SA 631. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 632. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 633. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 634. Mr. CASSIDY (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

SA 635. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 392. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. PROHIBITION ON INCREASE IN COST-SHARING REQUIREMENTS UNDER THE TRICARE PHARMACY BENEFITS PROGRAM FOR CERTAIN BENEFICIARIES UNTIL THE COMMENCEMENT OF A PILOT PROGRAM ON PRESCRIPTION DRUG ACQUISITION COST PARITY.

Section 1074g(a)(6) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) Notwithstanding subparagraphs (A) and (B), the cost-sharing amounts under this subsection for an eligible covered beneficiary who resides more than 40 miles from the nearest military medical treatment facility shall be equal to the cost-sharing amounts, if any, for 2017 until the date on which the Secretary of Defense commences the conduct of the pilot program on prescription drug acquisition cost parity in the TRICARE Pharmacy Benefits Program authorized by section 743 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1074g note).''.

SA 393. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. PROHIBITION ON INCREASE IN COST-SHARING REQUIREMENTS UNDER THE TRICARE PHARMACY BENEFITS PROGRAM FOR CERTAIN BENEFICIARIES.

Section 1074g(a)(6)(C) of title 10, United States Code, is amended—

(1) by striking ''or a dependent'' and inserting ''a dependent''; and

(2) by inserting '', or an eligible covered beneficiary who resides more than 40 miles from the nearest military medical treatment facility'' after ''such chapter''.

SA 394. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. PERSONNEL TEMPO OF THE ARMED FORCES AND THE UNITED STATES SPECIAL OPERATIONS COMMAND DURING PERIODS OF INAPPLICABILITY OF HIGH-DEPLOYMENT LIMITATIONS.

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

(1) by inserting ''(1)'' before ''The Secretary''; and

(2) by adding at the end the following new paragraph:

''(2)(A) Whenever a waiver is in effect under paragraph (1), the member or group of members covered by the waiver shall be subject to specific and measurable deployment thresholds established and maintained for purposes of this subsection.

''(B) Thresholds under this paragraph may be applicable—

''(i) uniformly, Department of Defense-wide; or

''(ii) separately, with respect to each armed force and the United States Special Operations Command.

''(C) If thresholds under this paragraph are applicable Department-wide, such thresholds shall be established and maintained by the Under Secretary of Defense for Personnel and Readiness. If such thresholds are applicable only to a separate armed force or the Under States Special Operations Command, such thresholds shall be established and maintained by the Secretary of the Army, the Secretary of the Navy (other than with respect to the Marine Corps), the Secretary of the Air Force, the Commandant of the Marine Corps (with respect to the Marine Corps), and the Commander of the United States Special Operations Command, as applicable.

''(D) In undertaking recordkeeping for purposes of subsection (c), the Under Secretary shall, in conjunction with the other officials and officers referred to in subparagraph (C), collect complete and reliable personnel tempo data of members described in subparagraph (A) in order to ensure that the Department, the armed forces, and the United States Special Operations Command fully and completely monitor personnel tempo under a waiver under paragraph (1) and its impact on the armed forces.''.

(b) DEADLINE FOR IMPLEMENTATION.—Paragraph (2) of section 991(d) of title 10, United States Code, as added by subsection (a), shall be fully implemented by not later than March 1, 2020.

SA 395. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

Section 2502 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) NATIONAL TECHNOLOGY INDUSTRIAL BASE QUADRILATERAL COUNCIL.—(1) The chairman of the National Defense Technology and Industrial Base Council shall work with the equivalent designees in the countries that comprise the national technology industrial base to form the National Technology Industrial Base Quadrilateral Council.

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

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

''(A) address and review issues related to indus- trial security, supply-chain security, cybersecurity, regulating foreign direct investment and foreign ownership, control and influence mitigation, market research, technology assessment, and research cooperation within public and private research and development organizations and universities, technology and export control measures, acquisition processes and oversight, and management best practices; and

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

SA 396. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. REPORT ON IMPROVEMENTS TO DETERRENCE EFFORTS WITH RESPECT TO THE RUSSIAN FEDERATION.

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

(b) MATTER TO BE INCLUDED.—The report under subsection (a) shall identify prioritized requirements for further improving the ability of the Armed Forces and North Atlantic Treaty Organization forces to deny the ability of the Russian Federation to execute a fait accompli against one or more Baltic allies.

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

(1) be submitted in classified form; and

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

(d) FAIT ACCOMPLI DEFINED.—In this section, the term ''fait accompli'' means a scenario in which the Russian Federation uses

force to rapidly seize territory of one or more Baltic allies and subsequently threatens further escalation, potentially including use of nuclear weapons, to deter an effective response by the Armed Forces and North Atlantic Treaty Organization forces.

SA 397. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, insert the following:

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

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

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

SA 398. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

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

(1) be submitted in classified form; and

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

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

SA 399. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

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

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

(b) MATTERS TO BE INCLUDED.—Each report under subsection (a) shall include the following:

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

(2) A description of the requirements to restore deterrence against the Russian Federation in the case of such opportunistic aggression.

(3) An assessment of the ability of the Department of Defense to meet the requirements described under paragraphs (1) and (2) at current resource levels.

(4) Recommendations to ensure that the Department will be able to meet any such requirement that the Department is unable to meet as of the date of the enactment of this Act.

(c) FORM.—Each report under subsection (a) shall—

(1) be submitted in classified form; and

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

SA 400. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

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

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

(b) MATTERS TO BE INCLUDED.—Each report under subsection (a) shall include the following:

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

(2) A description of the requirements to restore deterrence against the People's Republic of China in the case of such opportunistic aggression.

(3) An assessment of the ability of the Department of Defense to meet the requirements described under paragraphs (1) and (2) at current resource levels.

(4) Recommendations to ensure that the Department will be able to meet any such requirement that the Department is unable to meet as of the date of the enactment of this Act.

(c) FORM.—Each report under subsection (a) shall—

(1) be submitted in classified form; and

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

SA 401. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

SA 402. Mr. HAWLEY submitted an amendment intended to be proposed by

him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

SA 403. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. MODIFICATION OF SEMIANNUAL REPORT ON ENHANCING SECURITY AND STABILITY IN AFGHANISTAN.

