard to closing loopholes, including the allowance of extended prepayment for the delivery of goods and commodities and other loopholes, in multi-lateral and unilateral restrictive measures against the Russian Federation, with the aim of maximizing alignment of those measures; and

(3) increase efforts to vigorously enforce compliance with sanctions in place as of the date of the enactment of this Act with respect to the Russian Federation in response to the crises in Ukraine and Syria, cyber intrusions and attacks, and human rights violators in the Russian Federation.

SEC. 612. OFFICE OF SANCTIONS COORDINATION OF THE DEPARTMENT OF STATE.

(a) **IN GENERAL.**—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), as amended by section 211, is further amended—

(1) by redesignating subsection (h) as subsection (i); and

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

“(h) **OFFICE OF SANCTIONS COORDINATION.**—

“(1) **IN GENERAL.**—There is established, within the Department of State, an Office of Sanctions Coordination (referred to in this subsection as the ‘Office’).

“(2) **HEAD.**—The head of the Office shall—

“(A) have the rank and status of ambassador;

“(B) be appointed by the President, by and with the advice and consent of the Senate; and

“(C) report to the Under Secretary for Political Affairs.

“(3) **DUTIES.**—The head of the Office shall—

“(A) serve as the principal advisor to the senior management of the Department and the Secretary regarding the role of the Department in the development and implementation of sanctions policy, including sanctions with respect to the Russian Federation, Iran, North Korea, and other countries;

“(B) represent the United States in diplomatic and multilateral fora on sanctions matters;

“(C) consult and closely coordinate with the European Union to ensure the maximum effectiveness of sanctions imposed by the United States and the European Union with respect to the Russian Federation;

“(D) advise the Secretary directly and provide input with respect to all activities, policies, and programs of all bureaus and offices of the Department relating to the implementation of sanctions policy; and

“(E) serve as the principal liaison of the Department to other Federal agencies involved in the design and implementation of sanctions policy.

“(4) **RULE OF CONSTRUCTION.**—Nothing in this subsection may be construed to preclude—

“(A) the Office from being elevated to a Bureau within the Department; or

“(B) the head of the Office from being elevated to level of an Assistant Secretary.”.

(b) **REPORT REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report detailing the efforts of the Office of Sanctions Coordination established under the amendments made by subsection (a) to coordinate sanctions policy with the European Union.

SEC. 613. REPORT ON COORDINATION OF SANCTIONS BETWEEN THE UNITED STATES AND EUROPEAN UNION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) A description of each instance, during the period specified in subsection (b)—

(A) in which the United States has imposed sanctions with respect to a person for activity related to the Russian Federation, but in which the European Union has not imposed corresponding sanctions; and

(B) in which the European Union has imposed sanctions with respect to a person for activity related to the Russian Federation, but in which the United States has not imposed corresponding sanctions.

(2) An explanation for the reason for each discrepancy between sanctions imposed by the European Union and sanctions imposed by the United States described in subparagraphs (A) and (B) of paragraph (1).

(b) PERIOD SPECIFIED.—The period specified in this subsection is—

(1) in the case of the first report submitted under subsection (a), the period beginning on the date of the enactment of this Act and ending on the date the report is submitted; and

(2) in the case of a subsequent such report, the 180-day period preceding the submission of the report.

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

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

Subtitle C—Reports Relating to Sanctions With Respect to the Russian Federation

SEC. 621. DEFINITIONS.

In this subtitle:

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

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

(2) SENIOR FOREIGN POLITICAL FIGURE.—The term “senior foreign political figure” has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

SEC. 622. UPDATED REPORT ON OLIGARCHS AND PARASTATAL ENTITIES OF THE RUSSIAN FEDERATION.

Section 241 of the Countering America's Adversaries Through Sanctions Act (Public Law 115-44; 131 Stat. 922) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

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

“(b) UPDATED REPORT.—Not later than 180 days after the date of the enactment of the Defending American Security from Kremlin Aggression Act of 2018, the Secretary of the

Treasury, in consultation with the Director of National Intelligence and the Secretary of State, shall submit to the appropriate congressional committees an updated report on oligarchs and parastatal entities of the Russian Federation that builds on the report submitted under subsection (a) on January 29, 2018, and that includes the matters described in paragraphs (1) through (5) of subsection (a).”; and

(3) in subsection (c), as redesignated by paragraph (1), by striking “The report required under subsection (a)” and inserting “The reports required by subsections (a) and (b).”.

SEC. 623. REPORT ON THE PERSONAL NET WORTH AND ASSETS OF VLADIMIR PUTIN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees a detailed report on the personal net worth and assets of the President of the Russian Federation, Vladimir Putin, including—

(1) the estimated net worth and known sources of income of Vladimir Putin and his family members, including assets, investments, bank accounts, other business interests, and relevant beneficial ownership information; and

(2) an identification of the most significant senior foreign political figures and oligarchs in the Russian Federation, as determined by their closeness to Vladimir Putin.

(b) FORM OF REPORT.—The report required under subsection (a) shall be submitted in an unclassified form but may include a classified annex.

SEC. 624. REPORT ON SECTION 224 OF THE COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the persons that the President has determined under section 224(a)(1)(A) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9524(a)(1)(A)) knowingly engaged, on or after August 2, 2017, and before the date of the report, in significant activities undermining cybersecurity against any person, including a democratic institution or government on behalf of the Government of the Russian Federation.

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

(1) A list of the persons described in subsection (a).

(2) A description of diplomatic efforts to work with governments and democratic institutions in other countries the cybersecurity of which the President determines has been undermined by the Government of the Russian Federation.

(c) UPDATES.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

SEC. 625. REPORT ON SECTION 225 OF THE COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the foreign persons that the President has determined under section 4(b)(1) of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8923(b)(1)), as amended by section 225 of the Countering America's Adversaries Through Sanctions Act (Public Law 115-44; 131 Stat. 910), have knowingly, on

or after August 2, 2017, and before the date of the report, made a significant investment in a special Russian crude oil project.

(b) UPDATES.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

SEC. 626. REPORT ON SECTION 226 OF THE COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the foreign financial institutions that the President has determined under section 5(a) of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8924(a)), as amended by section 226 of the Countering America's Adversaries Through Sanctions Act (Public Law 115-44; 131 Stat. 910), have knowingly engaged, on or after August 2, 2017, and before the date of the report, in significant transactions involving significant investments in a special Russian crude oil project described in section 4(b)(1) of the Ukraine Freedom Support Act of 2014.

(b) UPDATES.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

SEC. 627. REPORT ON SECTION 228 OF THE COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the foreign persons that the President has determined under subsection (a) of section 10 of the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8909), as added by section 228 of the Countering America's Adversaries Through Sanctions Act (Public Law 115-44; 131 Stat. 911), have, on or after August 2, 2017, and before the date of the report—

(1) materially violated, attempted to violate, conspired to violate, or caused a violation of any license, order, regulation, or prohibition contained in or issued pursuant to any covered Executive order (as defined in subsection (f) of such section 10), the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8901 et seq.), or the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8921 et seq.); or

(2) facilitated a significant transaction or transactions, including deceptive or structured transactions, for or on behalf of—

(A) any person subject to sanctions imposed by the United States with respect to the Russian Federation; or

(B) any child, spouse, parent, or sibling of an individual described in subparagraph (A).

(b) UPDATES.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

SEC. 628. REPORT ON SECTION 233 OF THE COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the foreign persons that the President has determined under section 233 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9527) have

made, on or after August 2, 2017, and before the date of the report, an investment of \$10,000,000 or more (or any combination of investments of not less than \$1,000,000 each, which in the aggregate equals or exceeds \$10,000,000 in any 12-month period), or facilitates such an investment, if the investment directly and significantly contributes to the ability of the Russian Federation to privatize state-owned assets in a manner that unjustly benefits—

(1) officials of the Government of the Russian Federation; or

(2) close associates or family members of those officials.

(b) **UPDATES.**—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

SEC. 629. REPORT ON SECTION 234 OF THE COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

(a) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the foreign persons that the President has determined under section 234 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9528) have knowingly, on or after August 2, 2017, and before the date of the report, exported, transferred, or otherwise provided to Syria significant financial, material, or technological support that contributes materially to the ability of the Government of Syria to—

(1) acquire or develop chemical, biological, or nuclear weapons or related technologies;

(2) acquire or develop ballistic or cruise missile capabilities;

(3) acquire or develop destabilizing numbers and types of advanced conventional weapons;

(4) acquire significant defense articles, defense services, or defense information (as such terms are defined under the Arms Export Control Act (22 U.S.C. 2751 et seq.)); or

(5) acquire items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

(b) **UPDATES.**—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

Subtitle D—General Provisions

SEC. 631. EXCEPTION RELATING TO ACTIVITIES OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

(a) **IN GENERAL.**—This title and the amendments made by this title shall not apply with respect to activities of the National Aeronautics and Space Administration.

(b) **RULE OF CONSTRUCTION.**—Nothing in this title or the amendments made by this title shall be construed to authorize the imposition of any sanction or other condition, limitation, restriction, or prohibition, that directly or indirectly impedes the supply by any entity of the Russian Federation of any product or service, or the procurement of such product or service by any contractor or subcontractor of the United States or any other entity, relating to or in connection with any space launch conducted for—

(1) the National Aeronautics and Space Administration; or

(2) any other non-Department of Defense customer.

SEC. 632. RULE OF CONSTRUCTION.

Nothing in this title or the amendments made by this title shall be construed—

(1) to supersede the limitations or exceptions on the use of rocket engines for na-

tional security purposes under section 1608 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3626; 10 U.S.C. 2271 note), as amended by section 1607 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1100) and section 1602 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2582); or

(2) to prohibit a contractor or subcontractor of the Department of Defense from acquiring components referred to in such section 1608.

TITLE VII—OTHER MATTERS RELATING TO THE RUSSIAN FEDERATION

SEC. 701. DETERMINATION ON DESIGNATION OF THE RUSSIAN FEDERATION AS A STATE SPONSOR OF TERRORISM.

(a) **DETERMINATION.**—

(1) **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 determination of whether the Russian Federation meets the criteria for designation as a state sponsor of terrorism.

(2) **FORM.**—The determination required by paragraph (1) shall be submitted in unclassified form but may include a classified annex, if appropriate.

(b) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) **STATE SPONSOR OF TERRORISM.**—The term "state sponsor of terrorism" means a country the government of which the Secretary of State has determined is a government that has repeatedly provided support for acts of international terrorism, for purposes of—

(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018;

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(D) any other provision of law.

SEC. 702. EXPANSION OF GEOGRAPHIC TARGETING ORDERS OF FINANCIAL CRIMES ENFORCEMENT NETWORK.

(a) **IN GENERAL.**—Section 5326 of title 31, United States Code, is amended by adding at the end the following:

"(e) **REPORTING BY TITLE INSURANCE COMPANIES.**—

"(1) **IN GENERAL.**—The Secretary shall issue an order under subsection (a) requiring a domestic title insurance company to obtain, maintain, and report to the Secretary information on the beneficial owners of entities that purchase residential real estate in high-value transactions in which the domestic title insurance company is involved.

"(2) **DEFINITIONS.**—In this subsection:

"(A) **BENEFICIAL OWNER.**—The term 'beneficial owner', with respect to an entity, means an individual who, directly or indirectly, owns 25 percent or more of the equity interests in the entity.

"(B) **DOMESTIC TITLE INSURANCE COMPANY.**—The term 'domestic title insurance company' has the meaning given that term in regulations prescribed by the Secretary.

"(C) **HIGH-VALUE TRANSACTION.**—The term 'high-value', with respect to a real estate transaction, has the meaning given that term in regulations prescribed by the Secretary based on the real estate market in which the transaction takes place."

(b) **REGULATIONS.**—Not later than 90 days after the date of the enactment of this Act,

the Secretary of the Treasury shall prescribe regulations to carry out the amendment made by subsection (a).

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out the amendment made by subsection (a).

SEC. 703. EXTENSION OF LIMITATIONS ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION.

Section 3112A(c) of the USEC Privatization Act (42 U.S.C. 2297h-10a(c)) is amended—

(1) in paragraph (2)(A)—

(A) in clause (vi), by striking ";" and inserting a semicolon;

(B) in clause (vii), by striking the period and inserting ";" and"; and

(C) by adding at the end the following:

"(viii) in calendar year 2021, 463,620 kilograms;

"(ix) in calendar year 2022, 456,930 kilograms;

"(x) in calendar year 2023, 449,810 kilograms;

"(xi) in calendar year 2024, 435,933 kilograms;

"(xii) in calendar year 2025, 421,659 kilograms;

"(xiii) in calendar year 2026, 421,659 kilograms;

"(xiv) in calendar year 2027, 394,072 kilograms;

"(xv) in calendar year 2028, 386,951 kilograms;

"(xvi) in calendar year 2029, 386,951 kilograms; and

"(xvii) in calendar year 2030, 375,791 kilograms."

(2) in paragraph (3)—

(A) in subparagraph (A), by striking the semicolon and inserting "; or";

(B) in subparagraph (B), by striking "; or" and inserting a period; and

(C) by striking subparagraph (C);

(3) in paragraph (5)(A), by striking "reference data" and all that follows through "2019" and inserting the following: "lower scenario data in the document of the World Nuclear Association entitled 'Nuclear Fuel Report: Global Scenarios for Demand and Supply Availability 2017-2035'. In each of calendar years 2022, 2025, and 2028"; and

(4) in paragraph (9), by striking "December 31, 2020" and inserting "December 31, 2030".

SEC. 704. ESTABLISHMENT OF A NATIONAL FUSION CENTER TO RESPOND TO THREATS FROM THE GOVERNMENT OF THE RUSSIAN FEDERATION.

(a) **ESTABLISHMENT.**—There is established a National Fusion Center to Respond to Hybrid Threats, which shall focus primarily on such threats from the Government of the Russian Federation, and shall be chaired by senior United States Government officials from participating agencies (in this section referred to as the "Center").

(b) **MISSION.**—The primary missions of the Center are as follows:

(1) To serve as the primary organization in the United States Government to coordinate analysis and policy implementation across the United States Government in responding to hybrid threats posed by the Government of the Russian Federation to the national security, sovereignty, democracy, and economic activity of the United States and United States allies, including the following activities:

(A) Execution of disinformation, misinformation, and propaganda campaigns through traditional and social media platforms.

(B) Formation, infiltration, or manipulation of cultural, religious, educational, and political organizations or parties.

(C) Covert transfer of illicit money through shell corporations and financial institutions to facilitate corruption, crime,

and malign influence activities, including through political parties and interest groups.

(D) Coercive tactics and gray zone activities, including through para-military and para-police and security services and militias.

(E) Cyber and other non-traditional threats, including against public infrastructure, government institutions, or political organizations or actors.

(F) Use of energy resources or infrastructure to influence or constrain sovereign states and political actors.

(2) To synchronize the efforts of the Department of State, the Department of the Treasury, the Department of Defense, the Department of Homeland Security, the intelligence community, other relevant civilian United States Government agencies, and United States military combatant commands with respect to countering efforts by the Government of the Russian Federation to undermine the national security, political sovereignty, democratic institutions, and economic activity of the United States and its United States allies, including by—

(A) ensuring that each such element is aware of and coordinating on such efforts; and

(B) overseeing the development and implementation of comprehensive and integrated policy responses to such efforts.

(3) In coordination with the head of the Global Engagement Center established by section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 22 U.S.C. 2656 note), to examine current and emerging efforts by malign state actors to use propaganda and disinformation operations, including—

(A) traditional media platforms such as television, radio, and print; and

(B) social media platforms and other Internet communication tools.

(4) To identify and close gaps across the departments and agencies of the Federal Government with respect to expertise, readiness, and planning to address the threats posed by the Government of the Russian Federation.

(c) REPORTING REQUIREMENT.—

(1) IN GENERAL.—The Director of the Center shall submit to the appropriate congressional committees every 180 days a report on threats posed by the Russian Federation to the national security, sovereignty, and economic activity of the United States and its allies.

(2) MATTERS INCLUDED.—Each report under paragraph (1) shall include, with respect to the period covered by the report, a discussion of the following:

(A) The nature, extent, and execution of the threats described in such paragraph.

(B) The ability of the United States Government to identify and defend against such threats.

(C) The progress of the Center in achieving its missions, including through coordination with other governments and multilateral organizations.

(D) Recommendations the Director determines necessary for legislative actions to improve the ability of the Center to achieve its missions.

(3) FORM.—Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term “intelligence community” means an element of the intelligence community specified or designated under section 3(4) of the National Security Act of 1947.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 705. COUNTERING RUSSIAN INFLUENCE FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Countering Russian Influence Fund described in section 7070(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115-31; 131 Stat. 706), \$250,000,000 for fiscal years 2020 and 2021.

(b) USE OF FUNDS.—Amounts in the Countering Russian Influence Fund shall be used in countries of Europe and Eurasia the Secretary of State has determined are vulnerable to malign influence by the Russian Federation to effectively implement, subject to the availability of funds, the following goals:

(1) To assist in protecting critical infrastructure and electoral mechanisms from cyberattacks.

(2) To combat corruption, improve the rule of law, and otherwise strengthen independent judiciaries and prosecutors general offices.

(3) To respond to the humanitarian crises and instability caused or aggravated by the invasions and occupations of Georgia, Moldova, and Ukraine by the Russian Federation.

(4) To improve participatory legislative processes and legal education, political transparency and competition, and compliance with international obligations.

(5) To build the capacity of civil society, media, and other nongovernmental organizations countering the influence and propaganda of the Russian Federation to combat corruption, prioritize access to truthful information, and operate freely in all regions.

(6) To assist the Secretary of State in executing the functions specified in section 1239(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 10 U.S.C. 113 note) for the purposes of recognizing, understanding, exposing, and countering propaganda and disinformation efforts by foreign governments, in coordination with the relevant regional Assistant Secretary or Assistant Secretaries of the Department of State.

(c) REVISION OF ACTIVITIES FOR WHICH AMOUNTS MAY BE USED.—The Secretary of State may modify a goal described in subsection (b) if, not later than 15 days before revising such goal, the Secretary notifies the appropriate congressional committees of the revision.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—The Secretary of State shall, acting through the Coordinator of United States Assistance to Europe and Eurasia (authorized pursuant to section 601 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5461) and section 102 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5812)), and in consultation with the Administrator for the United States Agency for International Development, the Director of the Global Engagement Center of the Department of State, the Secretary of Defense, EUCOM, the Chairman of the Broadcasting Board of Governors, and the heads of other relevant Federal agencies, coordinate and carry out activities to achieve the goals described in subsection (b).

(2) METHOD.—Activities to achieve the goals described in subsection (b) shall be carried out through—

(A) initiatives of the United States Government;

(B) Federal grant programs such as the Information Access Fund;

(C) nongovernmental or international organizations; or

(D) support exchanges with countries facing state-sponsored disinformation and pres-

sure campaigns, particularly in Europe and Eurasia, provided that a portion of the funds are made available through a process whereby the Bureau of Educational and Cultural Affairs of the Department of State solicits proposals from posts located in affected countries to counter state-sponsored disinformation and hybrid threats, promote democracy, and support exchanges with countries facing state-sponsored disinformation and pressure campaigns.

(3) REPORT ON IMPLEMENTATION.—

(A) IN GENERAL.—Not later than April 1 of each year, the Secretary of State, acting through the Coordinator of United States Assistance to Europe and Eurasia, shall submit to the appropriate congressional committees a report on the programs and activities carried out to achieve the goals described in subsection (b) during the preceding fiscal year.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include, with respect to each program or activity described in that subparagraph—

(i) the amount of funding for the program or activity;

(ii) the goal described in subsection (b) to which the program or activity relates; and

(iii) an assessment of whether or not the goal was met.

(e) COORDINATION WITH GLOBAL PARTNERS.—

(1) IN GENERAL.—In order to maximize impact, eliminate duplication, and speed the achievement of the goals described in subsection (b), the Secretary of State shall ensure coordination with—

(A) the European Union and its institutions;

(B) the governments of countries that are members of the North Atlantic Treaty Organization or the European Union; and

(C) international organizations and quasi-governmental funding entities that carry out programs and activities that seek to accomplish the goals described in subsection (b).

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to apply to or limit United States foreign assistance not provided using amounts available in the Countering Russian Influence Fund.

(g) EXPANSION OF PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of State shall expand the pilot program required under section 254(g) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9543(g)) to hire additional personnel within the Bureau for Democracy, Human Rights, and Labor to develop and implement programs focused on combating corruption, improving rule of law, and building capacity of civil society, political parties, and independent media.

(2) REPORT ON ENSURING ADEQUATE STAFFING FOR GOVERNANCE ACTIVITIES.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report on implementation of the pilot program required under section 254(g) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9543(g)).

SEC. 706. COORDINATING AID AND ASSISTANCE ACROSS EUROPE AND EURASIA.

It is the sense of Congress that—

(1) the Government of the Russian Federation has applied, and continues to apply traditional uses of force, intelligence operations, cyber attacks, and influence campaigns, including through the use of corruption, disinformation, and cultural and social influence, which represent clear and present

threats to the countries of Europe and Eurasia;

(2) in response, governments in Europe and Eurasia should redouble efforts to build resilience within their institutions, political systems, and civil societies;

(3) the United States Government supports the democratic and rule of law-based institutions that the Government of the Russian Federation seeks to undermine, including the North Atlantic Treaty Organization, the Organization for Security and Cooperation in Europe, and the European Union;

(4) the United States Government should continue to work with and strengthen such institutions, including the European Union, as a partner against aggression by the Government of the Russian Federation through the coordination of aid programs, development assistance, and other efforts to counter malign Russian influence;

(5) the United States Government should continue to work with the individual countries of Europe and Eurasia to bolster efforts to counter malign Russian influence in all its forms; and

(6) the United States Government should increase assistance and diplomatic efforts in Europe, including in European Union and NATO countries, to address threats to fundamental human rights and backsliding in rule of law protections, operating space for independent media and civil society, and other democratic institutions, whose strength is critical to defending against malign Russian influence over the long term.

SEC. 707. ADDRESSING ABUSE AND MISUSE BY THE RUSSIAN FEDERATION OF INTERPOL RED NOTICES AND RED DIFFUSIONS.

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

(1) The International Criminal Police Organization (in this section referred to as “INTERPOL”) works to prevent and fight crime through enhanced cooperation and innovation on police and security matters, including counterterrorism, cybercrime, counternarcotics, and transnational organized crime.

(2) United States membership and participation in INTERPOL advanced the national security and law enforcement interests of the United States related to combatting terrorism, cybercrime, narcotics, and transnational organized crime.

(3) Article 2 of INTERPOL’s Constitution states that the organization aims “[t]o ensure and promote the widest possible mutual assistance between all criminal police authorities [. . .] in the spirit of the ‘Universal Declaration of Human Rights’”.

(4) Article 3 of INTERPOL’s Constitution states that “[i]t is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character”.

(5) Some INTERPOL member countries have used the INTERPOL’s processes, including the red notice and red diffusions mechanisms, for activities of a political character.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Government of the Russian Federation has abused and misused INTERPOL’s red notice and red diffusion mechanisms for overtly political purposes and activities such as intimidating, harassing, and persecuting political opponents.

(c) CENSURE OF RUSSIAN ACTIVITY.—The Attorney General, in coordination with the Secretary of Homeland Security, shall use the voice and influence of the United States at INTERPOL to censure and sanction the abuse of INTERPOL mechanisms by the Government of the Russian Federation, including the suspension of the ability of the Government of the Russian Federation to use

INTERPOL’s red notice and red diffusion mechanisms.

(d) NO DENIAL OF SERVICES.—No United States person or foreign person that is the subject of a red notice or red diffusion requested by the Government of the Russian Federation shall be denied access to any United States Government services or programs because the person is the subject of such red notice or red diffusion, including requesting asylum, requesting a visa, or participating in a visa waiver program or the Transportation Security Administration’s Trusted Traveler Program.

SEC. 708. REPORT ON ACCOUNTABILITY FOR WAR CRIMES AND CRIMES AGAINST HUMANITY BY THE RUSSIAN FEDERATION IN SYRIA.

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

(1) In March 2016, Amnesty International issued a report stating, “Syrian and Russian forces have been deliberately attacking health facilities in flagrant violation of international humanitarian law. But what is truly egregious is that wiping out hospitals appears to have become part of their military strategy.”.

(2) On September 21, 2017, Department of State Spokesperson Heather Nauert said, “The United States is concerned by reports of airstrikes in Idlib province and northern Hama province on September 19 and 20 that killed at least three medical personnel and damaged a number of medical facilities, emergency equipment, and civil defense centers. These attacks fit an all-too-familiar pattern in which medical facilities and personnel—and the civilians they serve—are victims of strikes by the Syrian regime and its Russian allies.”.

(3) In February 2018, Syrian and Russian airstrikes in rebel-held areas killed 230 civilians and hit at least 9 medical facilities. In a statement on February 10, 2018, the office of Zeid Ra’ad al-Hussein, the United Nations High Commissioner for Human Rights, said the airstrikes “may, depending on the circumstances, all constitute war crimes”.

(4) On March 6, 2018, the United Nations Independent International Commission of Inquiry on the Syrian Arab Republic noted, “[I]n one particularly harmful attack on 13 November, the Russian Air Force carried out airstrikes on a densely populated civilian area in Atareb (Aleppo), killing at least 84 people and injuring another 150. Using unguided weapons, the attack struck a market, police station, shops, and a restaurant, and may amount to a war crime.”.

(b) REPORT REQUIRED.—The Secretary of State shall submit to the appropriate congressional committees a report on alleged war crimes and crimes against humanity attributable to the Government of the Russian Federation or paramilitary forces or contractors responsive to the direction of that Government during the operations of that Government in Syria—

(1) not later than 60 days after the date of the enactment of this Act; and

(2) not later than 180 days after the date on which the Secretary of State determines that the violence in Syria has ceased.

(c) ELEMENTS.—Each report required by subsection (b) shall include the following:

(1) A description of alleged war crimes and crimes against humanity described in subsection (b), including—

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

(B) if possible, a description of the conventional and unconventional weapons used for such alleged crimes and the origins of such weapons.

(2) An assessment of whether such alleged crimes constitute war crimes or crimes against humanity, including genocide.

(3) A description and assessment by the Office of Global Criminal Justice of the Department of State, the United States Agency for International Development, the Department of Justice, and other appropriate Federal agencies, of programs that the United States Government has undertaken to ensure accountability for such alleged crimes, including programs—

(A) to train investigators within and outside of Syria on how to document, investigate, develop findings with respect to, and identify and locate alleged perpetrators of, such alleged crimes, including—

(i) the number of United States Government or contractor personnel currently designated to work full-time on such training; and

(ii) an identification of the authorities and appropriations being used to support such training; and

(B) to document, collect, preserve, and protect evidence of such alleged crimes, including support for Syrian, foreign, and international nongovernmental organizations, and other entities, including the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 and the Independent International Commission of Inquiry on the Syrian Arab Republic of the United Nations.

(d) PROTECTION OF WITNESSES AND EVIDENCE.—In preparing the report required by subsection (b), the Secretary shall take due care to ensure that the identities of witnesses and physical evidence are not publicly disclosed in a manner that might place such witnesses at risk of harm or encourage the destruction of such evidence by the Government of the Russian Federation or the Government of Syria, violent extremist groups, anti-government forces, or any other combatants or participants in the conflict in Syria.

(e) FORM.—Each report required by subsection (b) may be submitted in unclassified or classified form, but shall include a publicly available annex.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

SEC. 709. REPORT ON ACTIVITIES OF THE RUSSIAN FEDERATION IN SYRIA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of State and the Secretary of Defense, shall submit to the appropriate congressional committees and leadership a report that includes—

(1) an assessment of the willingness and capacity of the Government of the Russian Federation to ensure the removal of Iranian forces, Iran-aligned and Iran-directed militias and paramilitaries, and other armed group responsive to the direction of Iran, from the territory of Syria;

(2) a list of policies, actions, or activities that the Government of the Russian Federation would take if that Government were willing to ensure the removal of the forces, militias, paramilitaries, and other armed

groups described in paragraph (1) from the territory of Syria;

(3) a list of policies, actions, or activities that the Government of the Russian Federation would take to ensure the removal of the forces, militias, paramilitaries, and other armed groups described in paragraph (1) from the territory of Syria if that Government were capable of doing so;

(4) an assessment of whether any of the policies, actions, or activities described in paragraph (2) or (3) are being taken by the Government of the Russian Federation;

(5) an assessment of the specific commitments made by officials of the Government of the Russian Federation to officials of the Government of Israel with respect to the Golan Heights and the presence of the forces, militias, paramilitaries, and other armed groups described in paragraph (1) in the territory of Syria;

(6) an assessment of weapons, technologies, and knowledge directly or indirectly transferred by the Government of the Russian Federation to the regime of Bashar al-Assad, Lebanese Hezbollah, Iran, or Iran-aligned forces in Syria that threaten the security and qualitative military edge of Israel; and

(7) an assessment of whether the presence of Russian forces and Russian contractors in Syria limits the options of the Government of Israel in taking steps to ensure its security from threats emanating from the territory of Syria.

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

(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term “appropriate congressional committees and leadership” means—

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the majority and minority leaders of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

SEC. 710. SENSE OF CONGRESS ON RESPONSIBILITY OF TECHNOLOGY COMPANIES FOR STATE-SPONSORED DISINFORMATION.

It is the sense of Congress that technology companies, particularly social media companies, share responsibility for ensuring that their platforms are free of disinformation sponsored by the Government of the Russian Federation and other foreign governments.

SA 3939. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On 148, line 18, strike the period and insert the following: “(and an additional amount of \$15,000,000, to be awarded to States for the purposes of providing instruction associated with pre-apprenticeship and apprenticeship programs).”.

SA 3940. Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Not later than January 31, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report—

(1) comparing the cost expenditures of organic industrial depot maintenance of the E-8C Joint Surveillance Target Attack Radar System aircraft fleet versus contracted or non-organic maintenance; and

(2) comparing the cost variance and cost savings of different programmed depot maintenance cycles or procedures for the E-8C, including comparisons to such other platforms as the Comptroller General considers appropriate.

SA 3941. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Of the amount appropriated or otherwise made available for fiscal year 2019 for the Department of Defense by this Act, not less than \$10,000,000 shall be made available to such units of the Armed Forces as the Secretary of Defense considers appropriate for Marine Corps Special Operations Command (MARSOC) non-traditional suspension/resistance performance training in order to improve the overall readiness of such units through innovative intervention to minimize injury and assist with anti-fatigue performance training.

SA 3942. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. (a) The amount appropriated by title IV of this division under the heading “Research, Development, Test and Evaluation, Defense-Wide” is hereby increased by \$133,000,000, with the amount of the increase to be available for the Missile Defense Agency for Common Kill Vehicle Technology

(b) The amount appropriated by title IV of this division under the heading “Research, Development, Test and Evaluation, Defense-Wide” is hereby decreased by \$133,000,000, with the amount of the decrease to be applied against amounts otherwise appropriated by the heading for the Missile Defense Agency and available for Technology Maturation Initiatives.

SA 3943. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. (a) The amount appropriated by title III of this division under the heading “Aircraft Procurement, Air Force” is hereby

increased by \$39,000,000, with the amount of the increase to be available for upgrades of active electronically scanned array (AESA) radars for Aggressor Squadrons of the Air Force.

(b) The amount appropriated by title III of this division under the heading “Aircraft Procurement, Air Force” is hereby decreased by \$39,000,000, with the amount of the decrease to be applied against amounts available for Combat Aircraft for C-135B Aircraft.