Paragraph (1) of section 1225(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3550) is amended—

(1) in the paragraph heading by inserting ''AND TAKING INTO ACCOUNT THE AUGUST 2017 STRATEGY OF THE UNITED STATES'' after ''2014''; and

(2) in subparagraph (B)—

(A) by striking the period at the end and inserting a semicolon;

(B) by striking ''in the assessment of any such'' and inserting ''in the assessment of—

''(i) any such''; and

(C) by adding at the end the following new clauses:

''(ii) the United States counterterrorism mission; and

''(iii) efforts to bring about a political settlement, support reconciliation efforts, and extend the reach of the Government of Afghanistan throughout Afghanistan.''.

SA 404. Mr. BENNET (for himself and Mr. PERDUE) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title V, add the following:

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

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

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

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

(A) Access to family counseling.

(B) Access to childcare services.

(2) The need for support of Department or Defense Education Activity or other public schools in connection with such families.

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

SA 405. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) REPORT ON VARIOUS EXPANSIONS OF THE CORPS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

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

(2) An assessment of the feasibility and advisability of expanding the eligibility of institutions authorized to maintain a unit of the Senior Reserve Officers' Training Corps to include community colleges.

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

(1) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on the effects of the prohibitions in section 8032 of the Department of Defense Appropriations Act, 2019 (division A of Public Law 115–245) on the long-term viability of the Senior Reserve Officers' Training Corps (SROTC).

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

(A) Readiness.

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

(C) The ability of the Armed Forces to commission on a yearly basis the number and quality of new officers they need and that are representative of the nation as a whole .

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

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

SA 406. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, insert the following:

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

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the heads of appropriate agencies, shall submit to the appropriate congressional committees a report on addressing the threat or potential threat posed by the export, reexport, or in-country transfer of satellites described in section 1261(c)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 22 U.S.C. 2778 note) to entities described in subsection (b).

(b) ENTITIES DESCRIBED.—

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

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

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

(C) the government of such a country; or

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

(2) DETERMINATION OF BENEFICIAL OWNERSHIP.—For purposes of paragraph (1), the Secretary shall identify a person as the beneficial owner of an entity—

(A) in a manner that is not less stringent than the manner set forth in section 240.13d–3 of title 17, Code of Federal Regulations (as in effect on the date of the enactment of this Act); and

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

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

(1) An evaluation of whether satellites described in section 1261(c)(1) of the National

Defense Authorization Act for Fiscal Year 2013 have been exported, reexported, or transferred in-country, directly or indirectly, to entities described in subsection (b).

(2) An examination of the effect on national security of the potential export, reexport, or in-country transfer of satellites in compliance with section 1261(c) of the National Defense Authorization Act for Fiscal Year 2013 in circumstances in which the services, bandwidth, or functions of the satellites could subsequently be leased or sold to, or otherwise used by, an entity described in subsection (b).

(3) An examination of the effect on national security of not limiting the export, reexport, or in-country transfer of such satellites to entities described in subsection (b).

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

(5) An assessment, based on realistic and justifiable assumptions and forecasts, of the economic implications of and potential harm caused by a licensing condition described in paragraph (4) on the United States industries that develop or produce satellites and commercial telecommunications equipment that do not have direct national security ties, including any costs identified under paragraph (3).

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

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

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

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

(B) when evaluating such a decision—

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

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

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

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

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

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

SA 407. Mr. BENNET (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. COMPARATIVE CAPABILITIES OF ADVERSARIES IN ARTIFICIAL INTELLIGENCE.

(a) EXPANSION OF DUTIES OF OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR COORDINATION OF ACTIVITIES RELATING TO DEVELOPMENT AND DEMONSTRATION OF ARTIFICIAL INTELLIGENCE.—Section 238(c)(2)(I) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new clause:

''(iii) that appropriate entities in the Department are reviewing all open sources publications from both the United States and outside the United States that contribute, impact, or advance artificial intelligence research and development.''.

(b) ANALYSIS OF COMPARATIVE CAPABILITIES OF ADVERSARIES IN KEY TECHNOLOGY AREAS.—In carrying out analysis required to carry out section 247 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), the Secretary of Defense shall ensure that the analysis includes the following:

(1) A comprehensive and national-level—

(A) comparison of public and private investment differentiated by sector and industry;

(B) review of current trends in ability to set and determine global standards and norms for artificial intelligence technology in national security, including efforts in international standard setting bodies;

(C) assessment of access to artificial intelligence technology in national security; and

(D) assessment of areas and activities in which the Unites States should invest in order to provide the United States with technical superiority over China in relevant areas of artificial intelligence.

(2) A comprehensive assessment of relative technical quality of activities in the United States and China.

(3) A comprehensive assessment of the likelihood that developments in artificial intelligence will successfully transition into military systems of China.

(4) Predicted effects on United States national security if current trends in China and the United States continue.

(5) Predicted effects of current trends on digital and technology export relationships of both countries with existing and new trading partners.

(c) BRIEFING ON NATIONAL SECURITY VULNERABILITIES AND OPPORTUNITIES IN ARTIFICIAL INTELLIGENCE AND ACTIONS BEING UNDERTAKE TO ADDRESS SUCH VULNERABILITIES AND OPPORTUNITIES.—

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

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

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

(2) CONSULTATION WITH EXPERTS.—In preparing the briefing required by paragraph (1) and in developing the actions referred to in subparagraph (B) of such paragraph, the Secretary may consult with experts within the Department, other Federal agencies, academia, advisory committees, and the commercial sector, as the Secretary considers appropriate.

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

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

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

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

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

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

(B) Improving Federal and privates sector workforce capabilities and identifying necessary requirements and resulting challenges.

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

(D) Identifying areas for Federal investment in research and development.

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

SA 408. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) IN GENERAL.—The Secretary of the Air Force shall pay a local water authority located in the vicinity of an installation of the Air Force, or a State in which the local water authority is located, for the treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water from the wells owned and operated by the local water authority to attain the lifetime health advisory level for such acids established by the Environmental Protection Agency and in effect on October 1, 2017.

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

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

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

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

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

(B) waive all claims for expenses for treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid incurred before the date of the enactment of this Act;

(2) the elevated levels of perfluorooctane sulfonic acid and perfluorooctanoic acid in the water must be the result of activities conducted by or paid for by the Department of the Air Force; and

(3) treatment or mitigation of such acids must have taken place during the period beginning on January 1, 2016, and ending on the day before the date of the enactment of this Act.