SA 3944. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In section 202 of division B, insert “, except for amounts obligated under section 3084 of the 21st Century Cures Act (Public Law 114–255), including any amendments made by such Act” before the period.

SA 3945. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. (a) Not later than March 31, 2019, the Director of the Defense Logistics Agency shall submit to Congress a report on the production of military footwear and the production base for military footwear.

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

(1) Current and forecasted production requirements for combat and specialty military boots.

(2) An estimate of the surge production capacity requirements for combat and specialty military boots based upon existing inventory, war reserve materiel, and Defense Planning Guidance.

(3) An assessment of the costs and capacity of the current production base to meet current, forecasted, and surge requirements for combat and specialty military boots, and an assessment of the impact of any reduction in the size of the current production base on such costs and capacity.

(4) Such recommendations for actions to address deficiencies and vulnerabilities in the production base that the Director considers appropriate.

(5) Such other matters as the Director considers appropriate.

SA 3946. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, 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. _____. (a) Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense, in consultation with the Director of National Intelligence, shall certify to the

congressional defense committees and the congressional intelligence committees that there are no known devices, components, subcomponents, or software embedded within or with access to any operational or business data or voice network of the Department of Defense, including intranets, that are produced by Huawei Technologies Company, ZTE Corporation, any subsidiary or affiliate of such entity, or any other Chinese telecommunication or technology entity.

(b)(1) If it is not possible to make a certification under subsection (a), the Secretary of Defense, in consultation with the Director of National Intelligence, shall submit to the congressional defense committees a report detailing all instances of known devices, components, subcomponents, or software embedded within or with access to any operational or business data or voice network of the Department of Defense, including intranets, that are produced by Huawei Technologies Company, ZTE Corporation, any subsidiary or affiliate of such entity, or any other Chinese telecommunication or technology entity, and including a plan to excise such devices, components, subcomponents, or software within 30 days of the report.

(2) The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c)(1) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of National Intelligence, shall submit to the congressional defense committees and the congressional intelligence committees a report on the following:

(A) The threat that incorporating devices, components, subcomponents, or software produced by Chinese telecommunication or technology entities into operational or business data and voice networks of the Department of Defense poses to the national security of the United States.

(B) The extent to which Chinese telecommunications equipment and components are embedded within operational or business data and voice networks of the Department of Defense, and how many Chinese telecommunications technology components have been removed during the two-year period preceding the report.

(C) The prevalence of Chinese-origin telecommunications equipment available for sale on military installations of the United States.

(D) The privacy and security threats posed to members of the Armed Forces and their families by the use of Chinese-origin telecommunications devices, components, subcomponents, and software, including mobile phones, fitness monitors with tracking capabilities, routers, and other household components.

(2) The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

SA 3947. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division B insert the following:

SEC. _____. No funds made available by this Act may be used to enforce the limitation under paragraph (1) or (2)(B) of section 102(f) of the Family and Medical Leave Act of 1993.

SA 3948. Mrs. ERNST (for herself and Mr. GRASSLEY) submitted an amend-

ment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B insert the following:

SEC. _____. No funds made available by this Act may be used to support the guidance issued by the Department of Health and Human Services and the Department of the Treasury entitled "Waivers for State Innovation" (80 Fed. Reg. 78131 (December 16, 2015)).

SA 3949. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. In addition to a location near a United States Army Depot for a mobile small arms repair team under the pilot program on a mobile small arms repair team provided for by Senate Report 115-290 (115th Congress), such a teams may be provided for a location near an Army Arsenal.

SA 3950. Mr. BLUNT (for himself, Mr. ALEXANDER, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. Of the funds appropriated under the heading "Office of the Director" under the heading "National Institutes of Health", \$5,000,000 shall be transferred to and merged with the appropriation for the "Office of the Inspector General" for oversight of grant programs and operations of the National Institutes of Health, including agency efforts to ensure the integrity of its grant application evaluation and selection processes, and shall be in addition to funds otherwise made available for oversight of the National Institutes of Health: *Provided*, That funds may be transferred from one specified activity to another with 15 days prior approval of the Committees of Appropriations of the House of Representatives and the Senate: *Provided further*, That the Inspector General shall consult with the House and Senate Committees on Appropriations before submitting to the Committees an audit plan for fiscal years 2019 and 2020 no later than 30 days after the date of enactment of this Act.

SA 3951. Mr. HELLER (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Of the amounts appropriated or otherwise made available under paragraph (2) under the heading "VETERANS EMPLOYMENT AND TRAINING" under title I, \$2,000,000 may be used to carry out a pilot program for preparing members of the Armed Forces transitioning to civilian life to qualify for, and for assisting in placing them in, apprenticeship programs.

SA 3952. Mr. CASSIDY (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees an addendum to the 30-year shipbuilding plan of the Navy that sets forth in detail the manner in which the Department of the Navy will take into account in such plan each of the following:

(1) Appropriate diversification among small-sized and medium-sized surface ships.

(2) Existing programs and designs in production of Armed Forces other than the Navy that could be used to achieve a Navy of 355 surface ships in a more expeditious and cost-effective manner than is currently contemplated by the plan.

(3) Capacity in the shipbuilding industry as of the date of the report.

SA 3953. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, 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. _____. (a) None of the funds appropriated or otherwise made available to the Department of Health and Human Services by this Act may be used to approve a new waiver of the Medicaid non-emergency medical transportation requirement pursuant to an application received by the Secretary on or after August 1, 2018, unless a State applying for a waiver of such required services certifies the State will—

(1) reinstate such services if the rate of or attendance at appointments for Medicaid-approved services declines; and

(2) provide a sufficient amount of financial resources from non-Federal funds previously used to provide required services to support non-emergency medical transportation under locally developed coordinated transportation plans (as required under section 5310 of title 49, United States Code) at service levels necessary to maintain the rate of and attendance at appointments for Medicaid-approved services.

(b) None of the funds appropriated or otherwise made available to the Department of Health and Human by this Act may be used to renew or continue a waiver issued pursuant to the conditions of subsection (a) if a State fails to maintain compliance with such conditions.

SA 3954. Mr. DURBIN (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr.

BROWN, Mr. CARPER, Mr. COONS, Ms. CORTEZ MASTO, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Ms. HIRONO, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Ms. SMITH, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Ms. DUCKWORTH, Mrs. FEINSTEIN, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. _____. The Secretary of Education may not use any funds provided under this Act to promulgate any regulation to repeal, rewrite, or amend title 34, Code of Federal Regulations (relating to gainful employment) as added or amended by the final regulations published by the Department of Education on October 31, 2014 (79 Fed. Reg. 64889 et seq.).

SA 3955. Mr. DURBIN (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. CARPER, Mr. COONS, Ms. CORTEZ MASTO, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Mr. HEINRICH, Ms. HIRONO, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mr. NELSON, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Ms. DUCKWORTH, Mrs. FEINSTEIN, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. _____. The Secretary of Education may not use any funds provided under this Act to promulgate any regulation to repeal, rewrite, or amend title 34, Code of Federal Regulations (relating to borrower defense to repayment) as added or amended by the final regulations published by the Department of Education on November 1, 2016 (81 Fed. Reg. 75926 et seq.).

SA 3956. Mr. HATCH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following: “Provided further, In carrying out drug prevention programs and activities to support safe and healthy schools as instructed in the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), State educational agencies and local educational agencies receiving funds under part A or B of title IV of such Act, may target funding toward efforts aimed at reducing or eliminating the use of e-cigarette or electronic nicotine delivery systems (ENDS) or tobacco, as defined by the

Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), among youths in schools.”.

SA 3957. Mr. BOOKER (for himself, Ms. SMITH, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. _____. Not later than 6 months after the date of enactment of this Act and periodically thereafter, the Secretary of Education shall—

(1) work with States to identify and implement a process for increasing awareness of, and simplifying the application and certification process for, TEACH Grants under subpart 9 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070g et seq.);

(2) review and make appropriate changes to the procedures through which the service obligation of a recipient of a TEACH Grant is converted to a loan and a recipient engages in dispute resolution procedures;

(3) disseminate to recipients and make publicly available and accessible on the Department’s website, clear, consistent information on program service requirements and the procedures related to grant to loan conversions, including—

(A) an explanation that recipients have an option to appeal a conversion or waiver decision under a TEACH Grant;

(B) how a recipient can initiate an appeal; and

(C) the specific criteria in considering the appeal;

(4) clarify that a teacher in a qualifying teaching position at a qualifying school that meets the TEACH Grant program service obligation requirements for all or part of one of the required 4 years of teaching and for the school year in which the teacher was initially hired, but for which such school fails to meet such requirements in subsequent years, shall be deemed to meet program service requirements for all of the subsequent years during which the teacher remains at such school;

(5) provide the full biennial report to Congress on the TEACH Grant program, as required under section 420P of the Higher Education Act of 1965, including copies of all previous reports required since the program’s inception;

(6) make publicly available any analysis, findings, or results of any reviews by the Department of Education regarding erroneous or unfair conversions of TEACH Grants to loans; and

(7) direct the Commissioner of the National Center for Education Statistics to add a school ID number to the data collected in the Teacher Cancellation Low Income Directory.

SA 3958. Mr. CARDIN (for himself, Mr. CARPER, Mr. BOOKER, Mr. MENENDEZ, Ms. HARRIS, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

REPORT ON RACIAL DISPARITIES IN PREGNANCY-RELATED MORTALITY RATES

SEC. _____. Not later than 120 days after the date of enactment of this Act, the Director of the Centers for Disease Control and Prevention shall submit to Congress a report on racial disparities in pregnancy-related mortality rates, which shall—

(1) identify the causes of racial disparities in pregnancy-related mortality rates in the United States, and why such rates are higher among African American women, Hispanic women, Asian American women, American Indian women, Alaskan Native women, and Native Hawaiian women; and

(2) make recommendations for reducing—

(A) racial disparities in pregnancy-related mortality rates in the United States; and

(B) the overall pregnancy-related mortality rate in the United States.

SA 3959. Mr. MARKEY (for himself, Mr. NELSON, Mr. WHITEHOUSE, Ms. CORTEZ MASTO, Ms. HARRIS, Mr. MENENDEZ, Mr. MURPHY, Mrs. FEINSTEIN, Mr. REED, Ms. HASSAN, Mr. DURBIN, Mr. CASEY, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. MERKLEY, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 200, line 14, strike the period and insert “(and an additional amount of \$50,000,000, to be used by the Centers for Disease Control and Prevention for the purpose of conducting or supporting research on firearms safety or gun violence prevention).”.

SA 3960. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: “Provided further, That a prime contractor for a contract under a program under title IV of the Higher Education Act of 1965 shall receive credit toward the subcontracting goals established through a subcontracting plan required under section 8(d) of the Small Business Act (15 U.S.C. 637(d)) for subcontractors that are small business concerns and qualified State or nonprofit entities with expertise in assisting students and borrowers under programs under such title IV.”.

SA 3961. Mr. TOOMEY (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . FUNDING MODIFICATION OF THE CHILDREN'S HEALTH INSURANCE PROGRAM.

(a) APPROPRIATION; TOTAL ALLOTMENT.—Section 2104(a) of the Social Security Act (42 U.S.C. 1397dd(a)) is amended—

- (1) by striking paragraphs (23) through (27);
- (2) by redesignating paragraph (28) as paragraph (24); and
- (3) by inserting after paragraph (22) the following:

“(23) for each of fiscal years 2020 through 2026, such sums as are necessary to fund allotments to States under subsections (c) and (m); and”.

(b) CONFORMING AMENDMENTS.—Section 2104 of the Social Security Act (42 U.S.C. 1397dd) is amended—

- (1) in subsection (m)—
 - (A) in paragraph (2)(B)—
 - (i) in the matter preceding clause (i), by striking “(27)” and inserting “(24)”;
 - (ii) in clause (i), by striking “, 2023,”; and
 - (iii) in clause (ii)(I)—
 - (I) by striking “or 2024”; and
 - (II) by striking “(or (10), respectively”;
 - (B) in paragraph (5)—
 - (i) by striking “(10), or (11)” and inserting “or (10)”;
 - (ii) by striking “2023,”;
 - (C) in paragraph (9)—
 - (i) by striking “(10), or (11)” and inserting “or (10)”;
 - (ii) by striking “2023,”;
 - (D) by striking paragraph (10);
 - (E) by redesignating paragraph (11) as paragraph (10); and
 - (F) in paragraph (10), as so redesignated, by striking “(28)” each place it appears and inserting “(24)”;
- (2) in subsection (n)(3)(A)—
 - (A) by striking “fiscal years 2018 through 2022, or fiscal years 2024 through 2026” and inserting “fiscal years 2018 through 2026”; and
 - (B) by striking “, 2023”.

(c) REPEAL OF ONE-TIME APPROPRIATION FOR FISCAL YEAR 2023.—Section 3002(b) of the HEALTHY KIDS Act (Public Law 115—120) is amended by striking paragraph (2).

(d) CHILD ENROLLMENT CONTINGENCY FUND CAP.—Section 2104(n)(2) of the Social Security Act (42 U.S.C. 1397dd(n)(2)) is amended—

- (1) in subparagraph (A)—
 - (A) in clause (i), by striking “and” after the semi-colon;
 - (B) in clause (ii)—
 - (i) by inserting “and” after “2016,”;
 - (ii) by striking “through 2022, and 2024 through 2026” and inserting “through 2019”;
 - (iii) by striking “, 2023, and 2027”;
 - (iv) by striking “2015,” and inserting “2015, and”;
 - (v) by striking the period at the end and inserting “; and”;
- (C) by adding at the end the following:
 - “(iii) for each of fiscal years 2020 through 2026 (and for the semi-annual allotment period for fiscal year 2027), only such sums as are necessary to enable the Secretary to make payments from the Fund to eligible States under paragraph (3) for such fiscal year or period.”;
- (2) in subparagraph (B)—
 - (A) by inserting “and” after “2016,”;
 - (B) by striking “through 2022, and 2024 through 2026” and inserting “through 2019”;
 - (C) by striking “2015,” and inserting “2015, and”;
 - (D) by striking “, 2023, and 2027”;
- (3) in subparagraph (D), by inserting “before fiscal year 2020” after “period”.

SA 3962. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of

Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. ____ . CLARIFICATION OF AUTHORITY OF MILITARY COMMISSIONS ESTABLISHED UNDER CHAPTER 47A OF TITLE 10, UNITED STATES CODE, TO PUNISH CONTEMPT.

(a) CLARIFICATION.—

(1) IN GENERAL.—Subchapter IV of chapter 47A of title 10, United States Code, is amended by adding at the end the following new section:

“§ 9490–1. Contempt

“(a) AUTHORITY TO PUNISH.—(1) With respect to any proceeding under this chapter, a judicial officer specified in paragraph (2) may punish for contempt any person who—

“(A) uses any menacing word, sign, or gesture in the presence of the judicial officer during the proceeding;

“(B) disturbs the proceeding by any riot or disorder; or

“(C) willfully disobeys a lawful writ, process, order, rule, decree, or command issued with respect to the proceeding.

“(2) A judicial officer referred to in paragraph (1) is any of the following:

“(A) Any judge of the United States Court of Military Commission Review.

“(B) Any military judge detailed to a military commission or any other proceeding under this chapter.

“(b) PUNISHMENT.—The punishment for contempt under subsection (a) may not exceed confinement for 30 days, a fine of \$1,000, or both.

“(c) REVIEW.—(1) A punishment under this section—

“(A) is not reviewable by the convening authority of a military commission under this chapter;

“(B) if imposed by a military judge, shall constitute a judgment, subject to review in the first instance only by the United States Court of Military Commission Review and then only by the United States Court of Appeals for the District of Columbia Circuit; and

“(C) if imposed by a judge of the United States Court of Military Commission Review, shall constitute a judgment of the court subject to review only by the United States Court of Appeals for the District of Columbia Circuit.

“(2) In reviewing a punishment for contempt imposed under this section, the reviewing court shall affirm such punishment unless the court finds that imposing such punishment was an abuse of the discretion of the judicial officer who imposed such punishment.

“(3) A petition for review of punishment for contempt imposed under this section shall be filed not later than 60 days after the date on which the authenticated record upon which the contempt punishment is based and any contempt proceedings conducted by the judicial officer are served on the person punished for contempt.

“(d) PUNISHMENT NOT CONVICTION.—Punishment for contempt is not a conviction or sentence within the meaning of section 949m of this title. The imposition of punishment for contempt is not governed by other provisions of this chapter applicable to military commissions, except that the Secretary of Defense may prescribe procedures for contempt proceedings and punishments, pursuant to the authority provided in section 949a of this title.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter of IV

of such chapter is amended by adding at the end the following new item:

“9490–1. Contempt.”.

(b) CONFORMING AMENDMENTS.—Section 950t of title 10, United States Code, is amended—

- (1) by striking paragraph (31); and
- (2) by redesignating paragraph (32) as paragraph (31).

(c) RULE OF CONSTRUCTION.—The amendments made by subsections (a) and (b) shall not be construed to affect the lawfulness of any punishment for contempt adjudged prior to the effective date of such amendments.

(d) APPLICABILITY.—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act, and shall apply with respect to conduct by a person that occurs on or after such date.

SA 3963. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. ____ . REASONABLE PRICE AGREEMENT.

(a) IN GENERAL.—If any Federal agency or any non-profit entity using funds appropriated in this Act undertakes Federally funded health care research and development and is to convey or provide a patent for a drug, biologic, or other health care technology developed through such research, such agency or entity shall not make such conveyance or provide such patent until the entity (including a non-profit entity) that will receive such patent first agrees to a reasonable pricing agreement with the Secretary of Health and Human Services (referred to in this section as the “Secretary”) or the Secretary makes a determination that the public interest is served by a waiver of the reasonable pricing agreement provided in accordance with subsection (c).

(b) PROHIBITION OF DISCRIMINATION.—

(1) IN GENERAL.—For purposes of subsection (a), any reasonable pricing formula that is utilized shall not result in discriminatory pricing for the drug, biologic, or other health care technology involved regardless of the number of bidders involved. In carrying out this subparagraph, the Secretary shall ensure that the Federal Government, with respect to the drug, biologic, or other health care technology involved, is charged an amount that is not more than the lowest amount charged to countries in the Organization for Economic Co-Operation and Development for the same drug, biologic, or technology, that have the largest gross domestic product with a per capita income that is not less than half the per capita income of the United States.

(2) DISCRIMINATORY PRICING.—For the purposes of paragraph (1), a cost based reasonable pricing formula that is utilized shall be considered to result in discriminatory pricing if the contract for sale of the drug, biologic, or other health care technology places a limit on supply, or employs any other measure, that has the effect of—

(A) providing access to such drug, biologic, or technology on terms or conditions that are less favorable than the terms or conditions provided to a foreign purchaser (other than a charitable or humanitarian organization) of the drug, biologic, or technology; or

(B) restricting access to the drug, biologic, or technology under this section.

(c) WAIVER.—No waiver shall take effect under subsection (a) before the public is

given notice of the proposed waiver and provided a reasonable opportunity to comment on the proposed waiver. A decision to grant a waiver shall set out the Secretary's finding that such a waiver is in the public interest.

SA 3964. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. Of the funds made available under this Act, not more than \$1,000,000 shall be used by the Secretary of Health and Human Services to issue a regulation requiring that direct-to-consumer prescription drug and biological product advertisements include an appropriate disclosure of pricing information with respect to such products.

SA 3965. Mr. BOOKER (for himself, Mr. LEE, Mr. CRUZ, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. GAO STUDY AND REPORT ON THE USE OF RESTRICTIVE EMPLOYMENT COVENANTS BY AGENCIES THAT PROVIDE HOME HEALTH SERVICES TO MEDICARE AND MEDICAID BENEFICIARIES.

(a) **STUDY.**—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study on the use of restrictive employment covenants by agencies that provide home health services to Medicare and Medicaid beneficiaries. Such study shall include an analysis of the following:

(1) The prevalence (and profile) of home health agencies that receive reimbursement for the provision of home health services under the Medicare and Medicaid programs and use restrictive employment covenants.

(2) The profile of workers at such agencies that are bound by such restrictive employment covenants, including the average wage of such workers and their employment status.

(3) The profile of the terms of such restrictive employment covenants, including geography and duration.

(4) Other items determined appropriate by the Comptroller General.

(b) **REPORT.**—Not later than 6 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SA 3966. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Of the amount appropriated or otherwise made available in this division under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE” for the Operational Energy Capability Improvement Fund, \$15,000,000 shall be used to test and evaluate technologies that achieve operational energy capability improvement to support Naval Special Warfare and Marine Corps Expeditionary Warfare Center testing and tactical operations requirements.

SA 3967. Mr. PAUL (for himself and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SEC. _____. (a) **IN GENERAL.**—None of the funds made available by this Act may be available directly or through a State (including through managed care contracts with a State) to a prohibited entity.

(b) **PROHIBITED ENTITY.**—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(1) that, as of the date of enactment of this Act—

(A) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

(B) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(C) performs, or provides any funds to any other entity that performs abortions, other than an abortion performed—

(i) in the case of a pregnancy that is the result of an act of rape or incest; or

(ii) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life endangering physical condition caused by, or arising from, the pregnancy itself; and

(2) for which the total amount of Federal grants to such entity, including grants to any affiliates, subsidiaries, or clinics of such entity, under title X of the Public Health Service Act in fiscal year 2016 exceeded \$23,000,000.

(c) **END OF PROHIBITION.**—The definition in subsection (b) shall cease to apply to an entity if such entity certifies that it, including its affiliates, subsidiaries, successors, and clinics, will not perform, and will not provide any funds to any other entity that performs, an abortion as described in subsection (b)(1)(C).

SA 3968. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

The provisions in this Act shall go into effect 1 day after enactment.

SA 3969. Mr. SCHUMER submitted an amendment intended to be proposed by

him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

The provisions in this Act shall go into effect 2 days after enactment.

SA 3970. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

The provisions in the Act shall go into effect 3 days after enactment.

SA 3971. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CLEAN AIR REFUGEE ASSISTANCE.

(a) **SHORT TITLE.**—This section may be cited as the “Clean Air Refugee Assistance Act of 2018”.

(b) **ASSISTANCE.**—In carrying out the Transitional Sheltering Assistance Program of the Federal Emergency Management Agency under section 403 of Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b), the President may provide transitional shelter assistance to individuals living in an area where the air quality index is determined to be unhealthy for not less than 3 consecutive days as a result of a wildfire declared by the President to be a major disaster under section 401 of such Act (42 U.S.C. 5170) or declared to be a major disaster by the Governor of the State in which the individuals are located.

SA 3972. Mr. PETERS (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. (a) Of the funds appropriated in this title under the heading “REFUGEE AND ENTRANT ASSISTANCE” and available for carrying out programs for victims of trafficking, not less than \$500,000 shall be made available for carrying out section 702 of the Trafficking Awareness Training for Health Care Act of 2015 (title VII of Public Law 114-22) in a manner that complements and does not duplicate training activities carried out by the SOAR (Stop, Observe, Ask, Respond) to Health and Wellness Program of the Department of Health and Human Services.

(b) Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on how the Department of Health and Human Services is carrying

out activities to develop, evaluate, and disseminate evidence-based best practices for training health professionals on identifying victims of human trafficking.

SA 3973. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Of the amount appropriated or otherwise made available by title VI of this division under the heading “Drug Interdiction and Counter-Drug Activities, Defense”, up to \$1,600,000 may be available for additional activities to counter the threat of fentanyl and its analogues from China through the following:

(1) Direct support to law enforcement operations in the form of additional analytic and cyber support.

(2) Expansion of counter-threat finance operations to increase access to financial intelligence for focused analysis of financial streams of fentanyl and its analogues.

SA 3974. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. Not later than 90 days after the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives, detailing the circumstances in which the Centers for Medicare & Medicaid Services may be providing Medicare or Medicaid payments to, or otherwise funding, entities that process genome or exome data in the People’s Republic of China or the Russian Federation. The report shall outline the extent to which payments or other funding have been provided to such entities over the past 5 years, including amounts paid to each entity, and specific recommendations on steps to avoid payments in the future. In developing the report, the Secretary shall also coordinate with other relevant agencies, as determined by the Secretary, to examine the potential effect of allowing beneficiaries’ genome or exome data to be processed in the People’s Republic of China or the Russian Federation on United States national security, United States intellectual property protections, HIPPA privacy protections, future biomedical development capabilities and competitiveness, and global competitiveness for United States laboratories.

SA 3975. Mr. DURBIN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes;

which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. (a) In addition to amounts otherwise made available under this Act, there are appropriated \$1,000,000 for the congenital heart disease program of the Centers for Disease Control and Prevention.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “General Departmental Management” under the heading “Office of the Secretary” in this title is hereby reduced by \$1,000,000.

SA 3976. Ms. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. The Secretary shall prepare and submit to Congress, not later than September 24, 2018, a report specifying the process used by the Office of Refugee Resettlement in granting requests for congressional oversight visits to any facility in the United States in which unaccompanied alien children are housed or detained as a result of the policy described in the memorandum of the Attorney General entitled “Zero-Tolerance for Offenses Under 8 U.S.C. 1325(a)” dated April 6, 2018.

SA 3977. Mr. MERKLEY (for himself, Mr. TESTER, Mr. CRAPO, Mr. DAINES, Mr. WYDEN, Mr. RISCH, and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division B, insert the following:

SEC. _____. The Secretary, prior to July 1, 2019, shall prepare and submit to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate a report that includes—

(1) a copy of the interagency agreement between the Secretary of Labor and the Secretary of Agriculture relating to the Civilian Conservation Centers;

(2) a list of all active Civilian Conservation Centers and contractors administering such Centers; and

(3) a cumulative record of the funding provided to Civilian Conservation Centers during the 10 years preceding the date of the report, including, for each Civilian Conservation Center—

(A) the funds allocated to the Civilian Conservation Center;

(B) the number of enrollment slots maintained, disaggregated by gender and by residential or nonresidential training type;

(C) the career technical training offerings available;

(D) the staffing levels and staffing patterns at the Civilian Conservation Center; and

“(E) the number of Career Technical Skills Training slots available.”.

SA 3978. Mr. PERDUE submitted an amendment intended to be proposed to

amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. (a) None of the funds appropriated or otherwise made available by this division may be obligated or expended to provide aid to the Government of the People’s Republic of China or a provincial or local government of the People’s Republic of China.

(b)(1) Not later than December 31, 2018, and every December 31 thereafter, the President shall submit to Congress a report on spending by Federal agencies relating to amounts—

(A) given by any Federal agency directly to the Government of the People’s Republic of China or a provincial or local government of the People’s Republic of China;

(B) spent directly by Federal agencies to fund programs associated with the aid to the Government of the People’s Republic of China or a provincial or local government of the People’s Republic of China; and

(C) spent by any Federal agency to fund programs that indirectly aid the Government of the People’s Republic of China or a provincial or local government of the People’s Republic of China.

(2) Each report required by paragraph (1) shall include the following:

(A) The amounts spent by each Federal agency by program and funding stream.

(B) An accounting of the use of funds by the People’s Republic of China by program.

(C) A description of the mechanisms for tracking the use of funds by the People’s Republic of China.

(D) A description of the history of the programs and initiatives funded by such funds.

(3) The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

SA 3979. Mr. CORNYN (for himself, Mr. BLUMENTHAL, and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 199, line 3, strike the period and insert the following: “: *Provided further*, that of the funds made available under this heading, \$1,000,000 shall be available through the Telehealth Network grant to fund awards that use evidence-based practices that promote school safety and individual health, mental health, and well-being by providing assessment and referrals for health, mental health, or substance use disorder services to students who may be struggling with behavioral or mental health issues and providing training and support to teachers, school counselors, administrative staff, school resource officers, and other relevant staff to identify, refer, and intervene to help students experiencing mental health needs or who are considering harming themselves or others.”.

SA 3980. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of

Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. ____ . ANNUAL REPORTS ON THE READINESS OF THE ENLISTED MEMBERS OF THE ARMED FORCES.

(a) **ANNUAL REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once each year thereafter, the Secretary of Defense shall submit to Congress a report on readiness of the enlisted members of the Armed Forces.

(b) **ELEMENTS.**—Each report submitted under subsection (a) shall include, for the one-year period ending on the date of such report, the following (which shall be disaggregated, when applicable, by members of the Armed Forces who have been deployed and by members who have not been deployed):

(1) The percentage of enlisted members who were diagnosed with a mental health disorder before joining the Armed Forces.

(2) The percentage of enlisted members who were diagnosed with a mental health disorder during their first year as a member of the Armed Forces.

(3) The percentage of individuals—

(A) who were discharged or released from service in the Armed Forces during their first year in such service; and

(B) whose discharge or release from service in the Armed Forces was under conditions that were dishonorable or other than honorable.

(4) The percentage of individuals who enlisted in the Armed Forces pursuant to a waiver to enlist, set forth by Armed Force.

(5) The reasons for the waivers described in paragraph (4), set forth by Armed Force.

(6) The percentage of enlisted members who committed suicide during their first year of service in the Armed Forces.

(7) The percentage of enlisted members who committed suicide during their third year of service in the Armed Forces.

SEC. ____ . CENTRALIZED DATABASE ON CANDIDATES NOT ACCEPTED FOR ENLISTMENT IN THE ARMED FORCES.

Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish and maintain within the Department of Defense a centralized database on candidates who were not accepted for enlistment in the Armed Forces, including the reasons for non-acceptance.

SA 3981. Mrs. GILLIBRAND (for herself, Mr. ROUNDS, Mr. SCHUMER, Mr. MANCHIN, Mrs. CAPITO, Mr. BENNET, Ms. WARREN, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. ____ . Of the funds appropriated to the Department of Defense under the headings “Operation and Maintenance, Air Force” and “Operation and Maintenance, Air National Guard”, not more than \$45,000,000 shall be available to the Secretary of the Air Force for payments to a local water authority located in the vicinity of an Air Force or Air National Guard base (including a base

not Federally-owned), or to 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 water source and/or wells owned and operated by the local water authority undertaken to attain the Environmental Protection Agency Lifetime Health Advisory level for such acids: *Provided*, That the applicable Lifetime Health Advisory shall be the one in effect on the date of the enactment of this Act: *Provided further*, That the local water authority or State must have requested such a payment from the Air Force or National Guard Bureau not later than the date that is 120 days after the date of the enactment of this Act: *Provided further*, That the elevated levels of such acids in the water was the result of activities conducted by or paid for by the Department of the Air Force or the Air National Guard: *Provided further*, That such funds may be expended without regard to existing contractual provisions in agreements between the Department of the Air Force or the National Guard Bureau, as the case may be, and the State in which the base is located relating to environmental response actions or indemnification: *Provided further*, That, in order to be eligible for payment under this section, such treatment must have taken place after January 1, 2016, and the local water authority or State, as the case may be, must waive all claims for treatment expenses incurred before such date: *Provided further*, That any payment under this section may not exceed the actual cost of such treatment resulting from the activities conducted by or paid for by the Department of the Air Force: *Provided further*, That the Secretary may enter into such agreements with the local water authority or State as may be necessary to implement this section: *Provided further*, That the Secretary may pay, utilizing the Defense State Memorandum of Agreement, costs that would otherwise be eligible for payment under that agreement were those costs paid using funds appropriated to the Environmental Restoration Account, Air Force, established under section 2703(a)(4) of title 10, United States Code.

SA 3982. Mr. CASEY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. ____ . (a) In addition to amounts appropriated under the heading “Children and Families Services Programs” under the heading “Administration for Children and Families”, there is appropriated \$10,000,000 for purposes of carrying out title I of the Child Abuse Prevention and Treatment Act.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “children and Families Services Programs” is hereby reduced by \$10,000,000.