(c) AGREEMENTS.—

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

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

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

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

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

SA 409. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF CONGRESS REGARDING REALLOCATION OF DEPARTMENT OF DEFENSE SPECTRUM FOR 5G SERVICES.

It is the sense of Congress that the Secretary of Defense should work with the Federal Communications Commission to identify bands of spectrum assigned to the Department of Defense that—

(1) can be reallocated for 5G services; and

(2) to the maximum extent practicable, are globally harmonized or capable of being globally harmonized.

SA 410. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. CHACO CULTURAL HERITAGE AREA PROTECTION.

(a) DEFINITIONS.—In this section:

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

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

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

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

(2) FEDERAL LAND.—

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

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

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

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

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

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) WITHDRAWAL OF CERTAIN FEDERAL LAND IN THE STATE OF NEW MEXICO.—

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

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) AVAILABILITY OF MAP.—The Map shall be made available for inspection at each appropriate office of the Bureau of Land Management.

(3) CONVEYANCE OF FEDERAL LAND TO INDIAN TRIBES.—Notwithstanding paragraph (1), the Secretary may convey the Federal land to, or exchange the Federal land with, an Indian Tribe in accordance with a resource management plan that is approved as of the date of enactment of this Act, as subsequently developed, amended, or revised in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and any other applicable law.

(c) OIL AND GAS LEASE MANAGEMENT.—

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

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

(B) may not be extended by the Secretary.

(2) WITHDRAWAL OF TERMINATED, RELINQUISHED, OR ACQUIRED LEASES.—Any portion of the Federal land subject to a covered lease terminated under paragraph (1) or otherwise or relinquished or acquired by the United States on or after the date of enactment of this Act is withdrawn from—

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent undermining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(d) EFFECT.—Nothing in this section—

(1) affects the mineral rights of an Indian Tribe or member of an Indian Tribe to trust land or allotment land; or

(2) precludes improvements to, or rights-of-way for water, power, or road development on, the Federal land to assist communities adjacent to or in the vicinity of the Federal land.

SA 411. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

Section 2806 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 222a note) is amended—

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

(2) by striking ''reporting'' and inserting ''report''; and

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

SA 412. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) FINDINGS.—Congress finds that—

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

(2) the Turtle Mountain Band of Chippewa of North Dakota and the Chippewa-Cree Tribe of the Rocky Boy's Reservation of Montana, which also are political successors to the signatories of the Pembina Treaty of 1863, have been recognized by the Federal Government as distinct Indian tribes;

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

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

(5) Federal agents who visited the Tribe and Commissioner of Indian Affairs John Collier attested to the responsibility of the Federal Government for the Tribe and members of the Tribe, concluding that members of the Tribe are eligible for, and should be provided with, trust land, making the Tribe eligible for reorganization under the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly known as the ''Indian Reorganization Act'');

(6) due to a lack of Federal appropriations during the Depression, the Bureau of Indian Affairs lacked adequate financial resources to purchase land for the Tribe, and the members of the Tribe were denied the opportunity to reorganize;

(7) in spite of the failure of the Federal Government to appropriate adequate funding

to secure land for the Tribe as required for reorganization under the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly known as the ''Indian Reorganization Act''), the Tribe continued to exist as a separate community, with leaders exhibiting clear political authority;

(8) the Tribe, together with the Turtle Mountain Band of Chippewa of North Dakota and the Chippewa-Cree Tribe of the Rocky Boy's Reservation of Montana, filed 2 law suits under the Act of August 13, 1946 (60 Stat. 1049) (commonly known as the ''Indian Claims Commission Act''), to petition for additional compensation for land ceded to the United States under the Pembina Treaty of 1863 and the McCumber Agreement of 1892;

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

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

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

(b) DEFINITIONS.—In this section:

(1) MEMBER.—The term ''member'' means an individual who is enrolled in the Tribe pursuant to subsection (f).

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

(3) TRIBE.—The term ''Tribe'' means the Little Shell Tribe of Chippewa Indians of Montana.

(c) FEDERAL RECOGNITION.—

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

(2) EFFECT OF FEDERAL LAWS.—Except as otherwise provided in this section, all Federal laws (including regulations) of general application to Indians and Indian tribes, including the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly known as the ''Indian Reorganization Act''), shall apply to the Tribe and members.

(d) FEDERAL SERVICES AND BENEFITS.—

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

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

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

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

(e) REAFFIRMATION OF RIGHTS.—

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

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

(f) MEMBERSHIP ROLL.—

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

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

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

(g) ACQUISITION OF LAND.—

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

(2) ADDITIONAL LAND.—The Secretary may acquire additional land for the benefit of the Tribe pursuant to section 5 of the Act of June 18, 1934 (25 U.S.C. 5108) (commonly known as the ''Indian Reorganization Act'').

SA 413. Ms. BALDWIN (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4101, in the item relating to Family of Medium Tactical Vehicle (FMTV), strike the amount in the Senate Authorized column and insert ''138,057''.

In the funding table in section 4101, in the item relating to Heavy Expanded Mobile Tactical Truck Extended Service, strike the amount in the Senate Authorized column and insert ''131,841''.

In the funding table in section 4101, in the item relating to Total Other Procurement, Army, strike the amount in the Senate Authorized column and insert ''7,628,427''.

In the funding table in section 4101, in the item relating to Total Procurement, strike the amount in the Senate Authorized column and insert ''135,238,365''.

SA 414. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

SA 415. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. _____. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) EXTENSION OF CONCURRENT RECEIPT AUTHORITY TO RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT.—Section 1414 of title 10, United States Code, is amended by striking paragraph (2) of subsection (a).

(b) CLERICAL AMENDMENTS.—

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

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation''.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

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

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2020, and shall apply to payments for months beginning on or after that date.

SEC. _____. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.—

(1) QUALIFIED RETIREES.—Subsection (a) of section 1414 of title 10, United States Code, as amended by section _____(a), is amended—

(A) by striking ''a member or'' and all that follows through ''retiree')'' and inserting ''a qualified retiree''; and

(B) by adding at the end the following new paragraph:

''(2) QUALIFIED RETIREES.—For purposes of this section, a qualified retiree, with respect to any month, is a member or former member of the uniformed services who—

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

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

(2) DISABILITY RETIREES.—Paragraph (2) of subsection (b) of section 1414 of such title is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on

January 1, 2020, and shall apply to payments for months beginning on or after that date.