SA 3983. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION C—SECURE ELECTIONS ACT

SEC. ____ . 01. SHORT TITLE.

This division may be cited as the “Secure Elections Act”.

SEC. ____ . 02. DEFINITIONS.

In this division:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Rules and Administration, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, the Select Committee on Intelligence, the majority leader, and the minority leader of the Senate; and

(B) the Committee on House Administration, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Appropriations, the Permanent Select Committee on Intelligence, the Speaker, and the minority leader of the House of Representatives.

(2) **APPROPRIATE FEDERAL ENTITIES.**—The term “appropriate Federal entities” means—

(A) the Department of Commerce, including the National Institute of Standards and Technology;

(B) the Department of Defense;

(C) the Department, including the component of the Department that reports to the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department;

(D) the Department of Justice, including the Federal Bureau of Investigation;

(E) the Commission; and

(F) the Office of the Director of National Intelligence, the National Security Agency, and such other elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) as the Director of National Intelligence determines are appropriate.

(3) **COMMISSION.**—The term “Commission” means the Election Assistance Commission.

(4) **CYBERSECURITY INCIDENT.**—The term “cybersecurity incident” has the meaning given the term “incident” in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148).

(5) **DEPARTMENT.**—The term “Department” means the Department of Homeland Security.

(6) **ELECTION AGENCY.**—The term “election agency” means any component of a State or any component of a county, municipality, or other subdivision of a State that is responsible for administering Federal elections.

(7) **ELECTION CYBERSECURITY INCIDENT.**—The term “election cybersecurity incident” means any cybersecurity incident involving an election system.

(8) **ELECTION CYBERSECURITY THREAT.**—The term “election cybersecurity threat” means any cybersecurity threat (as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501)) to an election system.

(9) **ELECTION CYBERSECURITY VULNERABILITY.**—The term “election cybersecurity vulnerability” means any security vulnerability (as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501)) that affects an election system.

(10) **ELECTION SERVICE PROVIDER.**—The term “election service provider” means any person providing, supporting, or maintaining an election system on behalf of an election agency, such as a contractor or vendor.

(11) **ELECTION SYSTEM.**—The term “election system” means the following:

(A) Information technology infrastructure and systems used to maintain voter registration databases.

(B) Voting systems and associated infrastructure, which are generally held in storage but are located at polling places during early voting and on election day.

(C) Information technology infrastructure and systems used to manage elections, which may include systems that count, audit, and display election results on election night on behalf of State governments as well as for post-election reporting used to certify and validate election results.

(D) Such other systems the Secretary, in consultation with the Commission, may identify as central to the management, support, or administration of a Federal election.

(12) **FEDERAL ELECTION.**—The term “Federal election” means a general, special, primary, or runoff election for the office of President or Vice President, or of a Senator or Representative in, or Delegate or Resident Commissioner to, the Congress that is conducted by an election agency.

(13) **FEDERAL ENTITY.**—The term “Federal entity” means any agency (as defined in section 551 of title 5, United States Code).

(14) **SECRETARY.**—The term “Secretary” means the Secretary of Homeland Security.

(15) **SIGNIFICANT CYBERSECURITY INCIDENT.**—The term “significant cybersecurity incident” is a cybersecurity incident that is, or a group of related cybersecurity incidents that together are, likely to result in demonstrable harm to the national security interests, foreign relations, or economy of the United States or to the public confidence, civil liberties, or public health and safety of the American people.

(16) **SIGNIFICANT ELECTION CYBERSECURITY INCIDENT.**—The term “significant election cybersecurity incident” means any significant cybersecurity incident involving an election system.

(17) **STATE.**—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of Northern Mariana Islands, and the United States Virgin Islands.

(18) **STATE ELECTION OFFICIAL.**—The term “State election official” means—

(A) the chief State election official of a State designated under section 10 of the National Voter Registration Act of 1993 (52 U.S.C. 20509); or

(B) in the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of Northern Mariana Islands, and the United States Virgin Islands, a chief State election official designated by the State for purposes of this division.

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

SEC. 3. INFORMATION SHARING.

(a) **DESIGNATION OF RESPONSIBLE FEDERAL ENTITY.**—The Secretary shall have primary responsibility within the Federal Government for sharing information about election cybersecurity incidents, threats, and vulnerabilities with Federal entities and with election agencies.

(b) **PRESUMPTION OF FEDERAL INFORMATION SHARING TO THE DEPARTMENT.**—If a Federal entity receives information about an election cybersecurity incident, threat, or vulnerability, the Federal entity shall promptly share that information with the Department, unless the head of the entity (or a Senate-confirmed official designated by the head) makes a specific determination in writing that there is good cause to withhold the particular information.

(c) **ESTABLISHMENT OF INFORMATION SHARING PLANS AND PROTOCOLS.**—

(1) **IN GENERAL.**—The Secretary shall establish and maintain a communication plan and

protocols to promptly share information related to election cybersecurity incidents, threats, and vulnerabilities.

(2) **CONTENTS.**—The communication plan and protocols required to be established under paragraph (1) shall require that the Department promptly share appropriate information with—

(A) the appropriate Federal entities;

(B) all State election officials;

(C) to the maximum extent practicable, all election agencies that have requested ongoing updates on election cybersecurity incidents, threats, or vulnerabilities; and

(D) to the maximum extent practicable, all election agencies that may be affected by the risks associated with the particular election cybersecurity incident, threat, or vulnerability.

(d) **DEVELOPMENT OF STATE ELECTION CYBERSECURITY INCIDENT RESPONSE AND COMMUNICATION PLAN TEMPLATE.**—The Secretary shall, in coordination with the Commission and the Election Infrastructure Government Coordinating Council, establish a template that a State may use when establishing a State election cybersecurity incident response and communication plan.

(e) **TECHNICAL RESOURCES FOR ELECTION AGENCIES.**—In sharing information about election cybersecurity incidents, threats, and vulnerabilities with election agencies under this section, the Department shall, to the maximum extent practicable—

(1) provide cyber threat indicators and defensive measures (as such terms are defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501)), such as recommended technical instructions, that assist with preventing, mitigating, and detecting threats or vulnerabilities;

(2) identify resources available for protecting against, detecting, responding to, and recovering from associated risks, including technical capabilities of the Department; and

(3) provide guidance about further sharing of the information.

(f) **DECLASSIFICATION REVIEW.**—If the Department receives classified information about an election cybersecurity incident, threat, or vulnerability—

(1) the Secretary shall promptly submit a request for expedited declassification review to the head of a Federal entity with authority to conduct the review, consistent with Executive Order 13526 or any successor order, unless the Secretary determines that such a request would be harmful to national security; and

(2) the head of the Federal entity described in paragraph (1) shall promptly conduct the review.

(g) **ROLE OF NON-FEDERAL ENTITIES.**—The Department may share information about election cybersecurity incidents, threats, and vulnerabilities through a non-Federal entity.

(h) **PROTECTION OF PERSONAL AND CONFIDENTIAL INFORMATION.**—

(1) **IN GENERAL.**—If a Federal entity shares or receives information relating to an election cybersecurity incident, threat, or vulnerability, the Federal entity shall, within Federal information systems (as defined in section 3502 of title 44, United States Code) of the entity—

(A) minimize the acquisition, use, and disclosure of personal information of voters, except as necessary to identify, protect against, detect, respond to, or recover from election cybersecurity incidents, threats, and vulnerabilities;

(B) notwithstanding any other provision of law, prohibit the retention of personal information of voters, such as—

(i) voter registration information, including physical address, email address, and telephone number;

(ii) political party affiliation or registration information; and

(iii) voter history, including registration status or election participation; and

(C) protect confidential Federal and State information from unauthorized disclosure.

(2) **EXEMPTION FROM DISCLOSURE.**—Information relating to an election cybersecurity incident, threat, or vulnerability, such as personally identifiable information of reporting persons or individuals affected by such incident, threat, or vulnerability, shared by or with the Federal Government shall be—

(A) deemed voluntarily shared information and exempt from disclosure under section 552 of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records; and

(B) withheld, without discretion, from the public under section 552(b)(3)(B) of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records.

(i) **DUTY TO ASSESS POSSIBLE CYBERSECURITY INCIDENTS.**—

(1) **ELECTION AGENCIES.**—If an election agency becomes aware of the possibility of an election cybersecurity incident, the election agency shall promptly—

(A) assess whether an election cybersecurity incident occurred;

(B) notify the State election official in accordance with any notification process established by the State election official; and

(C) notify the Department in accordance with subsection (j).

(2) **ELECTION SERVICE PROVIDERS.**—If an election service provider becomes aware of the possibility of an election cybersecurity incident, the election service provider shall promptly—

(A) assess whether an election cybersecurity incident occurred; and

(B) notify the relevant election agencies in accordance with subsection (k).

(j) **INFORMATION SHARING ABOUT CYBERSECURITY INCIDENTS BY ELECTION AGENCIES.**—If an election agency has reason to believe that an election cybersecurity incident has occurred with respect to an election system owned, operated, or maintained by or on behalf of the election agency, the election agency shall, in the most expedient time possible and without unreasonable delay, provide notification of the election cybersecurity incident to the Department in accordance with any notification process established by the Secretary.

(k) **INFORMATION SHARING ABOUT CYBERSECURITY INCIDENTS BY ELECTION SERVICE PROVIDERS.**—If an election service provider has reason to believe that an election cybersecurity incident may have occurred, or that an incident related to the role of the provider as an election service provider may have occurred, the election service provider shall—

(1) notify the relevant election agencies in the most expedient time possible and without unreasonable delay; and

(2) cooperate with the election agencies in providing the notifications required under subsections (i)(1) and (j).

(l) **CONTENT OF NOTIFICATION BY ELECTION AGENCIES.**—The notifications required under subsections (i)(1) and (j)—

(1) shall include an initial assessment of—

(A) the date, time, and time zone when the election cybersecurity incident began, if known;

(B) the date, time, and time zone when the election cybersecurity incident was detected;

(C) the date, time, and duration of the election cybersecurity incident;

(D) the circumstances of the election cybersecurity incident, including the specific election systems believed to have been accessed and information acquired; and

(E) planned and implemented technical measures to respond to and recover from the incident; and

(2) shall be updated with additional material information, including technical data, as it becomes available.

(m) SECURITY CLEARANCE.—Not later than 30 days after the date of enactment of this Act, the Secretary—

(1) shall establish an expedited process for providing appropriate security clearance to State election officials and designated technical personnel employed by State election agencies;

(2) shall establish an expedited process for providing appropriate security clearance to members of the Commission and designated technical personnel employed by the Commission; and

(3) shall establish a process for providing appropriate security clearance to personnel at other election agencies.

(n) PROTECTION FROM LIABILITY.—Nothing in this division may be construed to provide a cause of action against a State, unit of local government, or an election service provider.

(o) ASSESSMENT OF INTER-STATE INFORMATION SHARING ABOUT ELECTION CYBERSECURITY.—

(1) IN GENERAL.—The Secretary and the Commission, in coordination with the heads of the appropriate Federal entities and appropriate officials of State and local governments, shall conduct an assessment of—

(A) the structure and functioning of the Elections Infrastructure Information Sharing and Analysis Center for purposes of election cybersecurity; and

(B) other mechanisms for inter-state information sharing about election cybersecurity.

(2) COMMENT FROM ELECTION AGENCIES.—In carrying out the assessment required under paragraph (1), the Secretary and the Commission shall solicit and consider comments from all State election agencies.

(3) DISTRIBUTION.—The Secretary and the Commission shall jointly issue the assessment required under paragraph (1) to—

(A) all election agencies known to the Department and the Commission; and

(B) the appropriate congressional committees.

(p) CONGRESSIONAL NOTIFICATION.—If an appropriate Federal entity has reason to believe that a significant election cybersecurity incident has occurred, the entity shall—

(1) not later than 7 calendar days after the date on which there is a reasonable basis to conclude that the significant election cybersecurity incident has occurred, provide notification of the significant election cybersecurity incident to the appropriate congressional committees; and

(2) update the initial notification under paragraph (1) within a reasonable period of time after additional information relating to the significant election cybersecurity incident is discovered.

SEC. 04. REQUIREMENT FOR THE ESTABLISHMENT OF CYBERSECURITY INCIDENT RESPONSE PLANS.

(a) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.) is amended by adding at the end the following new part:

“PART 7—REQUIREMENTS FOR ELECTION ASSISTANCE

“SEC. 297. ELECTION CYBERSECURITY INCIDENT RESPONSE AND COMMUNICATION PLANS.

“No State may receive any grant awarded under this Act after the date of the enactment of this section unless such State has established a response and communication plan with respect to election cybersecurity incidents (as defined in section 2(7) of the Se-

cure Elections Act). Nothing in this section shall prohibit a State from using funds awarded before the date of the enactment of this section for any use otherwise authorized by law.”.

(b) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Help America Vote Act of 2002 is amended by inserting after the item relating to section 296 the following:

“PART 7—REQUIREMENTS FOR ELECTION ASSISTANCE

“Sec. 297. Election cybersecurity incident response and communication plans.”.

SEC. 05. ELECTION CYBERSECURITY AND ELECTION AUDIT GUIDELINES.

(a) DEVELOPMENT BY TECHNICAL ADVISORY BOARD.—

(1) IN GENERAL.—

(A) ADDITIONAL DUTIES.—Section 221(b)(1) of the Help America Vote Act of 2002 (52 U.S.C. 20961(b)(2)) is amended by striking “in the development of the voluntary voting system guidelines” and inserting “in the development of—

“(A) the voluntary voting system guidelines;

“(B) the voluntary election cybersecurity guidelines (referred to in this part as the ‘election cybersecurity guidelines’) in accordance with paragraph (3); and

“(C) the voluntary election audit guidelines (referred to in this part as the ‘election audit guidelines’) in accordance with paragraph (4).”.

(B) CONFORMING AMENDMENTS.—Sections 202(1) and 207(3) of the Help America Vote Act of 2002 (52 U.S.C. 20922(1) and 20927(3)) are each amended by striking “voluntary voting system”.

(2) MEMBERSHIP AND RENAMING OF TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.—

(A) MEMBERSHIP.—Section 221(c)(1) of the Help America Vote Act of 2002 (52 U.S.C. 20961(c)(1)) is amended—

(i) by striking “14” and inserting “19”; and

(ii) by striking subparagraphs (A) through (E) and inserting the following:

“(A) 2 Members of the Standards Board who are not affiliated with the same political party—

“(i) 1 of whom is a local election official; and

“(ii) 1 of whom is a State election official.

“(B) 2 Members of the Board of Advisors who are not affiliated with the same political party.

“(C) 2 Members of the Architectural and Transportation Barrier Compliance Board under section 502 of the Rehabilitation Act of 1972 (29 U.S.C. 792).

“(D) A representative of the Institute of Electrical and Electronics Engineers.

“(E) 2 representatives of the National Association of Secretaries of State selected by such Association who are not members of the Standards Board or Board of Advisors, and who are not of the same political party.

“(F) 2 representatives of the National Association of State Election Directors selected by such Association who are not members of the Standards Board or Board of Advisors, and who are not of the same political party.

“(G) A representative of the Department of Homeland Security who possesses technical and scientific expertise relating to cybersecurity and the administration of elections.

“(H) A representative of the Election Infrastructure Information Sharing and Analysis Center who possesses technical and scientific expertise relating to cybersecurity.

“(I) A representative of the National Association of State Chief Information Officers.

“(J) A representative of State election information technology directors selected by

the National Association of State Election Directors.

“(K) A representative of a manufacturer of voting system hardware and software who possesses technical and scientific expertise relating to cybersecurity and the administration of elections.

“(L) A representative of a laboratory accredited under section 231(b) who possesses technical and scientific expertise relating to cybersecurity and the administration of elections.

“(M) A representative that is an academic or scientific researcher who possesses technical and scientific expertise relating to cybersecurity.

“(N) A representative who possesses technical and scientific expertise relating to the accessibility and usability of voting systems.”.

(B) RENAMING OF COMMITTEE.—

(i) IN GENERAL.—Section 221(a) of the Help America Vote Act of 2002 (52 U.S.C. 20961(a)) is amended by striking “Technical Guidelines Development Committee (hereafter in this part referred to as the ‘Development Committee’)” and inserting “Technical Advisory Board”.

(ii) CONFORMING AMENDMENTS.—

(I) Section 201 of such Act (52 U.S.C. 20921) is amended by striking “Technical Guidelines Development Committee” and inserting “Technical Advisory Board”.

(II) Section 221 of such Act (52 U.S.C. 20921) is amended by striking “Development Committee” each place it appears and inserting “Technical Advisory Board”.

(III) Section 222(b) of such Act (52 U.S.C. 20962(b)) is amended—

(aa) by striking “Technical Guidelines Development Committee” in paragraph (1) and inserting “Technical Advisory Board”;

(bb) by striking “DEVELOPMENT COMMITTEE” in the heading and inserting “TECHNICAL ADVISORY BOARD”;

(IV) Section 271(e) of such Act (52 U.S.C. 21041(e)) is amended by striking “Technical Guidelines Development Committee” and inserting “Technical Advisory Board”.

(V) Section 281(d) of such Act (52 U.S.C. 21051(d)) is amended by striking “Technical Guidelines Development Committee” and inserting “Technical Advisory Board”.

(VI) The heading for section 221 of such Act (52 U.S.C. 20961) is amended by striking “TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE” and inserting “TECHNICAL ADVISORY BOARD”.

(VII) The heading for part 3 of subtitle A of title II of such Act is amended by striking “TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE” and inserting “TECHNICAL ADVISORY BOARD”.

(VIII) The items relating to section 221 and part 3 of title II in the table of contents of such Act are each amended by striking “Technical Guidelines Development Committee” and inserting “Technical Advisory Board”.

(b) GUIDELINES.—

(1) ELECTION CYBERSECURITY GUIDELINES.—Section 221(b) of the Help America Vote Act of 2002 (52 U.S.C. 20961(b)) is amended by adding at the end the following new paragraph:

“(3) ELECTION CYBERSECURITY GUIDELINES.—

“(A) IN GENERAL.—The election cybersecurity guidelines shall contain guidelines for election cybersecurity, including standards for procuring, maintaining, testing, operating, and updating election systems.

“(B) REQUIREMENTS.—In developing the guidelines, the Technical Advisory Board shall—

“(i) identify the top risks to election systems;

“(ii) describe how specific technology choices can increase or decrease those risks; and

“(iii) provide recommended policies, best practices, and overall security strategies for identifying, protecting against, detecting, responding to, and recovering from the risks identified under subparagraph (A).”

“(C) ISSUES CONSIDERED.—

“(i) IN GENERAL.—In developing the election cybersecurity guidelines, the Technical Advisory Board shall consider—

“(I) applying established cybersecurity best practices to Federal election administration by States and local governments, including appropriate technologies, procedures, and personnel for identifying, protecting against, detecting, responding to, and recovering from election cybersecurity incidents, threats, and vulnerabilities;”

“(II) providing actionable guidance to election agencies that seek to implement additional cybersecurity protections; and

“(III) any other factors that the Technical Advisory Board determines to be relevant.

“(D) RELATIONSHIP TO VOLUNTARY VOTING SYSTEM GUIDELINES AND NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY CYBERSECURITY GUIDANCE.—In developing the election cybersecurity guidelines, the Technical Advisory Board shall consider—

“(i) the voluntary voting system guidelines; and

“(ii) cybersecurity standards and best practices developed by the National Institute of Standards and Technology, including frameworks, consistent with section 2(c) of the National Institute of Standards and Technology Act (15 U.S.C. 272(c)).”

(2) AUDIT GUIDELINES.—Section 221(b) of such Act (52 U.S.C. 20961(b)), as amended by paragraph (1), is amended by adding at the end the following new paragraph:

“(4) ELECTION AUDIT GUIDELINES.—

“(A) IN GENERAL.—The election audit guidelines shall include provisions regarding voting systems and statistical audits for Federal elections, including that—

“(i) each vote is cast using a voting system that allows the voter an opportunity to inspect and confirm the marked ballot before casting it (consistent with accessibility requirements); and

“(ii) each election result is determined by tabulating marked ballots, and prior to the date on which the winning Federal candidate in the election is sworn into office, election agencies within the State inspect a random sample of the marked ballots and thereby establish high statistical confidence in the election result.

“(B) ISSUES CONSIDERED.—In developing the election audit guidelines, the Technical Advisory Board shall consider—

“(i) specific types of election audits, including procedures and shortcomings for such audits;

“(ii) mechanisms to verify that election systems accurately tabulate ballots, report results, and identify a winner for each election for Federal office, even if there is an error or fault in the voting system;

“(iii) durational requirements needed to facilitate election audits in a timely manner that allows for confidence in the outcome of the election prior to the swearing-in of a Federal candidate, including variations in the acceptance of postal ballots, time allowed to cure provisional ballots, and election certification deadlines;

“(iv) the importance of manual (by hand, not device) inspections of original marked paper ballots to provide audits without serious vulnerabilities; and

“(v) any other factors that the Technical Advisory Board considers to be relevant.”

(3) DEADLINES.—Section 221(b)(2) of such Act (52 U.S.C. 20961(b)(2)), as amended by this Act, is amended—

(A) by striking “The Technical” and inserting the following:

“(A) VOLUNTARY VOTING SYSTEM GUIDELINES.—The Technical”;

(B) by striking “this section” and inserting “paragraph (1)(A)”; and

(C) by adding at the end the following new subparagraph:

“(B) ELECTION CYBERSECURITY AND ELECTION AUDIT GUIDELINES.—

“(i) INITIAL GUIDELINES.—The Technical Advisory Board shall provide its initial set of recommendations under subparagraphs (B) and (C) of paragraph (1) to the Executive Director not later than 180 days after the date of the enactment of the Secure Elections Act.

“(ii) PERIODIC REVIEW.—Not later than March 31, 2021, and once every 2 years thereafter, the Technical Advisory Board shall review and update the guidelines described in subparagraphs (B) and (C) of paragraph (1).”

(c) PROCESS FOR ADOPTION.—

(1) PUBLICATION OF RECOMMENDATIONS.—Section 221(f) of the Help America Vote Act of 2002 (52 U.S.C. 20961(f)) is amended—

(A) by striking “At the time the Commission” and inserting the following:

“(1) VOLUNTARY VOTING SYSTEM GUIDELINES.—At the time the Commission”; and

(B) by adding at the end the following new paragraph:

“(2) ELECTION CYBERSECURITY AND ELECTION AUDIT GUIDELINES.—The Technical Advisory Board shall—

“(A) provide a reasonable opportunity for public comment, including through Commission publication in the Federal Register, on the guidelines required under subparagraphs (B) and (C) of subsection (b)(1), including a 45-day opportunity for public comment on a draft of the guidelines before they are submitted to Congress under section 223(a), which shall, to the extent practicable, occur concurrently with the other activities of the Technical Advisory Board under this section with respect to such guidelines; and

“(B) consider the public comments in developing the guidelines.”

(2) ADOPTION.—

(A) IN GENERAL.—Part 3 of subtitle A of title II of the Help America Vote Act of 2002 (52 U.S.C. 20961 et seq.) is amended—

(i) by inserting “OF VOLUNTARY VOTING GUIDELINES” after “ADOPTION” in the heading of section 222; and

(ii) by adding at the end the following new section:

“SEC. 223. PROCESS FOR ADOPTION OF ELECTION CYBERSECURITY AND ELECTION AUDIT GUIDELINES.

“(a) SUBMISSION TO CONGRESS.—

“(1) IN GENERAL.—Not later than 30 calendar days after the date on which the Commission receives recommendations for the guidelines described in subparagraphs (B) or (C) of section 221(b)(1), the Commission shall consider the guidelines and submit the guidelines to the appropriate congressional committees.

“(2) MODIFICATION.—In considering the guidelines, the Commission may modify the guidelines if—

“(A) the Commission determines that there is good cause to modify the guidelines, consistent with the considerations established in paragraphs (3) or (4) of section 221(b) (as the case may be) and notwithstanding the recommendation of the Technical Advisory Board; and

“(B) the Commission submits a written justification of the modification to the Technical Advisory Board and the appropriate congressional committees.

“(b) DISTRIBUTION TO ELECTION AGENCIES.—The Commission shall distribute the guidelines described in subparagraphs (B) and (C) of section 221(b)(1) to all election agencies known to the Commission.

“(c) PUBLICATION.—The Commission shall make the guidelines described in subparagraphs (B) and (C) of section 221(b)(1) available on the public website of the Commission.

“(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this section, the term ‘appropriate congressional committees’ means—

“(1) the Committee on Rules and Administration, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, the Select Committee on Intelligence, the majority leader, and the minority leader of the Senate; and

“(2) the Committee on House Administration, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Appropriations, the Permanent Select Committee on Intelligence, the Speaker, and the minority leader of the House of Representatives.

“(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to subject the process for developing the guidelines described in subparagraphs (B) and (C) of section 221(b)(1) to subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ‘Administrative Procedure Act’).”

(B) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 222 the following new item:

“Sec. 223. Process for adoption of election cybersecurity and election audit guidelines.”

SEC. 06. REQUIREMENT TO CONDUCT POST-ELECTION AUDITS.

(a) REQUIREMENT.—

(1) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

(A) by redesignating sections 304 and 305 as sections 305 and 306, respectively; and

(B) by inserting after section 303 the following new section:

“SEC. 304. POST-ELECTION AUDITS.

“(a) IN GENERAL.—Each State shall—

“(1) conduct a post-election audit of each Federal election (as defined in section 2 of the Secure Elections Act) through the inspection of a random sample of marked ballots of sufficient quantity to establish high statistical confidence in the election result;

“(2) provide a description of the planned audit, excluding any information deemed to create a security risk, to be conducted under paragraph (1) on a public website administered by the chief State election official 90 days prior to each such Federal election; and

“(3) provide results of the completed audit under paragraph (1) on a public website administered by the chief State election official within 10 days of the completion of the audit.

“(b) TIME FOR COMPLETING AUDIT.—The audit required by subsection (a) shall be completed in a timely manner to ensure confidence in the outcome of the election and before—

“(1) in the case of a primary election, the date the candidate is placed on the general election ballot; and

“(2) in the case of a general election, the date on which the winning candidate in the election is sworn into office.

“(c) EFFECTIVE DATE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), each State shall be required to comply with the requirements of this section for the regularly scheduled general election for Federal office held in November 2020, and each subsequent election for Federal office.

“(2) WAIVER.—If a State certifies to the Commission not later than November 1, 2020,

that the State will not meet the deadline described in paragraph (1) for good cause and includes in the certification the reasons for the failure to meet such deadline, paragraph (1) shall apply to the State as if the reference in such subparagraph to ‘November 2020’ were a reference to ‘November 2022’.”

(2) **ENFORCEMENT.**—Section 401 of such Act (52 U.S.C. 21111) is amended by striking “and 303” and inserting “303, and 304”.

(3) **CLERICAL AMENDMENT.**—The table of contents of such Act is amended—

(A) by redesignating the items relating to sections 304 and 305 as relating to sections 305 and 306, respectively; and

(B) by inserting after the item relating to section 303 the following new item:

“Sec. 304. Post-election audits.”.

(b) **REPORTING.**—The Election Assistance Commission shall—

(1) collect information regarding audits conducted by States under section 304 of the Help America Vote Act of 2002 (as added by subsection (a)); and

(2) submit reports to Congress on the information provided by the States under section 304(a)(2) and 304(a)(3) of such Act (as so added) and other information collected by the Commission under paragraph (1). The reports under paragraph (2) shall be submitted concurrently with the reports required under section 9(a)(3) of the National Voter Registration Act of 1993.

SEC. 07. REQUIREMENT FOR PAPER BALLOTS.

(a) **IN GENERAL.**—Part 7 of subtitle D of title II of the Help America Vote Act of 2002, as added by section 4, is amended by adding at the end the following new section:

“SEC. 298. PAPER BALLOTS.

“No State or jurisdiction may use any grant awarded under this Act after the date of the enactment of this section to obtain voting equipment unless such voting equipment records each vote on a marked or printed, individualized, readable paper ballot and allows the voter an opportunity to inspect and confirm the marked or printed ballot (consistent with accessibility requirements under Federal law) before the ballot is cast and counted. Nothing in this section shall prohibit a State from using funds awarded before the date of the enactment of this section to obtain such equipment.”.

(b) **CONFORMING AMENDMENT.**—The table of contents in section 1(b) of the Help America Vote Act of 2002, as amended by section 4, is amended by inserting after the item relating to section 297 the following:

“Sec. 298. Paper ballots.”.

SEC. 08. STREAMLINING THE COLLECTION OF ELECTION INFORMATION.

Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended by adding at the end the following flush sentence:

“Subchapter I of chapter 35 of title 44, United States Code, shall not apply to the collection of information for purposes of maintaining any clearinghouse with respect to the administration of Federal elections or the experiences of State and local governments in implementing the guidelines described in paragraph (1) or in operating voting systems in general.”.

SEC. 09. REPORTS TO CONGRESS ON FOREIGN THREATS TO ELECTIONS.

(a) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, and 90 days before the end of each fiscal year thereafter, the Secretary and the Director of National Intelligence, in coordination with the heads of the appropriate Federal entities, shall submit a joint report to the appropriate congressional committees on foreign threats to elections in the United States, including physical and cybersecurity threats.

(b) **VOLUNTARY PARTICIPATION BY STATES.**—The Secretary shall solicit and consider

comments from all State election agencies. Participation by an election agency in the report under this subsection shall be voluntary and at the discretion of the State.

SEC. 10. STATE ELECTION SYSTEM CYBERSECURITY MODERNIZATION AND MAINTENANCE GRANTS.

(a) **IN GENERAL.**—The Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.) is amended by adding at the end the following new title:

“TITLE X—PAYMENTS TO STATES FOR CYBERSECURITY MODERNIZATION AND MAINTENANCE

“SEC. 1001. DEFINITIONS.

“For purposes of this title:

“(1) **CYBER NAVIGATOR PROGRAM.**—The term ‘cyber navigator program’ means a program under which the State election official employs election technology professionals to provide practical cybersecurity knowledge, support, and services to local election officials, including—

“(A) assessments of local election offices;

“(B) support to local information technology staff or vendors in creating cybersecurity policies for voting systems (as defined in section 301(b));

“(C) services to mitigate vulnerabilities discovered during an assessment and to improve cybersecurity of a local election office;

“(D) the establishment of best cyber hygiene practices within an office; and

“(E) advice on the purchase of new election systems.

“(2) **STATE.**—The term ‘State’ means each of the several States of the United States and the District of Columbia.

“SEC. 1002. PAYMENTS TO STATES.

“(a) **IN GENERAL.**—The Commission shall award annual grants to States in accordance with this section.

“(b) **USE OF FUNDS.**—A State receiving a grant under this section shall use the funds received under the grant only to—

“(1) upgrade election-related computer systems to address cyber vulnerabilities consistent with best practices recommended by the Department of Homeland Security, the National Institute of Standards and Technology, and the Commission;

“(2) implement a post-election audit system that provides a high statistical confidence in the election result;

“(3) obtain or facilitate cybersecurity training for officials in the office of the State election official and for local election officials; and

“(4) establish or maintain a cyber navigator program.

“(c) **AMOUNT OF GRANTS.**—

“(1) **IN GENERAL.**—Subject to paragraph (3), the amount of funds provided to a State under a grant under this section for any calendar year shall be equal to the product obtained by multiplying—

“(A) the total amount appropriated for grants pursuant to the authorization under section 1003(a); by

“(B) the State allocation percentage for the State (as determined under paragraph (2)).