SA 416. Mr. TESTER (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REQUIREMENTS RELATING TO PROCESS OF DEPARTMENT OF DEFENSE FOR MOVING MEMBERS OF THE ARMED FORCES, THEIR FAMILIES, AND THEIR PERSONAL PROPERTY.

(a) CUSTOMER SATISFACTION SURVEYS.—

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

(2) PUBLICATION.—

(A) IN GENERAL.—Not less frequently than annually, the Secretary shall publish on an Internet website of the Department the results of the surveys completed under paragraph (1) for the preceding year.

(B) REMOVAL OF PERSONALLY IDENTIFIABLE INFORMATION.—The Secretary shall remove any personally identifiable information from the results published under subparagraph (A).

(b) QUALITY ASSURANCE.—The Secretary shall ensure that quality assurance staff of the Department—

(1) are present at not less than 50 percent of moves by a member of the Armed Forces and their family using moving services provided by the Department; and

(2) inspect all inbound and outbound shipments of personal property of members of the Armed Forces made through such a service.

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

SA 417. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. PER- AND POLYFLUOROALKYL SUBSTANCES.

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

(b) AIRPORT SPONSORS.—No sponsor (as defined in section 47102 of title 49, United States Code), including a sponsor of the civilian portion of a joint-use airport or a shared-use airport (as those terms are defined in section 139.5 of title 14, Code of Federal Regulations (or successor regulations)), shall be liable under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) for the costs of responding to, or damages from, releases to the environment of per- or polyfluoroalkyl substances that resulted from the use of aqueous film-forming foam, if that use was required pursuant to, and carried out in accordance with, part 139 of title 14, Code of Federal Regulations (as in effect on the date of enactment of this Act).

SA 418. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SUPPORT AND ENHANCEMENT OF DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE AND CRITICAL ELECTRIC INFRASTRUCTURE.

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

SA 419. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 835. PILOT PROGRAM ON STRENGTHENING MANUFACTURING IN THE DEFENSE INDUSTRIAL BASE IN SUPPORT OF LOWER COST MODULAR UNITED STATES DEFENSE RADAR SYSTEMS.

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

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

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

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

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

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

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

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

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

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

(4) Issuing loans or providing loan guarantees to small and medium-sized manufacturers to support manufacturing and production capabilities in areas of national security interest.

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

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

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

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

SA 420. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At appropriate place, insert the following:

SEC. _____. MISSION PARTNER ENVIRONMENT.

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

SA 421. Mr. GARDNER (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. SENSE OF CONGRESS ON HONG KONG PORT VISITS.

It is the sense of Congress that the Department of Defense should continue to make

regular requests to the Government of the People's Republic of China for the Navy to conduct port calls to Hong Kong, including United States aircraft carrier visits.

SA 422. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

(1) The Department of Defense Indo-Pacific Strategy Report (referred to in this section as the ''Indo-Pacific Strategy''), released on June 1, 2019, states: ''[T]he Asia Reassurance Initiative Act, a major bipartisan legislation, was signed into law by President Trump on December 31, 2018. This legislation enshrines a generational whole-of-government policy framework that demonstrates U.S. commitment to a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security.''.

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

(3) Section 209(b) of the Asia Reassurance Initiative Act of 2018 (Public Law 115–409), signed into law on December 31, 2018, states: ''The President should conduct regular transfers of defense articles to Taiwan that are tailored to meet the existing and likely future threats from the People's Republic of China, including supporting the efforts of Taiwan to develop and integrate asymmetric capabilities, as appropriate, including mobile, survivable, and cost-effective capabilities, into its military forces.''.

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

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

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

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

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

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

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

SA 423. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At appropriate place, insert the following:

SEC. _____. INDO-PACIFIC RANGE UPGRADES.

The amount authorized to be appropriated by this Act for fiscal year 2020 for the Department of Defense is hereby increased by $35,400,000, with the amount of such increase to be available for Indo-Pacific Range Upgrades in order to support necessary infrastructure improvements to evolve legacy training and exercise facilities in Hawaii, Alaska, and Guam into integrated, live, and virtual operational sites that support the injection of innovation and experimentation programs.

SA 424. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. SENSE OF CONGRESS ON POLICY TOWARD HONG KONG.

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

(1) The United States policy toward Hong Kong is guided by the United States-Hong Kong Policy Act of 1992 (Public Law 102–383; 106 Stat. 1448) (referred to in this section as the ''Act''), which reaffirms that ''The Hong Kong Special Administrative Region of the People's Republic of China, beginning on July 1, 1997, will continue to enjoy a high degree of autonomy on all matters other than defense and foreign affairs.''.

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

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

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

(5) The Report furthermore states that the ''Hong Kong authorities took actions aligned with mainland priorities at the expense of human rights and fundamental freedoms. There were particular setbacks in democratic electoral processes, freedom of expression, and freedom of association.''.

(6) On June 10, 2019, the spokesporson for the Department of State issued a statement expressing ''grave concern about the Hong Kong government's proposed amendments to its Fugitive Offenders Ordinance, which, if passed, would permit Chinese authorities to request the extradition of individuals to mainland China.''.

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

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

(1) the government of the People's Republic of China and the Hong Kong Special Administrative Region of the People's Republic of China authorities should immediately cease taking all actions that undermine Hong Kong's autonomy and negatively impact the protections of fundamental human rights, freedoms, and democratic values of the people of Hong Kong, as enshrined in the Act, Hong Kong's Basic Law of 1997, and the Sino-British Joint Declaration of 1984;

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

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

SA 425. Mr. HOEVEN (for himself, Mr. TESTER, Mr. DAINES, and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, add the following:

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

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

(1) Land-based intercontinental ballistic missiles (in this section referred to as ''ICBMs'') have been a critical part of the strategic deterrent of the United States for 6 decades in conjunction with air and sea-based strategic delivery systems.

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

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

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

(5) The ICBM force of the United States currently consists of approximately 400 Minuteman III missiles deployed across 450 operational missile silos, each carrying a single warhead.

(6) The Russian Federation currently deploys at least 300 ICBMs with multiple warheads loaded on each missile and has announced plans to replace its Soviet-era systems with modernized ICBMs.

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

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

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

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

(11) Weakening one leg of the triad limits the deterrent value of the other legs of the triad.