“(2) **STATE ALLOCATION PERCENTAGE.**—The State allocation percentage for a State is the amount (expressed as a percentage) equal to the quotient obtained by dividing—

“(A) the total voting age population of all States (as reported in the most recent decennial census); by

“(B) the voting age population of the State (as reported in the most recent decennial census).

“(3) **MINIMUM AND MAXIMUM AMOUNT OF PAYMENT.**—The amount determined under this subsection—

“(A) may not be less than \$2,500,000 and

“(B) may not be greater than \$10,000,000.

“(4) **PRO RATA ADJUSTMENT.**—The Commission shall make such pro rata adjustments to the allocations determined under paragraph (1) as are necessary to comply with the requirements of paragraph (3).

“SEC. 1003. AUTHORIZATION OF APPROPRIATIONS.

“(a) **IN GENERAL.**—There is authorized to be appropriated to the Commission \$250,000,000 to carry out this title for each of fiscal years 2019 and 2020.

“(b) **AVAILABILITY.**—Any amounts appropriated pursuant to paragraph (1) shall remain available without fiscal year limitation until expended.

“(c) **AUTHORIZATION OF APPROPRIATIONS FOR COMMISSION.**—In addition to the amounts authorized under subsection (a), there are authorized to be appropriated to the Commission such sums as may be necessary to administer the programs under this title.”.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended by striking “and” at the end of paragraph (5), by striking the period at the end of paragraph (6) and inserting “; and”, and by adding at the end the following new paragraph:

“(7) carrying out the grant program under title X.”.

(2) The table of contents of such Act is amended by adding at the end the following:

“TITLE X—PAYMENTS TO STATES FOR CYBERSECURITY MODERNIZATION AND MAINTENANCE

“Sec. 1001. Definitions.

“Sec. 1002. Payments to States.

“Sec. 1003. Authorization of appropriations.”.

SA 3984. Ms. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, 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. _____. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Secretary of Defense in positively referencing, citing, or otherwise relying on a majority ruling in *Korematsu v. United States*, 323 U.S. 214 (1944), *Hirabayashi v. United States*, 320 U.S. 81 (1943), or *Yasui v. United States*, 320 U.S. 115 (1943) to justify the constitutionality or legality of any program, policy, guidance, or activity.

SA 3985. Mr. REED (for himself, Ms. MURKOWSKI, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

“SEC. _____. (a) The Comptroller General of the United States shall conduct a study on the condition of the public school facilities of the United States.

“(b) In conducting the study under subsection (a), the Comptroller General shall study the following factors related to supporting a 21st century education:

“(1) Structural integrity.

- “(2) Plumbing.
- “(3) Heating, ventilation, and air conditioning systems.
- “(4) Compliance with fire and safety codes.
- “(5) Compliance with Federal laws, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).
- “(6) Lighting.
- “(7) Indoor air quality.
- “(8) Environmental conditions, such as exposure to asbestos, lead, and mold.
- “(9) Physical security.
- “(10) Sufficient space for instruction.

“(c) Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Appropriations and the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations and the Committee on Education and the Workforce of the House of Representatives, the findings of the study under this section.”.

SA 3986. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. Not later than 90 days after the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives, detailing the circumstances in which the Centers for Medicare & Medicaid Services may be providing Medicare or Medicaid payments to, or otherwise funding, entities that process genome or exome data in the People's Republic of China or the Russian Federation. The report shall outline the extent to which payments or other funding have been provided to such entities over the past 5 years, including amounts paid to each entity, the implications of such payments, including vulnerabilities, and specific recommendations on steps to ensure that payments are lawful and appropriate in the future. In developing the report, the Secretary shall also coordinate with other relevant agencies, as determined by the Secretary, to examine the potential effect of allowing beneficiaries' genome or exome data to be processed in the People's Republic of China or the Russian Federation on United States national security, United States intellectual property protections, HIPPA privacy protections, future biomedical development capabilities and competitiveness, and global competitiveness for United States laboratories.

SA 3987. Mr. SASSE (for himself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, 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. _____. STUDY ON CYBEREXPLOITATION OF MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

(a) **STUDY REQUIRED.**—Not later than 150 days after the date of the enactment of this

Act, the Secretary of Defense shall complete a study on the cyberexploitation of the personal information and accounts of members of the Armed Forces and their families.

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

(1) An assessment of the vulnerability of members of the Armed Forces and their families to inappropriate access to their personal information and accounts of such members and their families, including identification of particularly vulnerable subpopulations.

(2) Creation of a catalogue of past and current efforts by foreign governments and non-state actors at the cyberexploitation of the personal information and accounts of members of the Armed Forces and their families, including an assessment of the purposes of such efforts and their degrees of success.

(3) An assessment of the actions taken by the Department of Defense to educate members of the Armed Forces and their families, including particularly vulnerable subpopulations, about and actions that can be taken to otherwise reduce these threats.

(4) Assessment of the potential for the cyberexploitation of misappropriated images and videos as well as deep fakes.

(5) Development of recommendations for policy changes to reduce the vulnerability of members of the Armed Forces and their families to cyberexploitation, including recommendations for legislative or administrative action.

(c) **REPORT.**—

(1) **IN GENERAL.**—The Secretary shall submit to the congressional defense committees a report on the findings of the Secretary with respect to the study required by subsection (a).

(2) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) **DEFINITIONS.**—In this section:

(1) The term “congressional defense committees” has the meaning given such term in section 101 of title 10, United States Code.

(2) The term “cyberexploitation” means the use of digital means to obtain access to an individual's personal information without authorization.

(3) The term “deep fake” means the digital insertion of a person's likeness into or digital alteration of a person's likeness in visual media, such as photographs and videos, without the person's permission and with malicious intent.

SA 3988. Mr. SCOTT (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. The amount appropriated by title IV of this division under the heading “Research, Development, Test and Evaluation, Defense-Wide” is hereby increased by \$8,000,000, with the amount of the increase to be available for research, development, test and evaluation at Historically Black Colleges and Universities (HBCU) (in addition to any other amounts available under that heading for such research, development, test and evaluation).

SA 3989. Mr. JONES (for himself, Mr. SCOTT, Mr. KAINE, Mr. WARNER, Mr. BOOZMAN, Mr. TILLIS, and Mr. SANDERS) submitted an amendment intended to

be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. _____. (a) In addition, \$10,000,000 shall be made available to provide for the deferment of loans made under part D of title III of the Higher Education Act of 1965 to eligible institutions that are private Historically Black Colleges and Universities that applied for, were denied, and were eligible for a deferment in fiscal year 2018 of such a loan under the terms and conditions of the second paragraph under the heading “Historically Black College and University Capital Financing Program Account” under the Department of Education Appropriations Act, 2018.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “Student Financial Assistance” under this title is hereby reduced by \$10,000,000.

SA 3990. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3699 proposed by Mr. MCCONNELL (for Mr. SHELBY) to the amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. (a) **IN GENERAL.**—None of the funds made available by this Act may be available directly or through a State (including through managed care contracts with a State) to a prohibited entity.

(b) **PROHIBITED ENTITY.**—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(1) that, as of the date of enactment of this Act—

(A) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

(B) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(C) performs, or provides any funds to any other entity that performs abortions, other than an abortion performed—

(i) in the case of a pregnancy that is the result of an act of rape or incest; or

(ii) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life endangering physical condition caused by, or arising from, the pregnancy itself; and

(2) for which the total amount of Federal grants to such entity, including grants to any affiliates, subsidiaries, or clinics of such entity, under title X of the Public Health Service Act in fiscal year 2016 exceeded \$23,000,000.

(c) **END OF PROHIBITION.**—The definition in subsection (b) shall cease to apply to an entity if such entity certifies that it, including its affiliates, subsidiaries, successors, and

clinics, will not perform, and will not provide any funds to any other entity that performs, an abortion as described in subsection (b)(1)(C).

SA 3991. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. (a) IN GENERAL.—None of the funds made available by this Act may be available directly or through a State (including through managed care contracts with a State) to a prohibited entity.

(b) PROHIBITED ENTITY.—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(1) that, as of the date of enactment of this Act—

(A) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

(B) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(C) performs, or provides any funds to any other entity that performs abortions, other than an abortion performed—

(i) in the case of a pregnancy that is the result of an act of rape or incest; or

(ii) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life endangering physical condition caused by, or arising from, the pregnancy itself; and

(2) for which the total amount of Federal grants to such entity, including grants to any affiliates, subsidiaries, or clinics of such entity, under title X of the Public Health Service Act in fiscal year 2016 exceeded \$23,000,000.

(c) END OF PROHIBITION.—The definition in subsection (b) shall cease to apply to an entity if such entity certifies that it, including its affiliates, subsidiaries, successors, and clinics, will not perform, and will not provide any funds to any other entity that performs, an abortion as described in subsection (b)(1)(C).

SA 3992. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SEC. _____. Not later than January 1, 2019, the Director of the National Institutes of Health shall establish a process to effectuate the purpose of section 404K of the Public Health Service Act (42 U.S.C. 283m) by transferring to the sanctuary system under such section, by December 31, 2021—

(1) all chimpanzees categorized as Class I, II, III on the American Society of Anesthesiologists Physical Status Scale, as adapted by the Academy of Veterinary Technicians in Anesthesia and Analgesia; and

(2) all chimpanzees categorized as Class IV and V on such scale and deemed eligible to transfer to the sanctuary system by one or more veterinarians none of whom are currently, or have recently been, employed by either the sending or receiving facility.

SA 3993. Mr. LEAHY proposed an amendment to amendment SA 3699 proposed by Mr. MCCONNELL (for Mr. SHELBY) to the amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

“\$8,503,001”

SA 3994. Mr. MARKEY (for himself and Mr. HATCH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OPIOID LABELING REQUIREMENTS.

(a) IN GENERAL.—Section 305(c) of the Controlled Substances Act (21 U.S.C. 825(c)) is amended—

(1) by inserting “(1)” before “The Secretary”; and

(2) by adding at the end the following:

“(2) The label of any container or package containing an opioid or opiate listed in schedule II or III shall, when dispensed (other than administered) to or for a patient, contain a clear, concise warning, in a manner specified by the Secretary by regulation, that the opioids or opiates dispensed can cause dependence, addiction, and overdose.”.

(b) REGULATIONS.—

(1) REGULATIONS.—The Secretary of Health and Human Services shall prescribe regulations under section 503(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)) to implement the amendment made by subsection (a) and such regulations shall be effective not later than 2 years after the date of enactment of this Act.

(2) INTERIM RULES.—The Secretary of Health and Human Services may issue the regulations required under paragraph (1) by interim rule to the extent necessary to comply with the timing requirement in paragraph (1).

SA 3995. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SEC. _____. Not later than January 1, 2019, the Director of the National Institutes of Health shall establish a process to effectuate the purpose of section 404K of the Public Health Service Act (42 U.S.C. 283m) by transferring to the sanctuary system under such section, by December 31, 2021—

(1) all chimpanzees categorized as Class I, II, III on the American Society of Anesthe-

siologists Physical Status Scale, as adapted by the Academy of Veterinary Technicians in Anesthesia and Analgesia; and

(2) all chimpanzees categorized as Class IV and V on such scale and deemed eligible to transfer to the sanctuary system by one or more primate veterinarians or behaviorists, none of whom are currently, or have recently been, employed by either the sending or receiving facility.

SA 3996. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) Beginning on January 1, 2019, a group health plan and a health insurance issuer offering group or individual health insurance coverage shall provide coverage of a single dispensing of contraceptives for a 12-month period, with no deductible, coinsurance, copayment, or other cost-sharing requirement.

(b) Congress finds as follows:

(1) Contraception is basic health care for women, and women need access to all birth control methods so that they can use the specific birth control that is right for them.

(2) Removing barriers to access to birth control so that women can plan, space, and prevent pregnancies is critically important for women's health and economic security, as well as the health of any children they may decide to have in the future. Access to birth control is linked to women's greater educational and professional opportunities and increased lifetime earnings.

(3) The Patient Protection and Affordable Care Act (Public Law 111-148) has removed cost barriers to birth control for over 62,400,000 women, but other non-cost barriers remain, and some women still do not have insurance coverage of birth control.

(4) A woman's chances of unintended pregnancy increase considerably when barriers prevent her from using birth control consistently and correctly.

(5) In recent years, States have taken proactive steps to increase women's access to the birth control method of their choice, as follows:

(A) Several States, including Delaware, Iowa, and Colorado have implemented successful initiatives that include training of providers and consumer education to improve access to the full range of contraceptive methods, resulting in significant reductions in unplanned pregnancy.

(B) At least 12 States (including California, the District of Columbia, Delaware, Illinois, Maine, Maryland, Massachusetts, Nevada, New York, Oregon, Vermont, and Washington) have passed laws requiring coverage of all birth control methods approved by the Food and Drug Administration, without out-of-pocket costs.

(C) At least 12 States (including California, Colorado, the District of Columbia, Delaware, Illinois, Maine, Massachusetts, Maryland, Nevada, New Mexico, New York, and Ohio) have passed laws requiring coverage of 12 months of birth control dispensed at one time.

(D) At least 7 States (including California, Delaware, Illinois, Maryland, Massachusetts, Nevada, and Oregon) have passed laws requiring coverage of over-the-counter methods of birth control without requiring a prescription.

(E) In 2018, the Utah State legislature passed a bill requiring the State to apply for

a Medicaid family planning eligibility expansion with the Centers for Medicare & Medicaid Services. When approved, Utah will become the 27th State with such an expansion.

SA 3997. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. (a) Of the amounts made available in this Act for the Centers for Disease Control and Prevention, the Secretary of Health and Human Services, acting through the Director of the Division of Reproductive Health of the Centers for Disease Control and Prevention, shall use \$25,000,000 to establish a grant program to fund State programs to reduce unplanned pregnancy and improve access to contraception, in accordance with subsections (b) and (c).

(b) An entity receiving grant funds described in subsection (a)—

(1) may use such funds for—

(A) provider contraception training, including for contraceptive method use and insertion, and for pregnancy intention screening;

(B) consumer education;

(C) facilitating same-day access to the full range of contraceptive methods;

(D) reducing out-of-pocket cost barriers to the full range of contraceptive methods where such barriers are not already addressed;

(E) facilitating collaboration among public and private health systems to ensure that individuals can access contraceptive care in a timely manner; or

(F) other activities that grant applicants can demonstrate would help to improve contraceptive access in the State or community; and

(2) shall use such funds to—

(A) provide contraceptive care that is non-coercive, culturally competent care, and medically accurate;

(B) provide information and access to the full range of methods of contraception approved by the Food and Drug Administration, or to fill existing gaps in information and access to such contraception, so as to ensure equitable access to the full range of contraceptive options; and

(C) evaluate projects funded by such grant, in order to demonstrate outcomes such as reducing gaps in contraceptive use, increasing points of access for the full range of contraceptive methods approved by the Food and Drug Administration, and patient satisfaction with provider encounter and method choice.

(c) To be eligible for a grant described in subsection (a), an entity shall be—

(1) a State, local, or tribal government;

(2) a public-private partnership; or

(3) a nonprofit entity.

(d) Congress finds as follows:

(1) Contraception is basic health care for women, and women need access to all birth control methods so that they can use the specific birth control that is right for them.

(2) Removing barriers to access to birth control so that women can plan, space, and prevent pregnancies is critically important for women's health and economic security, as well as the health of any children they may decide to have in the future. Access to birth control is linked to women's greater educational and professional opportunities and increased lifetime earnings.

(3) The Patient Protection and Affordable Care Act (Public Law 111-148) has removed

cost barriers to birth control for over 62,400,000 women, but other non-cost barriers remain, and some women still do not have insurance coverage of birth control.

(4) A woman's chances of unintended pregnancy increase considerably when barriers prevent her from using birth control consistently and correctly.

(5) In recent years, States have taken proactive steps to increase women's access to the birth control method of their choice, as follows:

(A) Several States, including Delaware, Iowa, and Colorado have implemented successful initiatives that include training of providers and consumer education to improve access to the full range of contraceptive methods, resulting in significant reductions in unplanned pregnancy.