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

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

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

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

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

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

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

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

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

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

(1) land-based ICBMs have certain characteristics, including responsiveness, persistence, and dispersal, that enhance strategic stability and magnify the deterrent value of the air and sea-based legs of the nuclear triad of the United States;

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

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

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

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

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

SA 426. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

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

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

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

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

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

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

(7) Recommendations for how the Department may better partner with local communities to ensure access to mental health and suicide prevention programs in rural areas.

SA 427. Mr. CRAMER (for himself, Mrs. GILLIBRAND, Mr. HOEVEN, Mrs. SHAHEEN, Mrs. CAPITO, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. BRAUN, Mr. TESTER, Mr. JONES, Mr. SCHUMER, Mr. DAINES, and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1086. INCLUSION ON THE VIETNAM VETERANS MEMORIAL WALL OF THE NAMES OF THE LOST CREW MEMBERS OF THE U.S.S. FRANK E. EVANS KILLED ON JUNE 3, 1969.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Defense shall authorize the inclusion on the Vietnam Veterans Memorial Wall in the District of Columbia of the names of the 74 crew members of the U.S.S. Frank E. Evans killed on June 3, 1969.

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

(c) NONAPPLICABILITY OF COMMEMORATIVE WORKS ACT.—Chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act''), shall not apply to any activities carried out under subsection (a) or (b).

SA 428. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 3203(b)(1)(A), strike ''two consecutive terms'' and insert ''more than two consecutive terms''.

SA 429. Mr. BROWN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1086. AUTHORIZATION OF APPROPRIATIONS FOR DEFENSE PRODUCTION ACT OF 1950.

Section 711 of the Defense Production Act of 1950 (50 U.S.C. 4561) is amended by striking ''$133,000,000'' and all that follows and inserting the following: ''for the carrying out of the provisions and purposes of this Act by the President and such agencies as he may designate or create—

''(1) $250,000,000 for each of fiscal years 2020 through 2024; and

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

SA 430. Mr. CARPER (for himself, Mr. PORTMAN, and Mr. PETERS) submitted an amendment intended to be

proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1086. MULTINATIONAL SPECIES CONSERVATION FUNDS SEMIPOSTAL STAMP REAUTHORIZATION.

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

(1) in paragraph (2)—

(A) by striking ''of at least 6 years,''; and

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

(2) by adding at the end the following:

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

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

''(B) NOTIFICATION OF CONGRESS.—The United States Postal Service shall notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives when all copies of the Multinational Species Conservation Fund Semipostal Stamp printed under this Act have been sold.''.

(b) RETROACTIVE APPLICABILITY.—

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

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

SA 431. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 569. REPORT ON SUICIDE PREVENTION PROGRAMS AND ACTIVITIES FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

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

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

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

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

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

(B) are appropriately resourced; and

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

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

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

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

SA 432. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12 ___. ANNUAL REPORT ON MILITARY ACTIVITIES OF THE RUSSIAN FEDERATION AND THE PEOPLE'S REPUBLIC OF CHINA IN THE ARCTIC REGION.

(a) IN GENERAL.—Not later than February 15 each year, the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the congressional defense committees the following:

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

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

(b) MATTERS TO BE INCLUDED.—Each report under subsection (a) shall include, with respect to the Russian Federation or the People's Republic of China, as applicable, the following:

(1) A description of military activities of such country in the Arctic region in the preceding calendar year, including—

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

(B) any exercises or other military activities;

(C) activities that are non-military in nature but are judged to have military implications.

(2) An assessment of—

(A) the intentions of such activities;

(B) the extent to which such activities affect or threaten the interests of the United States and allies in the Arctic region; and

(C) any response to such activities by the United States or allies.

(3) A description of future plans and requirements with respect to such activities.

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

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

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

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

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

(b) BUY AMERICAN ACT GUIDANCE.—

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

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

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

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

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

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

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

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

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

SA 434. Ms. STABENOW (for herself and Mr. MURPHY) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 811. APPLICABILITY OF BUY AMERICAN REQUIREMENTS TO ITEMS USED OUTSIDE THE UNITED STATES.

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

SA 435. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 835. MANUFACTURING EXTENSION PARTNERSHIP SUPPORT FOR DEVELOPMENT OF DOMESTIC SUPPLY BASE FOR PRODUCTION OF COMPONENTS AND WEAPON SYSTEMS.

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

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

(2) compliance with chapter 83 of title 41, United States Code (commonly referred to as the ''Buy American Act'') and section 2533a of title 10, United States Code (commonly referred to as the ''Berry Amendment''), including by limiting the use of waivers.

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

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

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

SA 436. Mr. TESTER (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 108___. JOB CORPS CIVILIAN CONSERVATION CENTERS.

Notwithstanding any provision of the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) (including regulations, guidance, memoranda of understanding, and interagency agreements written or entered into pursuant to that Act), during the period beginning on January 21, 2019, and ending not earlier than January 21, 2025, the Secretary of Agriculture and the Secretary of Labor—

(1) shall not transfer the operation of any Job Corps Civilian Conservation Center from the Forest Service;

(2) shall ensure that each Job Corps Civilian Conservation Center is operated in accordance with the interagency agreement entitled ''Interagency Agreement between the United States Department of Labor and the United States Department of Agriculture Governing the Funding, Establishment, and Operation of Job Corps Civilian Conservation Centers'', as the interagency agreement existed on January 21, 2019;

(3) shall not contract with any entity to operate a Job Corps Civilian Conservation Center; and

(4) shall not close or deactivate any Job Corps Civilian Conservation Center unless closure or deactivation is a necessary response to a substantial health or safety threat to students or staff at a center, as determined by the Secretary of Agriculture and the Secretary of Labor.

SA 437. Ms. ERNST (for herself, Mr. PAUL, Mr. BRAUN, Mr. CRAMER, and Mr. LEE) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

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

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

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

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

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

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

(A) the purpose of the project;

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

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

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

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

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

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

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

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

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

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

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

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

''(40) the report required under section 1086(b) of the National Defense Authorization Act for Fiscal Year 2020 for the calendar year ending in the fiscal year in which the budget is submitted.''.

SA 438. Ms. ERNST (for herself, Mrs. BLACKBURN, and Mr. BRAUN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 333. AUTHORITY OF DEPARTMENT OF DEFENSE TO CONSOLIDATE INFRASTRUCTURE DISTRIBUTION CENTERS TO IMPROVE EFFECTIVENESS AND EFFICIENCY OF SUPPLY CHAIN AND INVENTORY MANAGEMENT.