(B) At least 12 States (including California, the District of Columbia, Delaware, Illinois, Maine, Maryland, Massachusetts, Nevada, New York, Oregon, Vermont, and Washington) have passed laws requiring coverage of all birth control methods approved by the Food and Drug Administration, without out-of-pocket costs.

(C) At least 12 States (including California, Colorado, the District of Columbia, Delaware, Illinois, Maine, Massachusetts, Maryland, Nevada, New Mexico, New York, and Ohio) have passed laws requiring coverage of 12 months of birth control dispensed at one time.

(D) At least 7 States (including California, Delaware, Illinois, Maryland, Massachusetts, Nevada, and Oregon) have passed laws requiring coverage of over-the-counter methods of birth control without requiring a prescription.

(E) In 2018, the Utah State legislature passed a bill requiring the State to apply for a Medicaid family planning eligibility expansion with the Centers for Medicare & Medicaid Services. When approved, Utah will become the 27th State with such an expansion.

SA 3998. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. _____. Not later than 90 days after the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives, detailing the circumstances in which the Centers for Medicare & Medicaid Services may be providing Medicare or Medicaid payments to, or otherwise funding, entities that process genome or exome data in the People's Republic of China or the Russian Federation. The report shall outline the extent to which payments or other funding have been provided to such entities over the past 5 years, including amounts paid to each entity, the implications of such payments, including vulnerabilities, and specific recommendations on steps to ensure that payments are lawful and appropriate in the future. In developing the report, the Secretary shall also coordinate with other relevant agencies, as determined by the Secretary, to examine the potential effect of allowing beneficiaries' genome or exome data to be processed in the People's Republic of China or the Russian

Federation on United States national security, United States intellectual property protections, HIPAA privacy protections, future biomedical development capabilities and competitiveness, and global competitiveness for United States laboratories.

SA 3999. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. _____. (a) The Secretary of Defense shall enter into any necessary agreements, including agreements with the Internal Revenue Service and the Secretary of Education, to carry out the activities described in this section.

(b)(1) The Secretary of Defense shall ensure that student loan interest does not accrue for eligible Federal Direct Loans of eligible military borrowers, in accordance with the Federal prohibition on interest accrual for eligible military borrowers under section 455(o) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)).

(2) In this section, the term eligible Federal Direct Loan means a loan made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) for which the first disbursement is made on or after October 1, 2008.

(c) The Secretary of Defense shall ensure that an eligible military borrower who qualified for the no accrual of interest benefit under such section 455(o) during any period beginning on or after October 1, 2008, and did not receive the full benefit under such section for which the borrower qualified, is provided compensation in an amount equal to the amount of interest paid by the borrower that would have been subject to that benefit.

(d) The Secretary of Defense shall obtain or provide any information necessary to implement the activities described in this section without requiring a request from a borrower.

SA 4000. Mr. HATCH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following: "Provided further, That in carrying out drug prevention programs and activities to support safe and healthy schools as instructed in the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), State educational agencies and local educational agencies receiving funds under part A of title IV of such Act, may target funding toward efforts aimed at reducing or eliminating the use of e-cigarette or electronic nicotine delivery systems (ENDS) or tobacco, as defined by the Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), among youths in schools."

SA 4001. Mr. MCCONNELL (for Mr. SULLIVAN (for himself and Mr. MARKEY)) proposed an amendment to the bill S. 1322, to establish the American Fisheries Advisory Committee to assist

in the awarding of fisheries research and development grants, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Fisheries Advisory Committee Act”.

SEC. 2. AMERICAN FISHERIES ADVISORY COMMITTEE.

(a) **ESTABLISHMENT.**—Section 2 of the Act of August 11, 1939 (15 U.S.C. 713c–3), is amended—

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

(2) by inserting after subsection (d) the end the following:

“(e) **AMERICAN FISHERIES ADVISORY COMMITTEE.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **COMMITTEE.**—The term ‘Committee’ means the American Fisheries Advisory Committee established under paragraph (2).

“(B) **FISHING COMMUNITY.**—The term ‘fishing community’ means harvesters, marketers, growers, processors, recreational fishermen, charter fishermen, and persons providing them with goods and services.

“(C) **MARKETING AND PROMOTION.**—The term ‘marketing and promotion’ means an activity aimed at encouraging the consumption of seafood or expanding or maintaining commercial markets for seafood.

“(D) **PROCESSOR.**—The term ‘processor’ means any person in the business of preparing or packaging seafood (including seafood of the processor’s own harvesting) for sale.

“(E) **SEAFOOD.**—The term ‘seafood’ means farm-raised and wild-caught fish, shellfish, or marine algae harvested in the United States or by a United States flagged vessel for human consumption.

“(2) **ESTABLISHMENT.**—Not later than 90 days after the date of the enactment of the American Fisheries Advisory Committee Act, the Secretary shall establish 6 regions within the American Fisheries Advisory Committee as follows:

“(A) Region 1 shall consist of Alaska, Hawaii, the Commonwealth of the Northern Mariana Islands, and the Territories of Guam and American Samoa.

“(B) Region 2 shall consist of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut.

“(C) Region 3 shall consist of Texas, Alabama, Louisiana, Mississippi, Florida, Arkansas, Puerto Rico, and the Territory of the Virgin Islands of the United States.

“(D) Region 4 shall consist of California, Washington, Oregon, and Idaho.

“(E) Region 5 shall consist of New Jersey, New York, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

“(F) Region 6 shall consist of Michigan, Minnesota, Wisconsin, Illinois, Indiana, Ohio, and Pennsylvania.

“(3) **MEMBERSHIP.**—The Committee shall be composed of the following members:

“(A) **REGIONAL REPRESENTATION.**—Each of the regions listed in subparagraphs (A) through (F) of paragraph (2) shall be represented on the Committee by 3 members—

“(i) who are appointed by the Secretary;

“(ii) who reside in a State or territory in the region that the member will represent;

“(iii) of which—

“(I) one shall have experience as a seafood harvester or processor;

“(II) one shall have experience as recreational or commercial fisher or have experience growing seafood; and

“(III) one shall be an individual who represents the fisheries science community or

the relevant Regional Fishery Management Council; and

“(iv) that are selected so that the members of the Committee have experience or expertise with as many seafood species as practicable.

“(B) **AT-LARGE MEMBERS.**—The Secretary shall appoint to the Committee at-large members as follows:

“(i) One individual with experience in food distribution, marketing, retail, or food service.

“(ii) One individual with experience in the recreational fishing industry supply chain, such as fishermen, manufacturers, retailers, and distributors.

“(iii) One individual with experience in the commercial fishing industry supply chain, such as fishermen, manufacturers, retailers, and distributors.

“(iv) One individual who is an employee of the National Marine Fisheries Service with expertise in fisheries research.

“(C) **BALANCED REPRESENTATION.**—In selecting the members described in subparagraphs (A) and (B), the Secretary shall seek to maximize on the Committee, to the extent practicable, a balanced representation of expertise in United States fisheries, seafood production, and science.

“(4) **MEMBER TERMS.**—The term for a member of the Committee shall be 3 years, except that the Secretary shall designate staggered terms for the members initially appointed to the Committee.

“(5) **RESPONSIBILITIES.**—The Committee shall be responsible for—

“(A) identifying needs of the fishing community that may be addressed by a project funded with a grant under subsection (c);

“(B) developing the request for proposals for such grants;

“(C) reviewing applications for such grants; and

“(D) selecting applications for approval under subsection (c)(2)(B).

“(6) **CHAIR.**—The Committee shall elect a chair by a majority of those voting, if a quorum is present.

“(7) **QUORUM.**—A simple majority of members of the Committee shall constitute a quorum, but a lesser number may hold hearings.

“(8) **MEETINGS.**—

“(A) **FREQUENCY.**—The Committee shall meet not more than 2 times each year.

“(B) **LOCATION.**—The meetings of the Committee shall rotate between the geographic regions described under paragraph (2).

“(C) **MINIMIZING COSTS.**—The Committee shall seek to minimize the operational costs associated with meetings, hearings, or other business of the Committee, including through the use of video or teleconference.

“(9) **DESIGNATION OF STAFF MEMBER.**—The Secretary shall designate a staff member to coordinate the activities of the Committee and to assist with administrative and other functions as requested by the Committee.

“(10) **PER DIEM AND EXPENSES AND FUNDING.**—

“(A) **IN GENERAL.**—A member of the Committee shall serve without compensation, but shall be reimbursed in accordance with section 5703 of title 5, United States Code, for reasonable travel costs and expenses incurred in performing duties as a member of the Committee.

“(B) **FUNDING.**—The costs of reimbursements under subparagraph (A) and the other costs associated with the Committee shall be paid from funds made available to carry out this section (which may include funds described in subsection (f)(1)(B)), except that no funds allocated for grants under subsection (f)(1)(A) shall be expended for any purpose under this subsection.

“(11) **CONFLICT OF INTEREST.**—The conflict of interest and recusal provisions set out in section 302(j) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(j)) shall apply to any decision by the Committee and to all members of the Committee as if each member of the Committee is an affected individual within the meaning of such section 302(j), except that in addition to the disclosure requirements of section 302(j)(2)(C) of such Act (16 U.S.C. 1852(j)(2)(C)), each member of the Committee shall disclose any financial interest or relationship in an organization or with an individual that is applying for a grant under subsection (c) held by the member of the Committee, including an interest as an officer, director, trustee, partner, employee, contractor, agent, or other representative.

“(12) **TECHNICAL REVIEW OF APPLICATIONS.**—

“(A) **IN GENERAL.**—Prior to review of an application for a grant under subsection (c) by the Committee, the Secretary shall obtain an independent written technical evaluation from 3 or more appropriate Federal, private, or public sector experts (such as industry, academia, or governmental experts) who—

“(i) have subject matter expertise to determine the technical merit of the proposal in the application;

“(ii) shall independently evaluate each such proposal; and

“(iii) shall certify that the expert does not have a conflict of interest concerning the application that the expert is reviewing.

“(B) **GUIDANCE.**—Not later than 180 days after the date of enactment of the American Fisheries Advisory Committee Act, the Secretary shall issue guidance related to carrying out the technical evaluations under subparagraph (A). Such guidance shall include criteria for the elimination by the National Oceanic and Atmospheric Administration of applications that fail to meet a minimum level of technical merit as determined by the review described in subparagraph (A).”.

(b) **ROLE IN APPROVAL OF GRANTS.**—Section 2(c)(3) of the Act of August 11, 1939 (15 U.S.C. 713c–3(c)(3)), is amended to read as follows:

“(3)(A) No application for a grant under this subsection may be approved unless the Secretary—

“(i) is satisfied that the applicant has the requisite technical and financial capability to carry out the project; and

“(ii) based on the recommendations of the American Fisheries Advisory Committee established in subsection (e), evaluates the proposed project as to—

“(I) soundness of design;

“(II) the possibilities of securing productive results;

“(III) minimization of duplication with other fisheries research and development projects;

“(IV) the organization and management of the project;

“(V) methods proposed for monitoring and evaluating the success or failure of the project; and

“(VI) such other criteria as the Secretary may require.

“(B) If the Secretary fails to provide funds to a grant selected by the American Fisheries Advisory Committee, the Secretary shall provide a written document to the Committee justifying the decision.”.

SEC. 3. EXPANSION OF SPECIFIED PURPOSES OF FISHERIES RESEARCH AND DEVELOPMENT PROJECTS GRANTS PROGRAM TO INCLUDE FISHERIES RESEARCH AND DEVELOPMENT PROJECTS.

Section 2(c)(1) of the Act of August 11, 1939 (15 U.S.C. 713c–3(c)(1)) is amended by inserting fisheries science, recreational fishing, before harvesting..

SEC. 4. PUBLIC AVAILABILITY OF GRANTS PROPOSALS.

Section 2(c) of the Act of August 11, 1939 (15 U.S.C. 713c–3(c)), is amended by adding at the end the following:

“(6) Any person awarded a grant under this subsection shall make publicly available a title and abstract of the project to be carried out by the grant funds that serves as the public justification for funding the project that includes a statement describing how the project serves to enhance United States fisheries, including harvesting, processing, marketing, and associated infrastructures, if applicable.”.

SA 4002. Mr. McCONNELL (for Ms. MURKOWSKI) proposed an amendment to the bill S. 1142, to extend the deadline for commencement of construction of certain hydroelectric projects; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “J. Bennett Johnston Waterway Hydropower Extension Act of 2018”.

SEC. 2. EXTENSION.

(a) **IN GENERAL.**—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission project numbers 12756, 12757, and 12758, the Commission may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) **REINSTATEMENT OF LICENSE.**—If the time period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration.

SA 4003. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. ____. (a) There are appropriated under the heading “Healthcare Research and Quality” under the heading “Agency for Healthcare Research and Quality”, in addition to any other amounts made available under such heading, \$2,000,000 to support grants to address misdiagnosis, which shall include the establishment of Research Centers of Diagnostic Excellence to develop systems and new technology solutions.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “Emerging and Zoonotic Infectious Diseases” under the heading “Centers for Disease Control and Prevention” is hereby reduced by \$2,000,000.

AUTHORITY FOR COMMITTEES TO MEET

Mr. PORTMAN. Mr. President, I have 8 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 9:30 a.m., to conduct a business meeting and hearing on the following nominations: Michael Faulkender, of Maryland, to be an Assistant Secretary of the Treasury, and Elizabeth Darling, of Texas, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 10 a.m., to conduct a hearing on the following nominations: Michael A. Hammer, of Maryland, to be Ambassador to the Democratic Republic of the Congo, John Cotton Richmond, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large, Stephanie Sanders Sullivan, of Maryland, to be Ambassador to the Republic of Ghana, Donald R. Tapia, of Arizona, to be Ambassador to Jamaica, David Hale, of New Jersey, to be an Under Secretary (Political Affairs), Dereck J. Hogan, of Virginia, to be Ambassador to the Republic of Moldova, Philip S. Kosnett, of Virginia, to be Ambassador to the Republic of Kosovo, and Judy Rising Reinke, of Virginia, to be Ambassador to Montenegro, all of the Department of State, and a routine list in the Foreign Service; to be immediately followed by a hearing to examine the nominations of Kevin K. Sullivan, of Ohio, to be Ambassador to the Republic of Nicaragua, Francisco Luis Palmieri, of Connecticut, to be Ambassador to the Republic of Honduras, and Karen L. Williams, of Missouri, to be Ambassador to the Republic of Suriname, all of the Department of State.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 10 a.m., to conduct a hearing on the following nominations: William Bryan, of Virginia, to be Under Secretary for Science and Technology, and Peter Gaynor, of Rhode Island, to be

Deputy Administrator, Federal Emergency Management Agency, both of the Department of Homeland Security.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, June 27, 2018, at 2:15 p.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 10 a.m., to conduct a hearing on the following nominations: Jonathan A. Kobes, of South Dakota, to be United States Circuit Judge for the Eighth Circuit, Kenneth D. Bell, to be United States District Judge for the Western District of North Carolina, Carl J. Nichols, to be United States District Judge for the District of Columbia, and Martha Maria Pacold, Mary M. Rowland, and Steven C. Seeger, each to be a United States District Judge for the Northern District of Illinois.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 10:30 a.m., to conduct a hearing.

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

The Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Aakash Singh, immigration counsel with my Judiciary Committee staff, and Robert Shifflett, a detailee from the Department of Homeland Security, be granted floor privileges for the duration of today’s session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GARDNER. Mr. President, I ask unanimous consent that my fellow, John Price, be granted floor privileges for the remainder of the year.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANTI-TERRORISM CLARIFICATION ACT OF 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 514, S. 2946, which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Anti-Terrorism Clarification Act of 2018”.

SEC. 2. CLARIFICATION OF THE TERM “ACT OF WAR”.

(a) **IN GENERAL.**—Section 2331 of title 18, United States Code, is amended—