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

(b) USE OF COST SAVINGS.—

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

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

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

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

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

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

(c) PLAN.—

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

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

(A) An estimate of the cost savings of such consolidation.

(B) A list of the specific facilities that will be subject to closure and disposal under such consolidation.

(C) A certification that the overall effectiveness of the supply chain of the Department will not be compromised or hindered by such consolidation.

SA 439. Ms. ERNST (for herself, Ms. SINEMA, and Mr. BRAUN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle I—Presidential Allowance Modernization

SEC. 1091. SHORT TITLE.

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

SEC. 1092. AMENDMENTS.

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

(1) by striking ''That (a) each'' and inserting the following:

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

''(a) Each'';

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

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

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

''(a) ANNUITIES AND ALLOWANCES.—

''(1) ANNUITY.—Each modern former President shall be entitled for the remainder of his or her life to receive from the United States an annuity at the rate of $200,000 per year, subject to subsections (b)(2) and (c), to be paid by the Secretary of the Treasury.

''(2) ALLOWANCE.—The Administrator of General Services is authorized to provide each modern former President a monetary allowance at the rate of $200,000 per year, subject to the availability of appropriations and subsections (b)(2), (c), and (d).

''(b) DURATION; FREQUENCY.—

''(1) IN GENERAL.—The annuity and allowance under subsection (a) shall each—

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

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

''(C) be payable on a monthly basis.

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

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

''(d) LIMITATION ON MONETARY ALLOWANCE.—

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

''(A) except as provided in subparagraph (B), may not exceed the amount by which—

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

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

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

''(2) DEFINITION.—

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

''(i) the sum of—

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

''(II) any interest excluded from the gross income of the modern former President under section 103 of such Code for such taxable year, exceeds (if at all)

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

''(B) JOINT RETURNS.—In the case of a joint return, subclauses (I) and (II) of subparagraph (A)(i) shall be applied by taking into account both the amounts properly allocable to the modern former President and the amounts properly allocable to the spouse of the modern former President.

''(C) COST-OF-LIVING INCREASES.—The dollar amount specified in subparagraph (A)(ii) shall be adjusted at the same time that, and by the same percentage by which, the monetary allowance of the modern former President is increased under subsection (c) (disregarding this subsection).

''(3) DISCLOSURE REQUIREMENT.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the terms 'return' and 'return information' have the meanings given those terms in section 6103(b) of the Internal Revenue Code of 1986; and

''(ii) the term 'Secretary' means the Secretary of the Treasury or the Secretary of the Treasury's delegate.

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

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

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

''(ii) use the return or return information for any purpose other than to calculate the applicable reduction amount under paragraph (2).

''(4) INCREASED COSTS DUE TO SECURITY NEEDS.—With respect to the monetary allowance that would be payable to a modern former President under subsection (a)(2) for any 12-month period but for the limitation under paragraph (1)(A) of this subsection, the Administrator of General Services, in coordination with the Director of the United States Secret Service, shall determine the amount of the allowance that is needed to pay the increased cost of doing business that is attributable to the security needs of the modern former President.

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

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

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

''(3) is not payable for any period during which such widow or widower holds an appointive or elective office or position in or under the Federal Government to which is attached a rate of pay other than a nominal rate; and

''(4) shall, after its commencement date, be increased at the same time that, and by the same percentage by which, annuities of modern former Presidents are increased under subsection (c).

''(f) DEFINITION.—In this section, the term 'modern former President' means a person—

''(1) who shall have held the office of President of the United States of America;

''(2) whose service in such office shall have terminated—

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

''(B) after the date of enactment of the Presidential Allowance Modernization Act of 2019; and

''(3) who does not then currently hold such office.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The Former Presidents Act of 1958 is amended—

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

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

''(A) other than''; and

(B) by adding at the end the following:

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

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

(A) by inserting after the section enumerator the following: ''**AUTHORIZATION OF APPROPRIATIONS.**''; and

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

SEC. 1093. RULE OF CONSTRUCTION.

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

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

(2) funding, under the Former Presidents Act of 1958 or any other law, to carry out any provision of law described in paragraph (1).

SEC. 1094. APPLICABILITY.

Section 2 of the Former Presidents Act of 1958, as added by section 1092(a)(3) of this subtitle, shall not apply to—

(1) any individual who is a former President on the date of enactment of this Act; or

(2) the widow or widower of an individual described in paragraph (1).

SA 440. Mr. BLUNT (for himself, Mr. HAWLEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1086. SILVER STAR SERVICE BANNER DAY.

(a) FINDINGS.—Congress finds the following:

(1) Congress is committed to honoring the sacrifices of wounded and ill members of the Armed Forces.

(2) The Silver Star Service Banner recognizes the members of the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.

(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.

(4) May 1 is an appropriate date to designate as ''Silver Star Service Banner Day''.

(b) DESIGNATION.—

(1) IN GENERAL.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:

''§ 146. Silver Star Service Banner Day

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

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

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to section 145 the following:

''146. Silver Star Service Banner Day.''.

SA 441. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. PUBLIC AUCTION FOR CH–46E SURPLUS SPARE PARTS.

The Secretary of Defense shall direct the Defense Logistics Agency to catalog and release CH–46E surplus spare parts for public auction.

SA 442. Mr. MORAN (for himself, Mr. ROBERTS, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title [_____], insert the following:

SEC. _____. MODIFICATION TO FIRST DIVISION MONUMENT.

(a) AUTHORIZATION.—

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

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

(b) NONAPPLICABILITY OF COMMEMORATIVE WORKS ACT.—Section 8903(b) of title 40, United States Code (commonly known as the ''Commemorative Works Act''), shall not apply to any activity carried out pursuant to subsection (a).

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

SA 443. Mr. MORAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) ANALYTICAL MODEL.—

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

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

(A) The height and blade dimension of wind turbine structures, the energy generated by such structures, and other factors relating to such structures as the Secretary of Defense determines appropriate.

(B) Topographical and environmental considerations associated with the location of wind turbine projects.

(C) The impact of individual wind turbine structures and the combined impact of proposed and existing wind turbine structures within a 50-mile radius of commercial or military airfields or military training routes, including the amount and pattern of turbulence from a single wind turbine structure in a horizontal and vertical direction.

(D) The proximity of wind turbine structures to general aviation, commercial or military training routes, installations of the Department of Defense, and special use airspace.

(E) The impact of wind turbine structure operation, individually or collectively, on—

(i) approach and departure corridors;

(ii) established military training routes;

(iii) radar for the National Weather Service;

(iv) radar for air traffic control;

(v) instrumented landing systems; and

(vi) other factors, as determined by the Administrator of the Federal Aviation Administration and the Secretary of Defense.

(b) CERTIFICATION OF PROJECTS.—On and after the date on which the analytical model under subsection (a) is established, no wind turbine structure may be built, and no wind turbine project may be carried out, unless the Secretary of Defense, in coordination with the Secretary of Transportation, certifies through the use of such analytical model that such structure or project will have no adverse effect on air commerce, military training routes, or special use airspace.

(c) REPORT.—Not later than July 31, 2020, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress of the establishment of the analytical model required under subsection (a), including any requirements needed to complete the model by September 30, 2021.

SA 444. Mr. MORAN (for himself and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 644. REPORT ON THE MORALE, WELFARE, AND RECREATION PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the results of a review, conducted for purposes of the report, of the Morale, Welfare and Recreation (MWR) programs and activities of the Department. The purpose of the review is to identify means and mechanisms by which to improve such programs and activities.

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

(1) Increased participation in Morale, Welfare, and Recreation programs and activities

by members of the Armed Forces and their families.

(2) Enhanced relationships between the Armed Forces and local businesses and community members that contribute, or could contribute, to such programs and activities.

(3) Introduction of members and their families to new activities within such programs and activities.

(4) Enhancement of a sense of purpose for members outside of their military duty.

(5) Enhancement of the ability of members and their families to enjoy free time in a fulfilling manner.

(6) Development and expansion of services and activities that develop and improve skills such as creativity and teamwork.

(7) Development and expansion of services and activities that encourage members and their families to travel.

(8) Such other objectives as the Secretary considers appropriate for purposes of the review.

SA 445. Ms. ERNST (for herself, Ms. DUCKWORTH, and Mrs. CAPITO) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MAXIMUM AWARD PRICE FOR SOLE SOURCE MANUFACTURING CONTRACTS.

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

(1) in section 8 (15 U.S.C. 637)—

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

(B) in subsection (m)—

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

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

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

(3) in section 36(a)(2)(A) (15 U.S.C. 657f(a)(2)(A)), by striking ''$5,000,000'' and inserting ''$7,000,000''.

SA 446. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. TREATMENT OF LAW FIRM MERGERS AS COVERED TRANSACTIONS BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

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

''(I) carried out through a joint venture; or

''(II) that could result in foreign control of a United States business that provides legal services.''.

SA 447. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

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

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

(A) in general; and

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

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

SA 448. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ALLOWING CLAIMS AGAINST THE UNITED STATES FOR INJURY AND DEATH OF MEMBERS OF THE ARMED FORCES CAUSED BY IMPROPER MEDICAL CARE.

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

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

''(a) In this section—

''(1) the term 'Armed Forces' has the meaning given the term in section 101 of title 38; and

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

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

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

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

''(c) A claim under this section shall not be reduced by the amount of any benefit received under subchapter III (relating to Servicemembers' Group Life Insurance) of chapter 19 of title 38.

''(d) Notwithstanding section 2401(b)—

''(1) except as provided in paragraph (2), a claim arising under this section may not be commenced later than 3 years after the date on which the claimant discovered, or by reasonable diligence should have discovered, the injury and the cause of the injury; and

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

''(e) For purposes of claims brought under this section—

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

''(2) in the case of an act or omission occurring outside the United States, the law of the place where the act or omission occurred shall be deemed to be the law of the State of domicile of the claimant.

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

(b) CLERICAL AMENDMENT.—The table of sections for chapter 171 of title 28, United States Code, is amended by adding at the end the following:

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

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

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

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

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

SA 449. Mr. MORAN (for himself, Mr. TESTER, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. JOINT ASSESSMENT OF DEPARTMENT OF DEFENSE CYBER RED TEAM CAPABILITIES, CAPACITY, DEMAND, AND REQUIREMENTS.

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

(1) conduct a joint assessment of Department cyber red team capabilities, capacity,

demand, and future requirements that affect the Department's ability to develop, test, and maintain secure systems in a cyber environment; and

(2) brief the congressional defense committees on the results of the joint assessment.

(b) ELEMENTS.—The joint assessment required by subsection (a)(1) shall—

(1) specify demand for cyber red team support for acquisition and operations;

(2) specify shortfalls in meeting demand and future requirements, disaggregated by the Department of Defense and by each of the military departments;

(3) examine funding and retention initiatives to increase cyber red team capacity to meet demand and future requirements identified to support the testing, training, and development communities;

(4) examine the feasibility and benefit of developing and procuring a common Red Team Integrated Capabilities Stack that better utilizes increased capacity of cyber ranges and better models the capabilities and tactics, techniques, and procedures of adversaries;

(5) examine the establishment of oversight and assessment metrics for Department cyber red teams;

(6) assess the implementation of common development for tools, techniques, and training;

(7) assess potential industry and academic partnerships and services;

(8) assess the mechanisms and procedures in place to deconflict red-team activities and defensive cyber operations on active networks;

(9) assess the use of Department cyber personnel in training as red team support;

(10) assess the use of industry and academic partners and contractors as red team support and the cost- and resource-effectiveness of such support; and

(11) assess the need for permanent, high-end dedicated red-teaming activities to model sophisticated adversaries' attacking critical Department systems and infrastructure.

SA 450. Mr. MORAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) ANALYTICAL MODEL.—

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

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

(A) The height and blade dimension of wind turbine structures, the energy generated by such structures, and other factors relating to such structures as the Secretary of Defense determines appropriate.

(B) Topographical and environmental considerations associated with the location of wind turbine projects.

(C) The impact of individual wind turbine structures and the combined impact of proposed and existing wind turbine structures within a 50-mile radius of commercial or military airfields or military training routes, including the amount and pattern of turbulence from a single wind turbine structure in a horizontal and vertical direction.

(D) The proximity of wind turbine structures to general aviation, commercial or military training routes, installations of the Department of Defense, and special use airspace.

(E) The impact of wind turbine structure operation, individually or collectively, on—

(i) approach and departure corridors;

(ii) established military training routes;

(iii) radar for the National Weather Service;

(iv) radar for air traffic control;

(v) instrumented landing systems; and

(vi) other factors, as determined by the Administrator of the Federal Aviation Administration and the Secretary of Defense.

(b) CERTIFICATION OF PROJECTS.—On and after the date on which the analytical model under subsection (a) is established, no wind turbine structure may be built, and no wind turbine project may be carried out, unless the Secretary of Defense, in coordination with the Secretary of Transportation, certifies through the use of such analytical model that such structure or project will have no adverse effect on air commerce, military training routes, or special use airspace.

(c) REPORT.—Not later than July 31, 2020, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress of the establishment of the analytical model required under subsection (a), including any requirements needed to complete the model by September 30, 2021.

SA 451. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 333. SENSE OF SENATE ON PRIORITIZING SURVIVABLE LOGISTICS FOR THE DEPARTMENT OF DEFENSE.

It is the sense of the Senate that—

(1) resilient and agile logistics are necessary to implement the 2018 National Defense Strategy because it enables the United States to project power and sustain the fight against its strategic competitors in peacetime and during war;

(2) the joint logistics enterprise of the Armed Forces of the United States faces high-end threats from strategic competitors China, Russia, and Iran, all of whom have invested in anti-access area denial capabilities and gray zone tactics;

(3) there are significant logistics shortfalls, as outlined in the November 2018 final report of the Defense Science Board (DSB) Task Force on Survivable Logistics, which, if left unaddressed, would hamper the readiness and ability of the Armed Forces of the United States to conduct operations globally;

(4) since the military departments have not shown a strong commitment to funding logistics, the Secretary of Defense should review the full list of recommendations listed in the report described in paragraph (3) and address the chronic underfunding of logistics relative to other priorities of the Department of Defense.

SA 452. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXII, add the following:

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

Section 312(a) of the Atomic Energy Act of 1954 (42 U.S.C. 2286a(a)) is amended by inserting before the period at the end the following: '', including with respect to the health and safety of employees and contractors at such facilities''.

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

Section 314 of the Atomic Energy Act of 1954 (42 U.S.C. 2286c) is amended—

(1) in subsection (a)—

(A) by striking ''The Secretary of Energy'' and inserting ''Except as specifically provided by this section, the Secretary of Energy'';

(B) by striking ''ready access'' both places it appears and inserting ''prompt and unfettered access''; and

(C) by adding at the end the following new sentence: ''The access provided to facilities, personnel, and information under this subsection shall be provided without regard to the hazard or risk category assigned to a facility by the Secretary.''; and

(2) by striking subsection (b) and inserting the following new subsections:

''(b) AUTHORITY OF SECRETARY DENY INFORMATION.—The Secretary may only deny access to information pursuant to subsection (a)—

''(1) to any person who—

''(A) has not been granted an appropriate security clearance or access authorization by the Secretary; or

''(B) does not need such access in connection with the duties of such person; or

''(2) if such denial is authorized by a provision of Federal law that specifically limits the right of the Board to access such information.

''(c) APPLICATION OF NONDISCLOSURE PROTECTIONS BY BOARD.—The Board may not publicly disclose information provided under this section if such information is otherwise protected from disclosure by law, including deliberative process information.''.

SA 453. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXII, add the following:

SEC. 3204. SUSPENSION OF DEPARTMENT OF ENERGY ORDER 140.1.

The Secretary of Energy shall suspend implementation of Department of Energy Order 140.1 (relating to interface with the Defense Nuclear Facilities Safety Board) until the Comptroller General of the United States submits to Congress the results of the review of that Order conducted by the Comptroller General pursuant to the direction of the Committee on Armed Services of the Senate in Senate Report 116–48.

SA 454. Mr. UDALL (for himself, Mr. ROUNDS, Mr. PETERS, Mr. MORAN, Mr. HEINRICH, Mrs. CAPITO, Ms. BALDWIN, Ms. ERNST, Mr. TESTER, Mr. ROBERTS, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

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

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

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

(b) CREDIT FOR RETIRED PAY PURPOSES.—

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

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

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

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

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

(5) COMPUTATION OF YEARS OF SERVICE FOR RETIRED PAY.—Section 12733 of such title is amended—

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

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

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

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

SA 455. Mr. WHITEHOUSE (for himself, Mr. COTTON, Mr. BRAUN, and Mr. JONES) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1086. ELIMINATION OF WAITING PERIOD FOR SOCIAL SECURITY DISABILITY INSURANCE BENEFITS FOR DISABLED INDIVIDUALS WITH AMYOTROPHIC LATERAL SCLEROSIS (ALS).

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

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

SA 456. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

SA 457. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. ENERGETICS PLAN.

(a) PLAN REQUIRED.—The Under Secretary of Defense for Research and Engineering shall, in coordination with the technical directors at defense laboratories and such other officials as the Under Secretary considers appropriate, develop an energetics research and development plan to ensure a long-term multi-domain research, development, prototyping, and experimentation effort that—

(1) maintains United States technological superiority in energetics technology critical to national security;

(2) efficiently develops new energetics technologies and transitions them into operational use, as appropriate; and

(3) maintains a robust industrial base and workforce to support Department of Defense requirements for energetic materials.

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

SA 458. Mr. SCOTT of Florida submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 866. REPORT ON CONTRACTS WITH ENTITIES AFFILIATED WITH THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing all Department of Defense contracts with companies or business entities that are owned or operated by, or affiliated with, the Government of the People's Republic of China or the Chinese Communist Party.

SA 459. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ANNUAL LIST OF SBIR AWARDS.

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

''(vv) ANNUAL LIST OF LOW PARTICIPATION STATES.—Each Federal agency participating in the SBIR program shall include in the report required under subsection (b)(7), for the preceding 12-month period—

''(1) a list of the number of SBIR awards provided to small business concerns in each State; and

''(2) a plan to increase the number of SBIR applications submitted by small business concerns located in the 20 States listed under paragraph (1) with the lowest number of SBIR awards.''.

SA 460. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

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

''(d) USE OF COST SAVINGS REALIZED.—(1) With respect to a fiscal year in which cost savings are realized as a result of entering into an agreement under this section for a military installation, the Secretary concerned shall make not less than 25 percent of the amount of such savings available for use by the commander of the installation to carry out activities described in section 2667(e)(1)(C) of this title.

''(2) Not later than 90 days after the Secretary concerned determines that cost savings will result from an agreement under this section, the Secretary concerned shall certify to the congressional defense committees the amount of the cost savings.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2020 and each subsequent fiscal year.

SA 461. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

SA 462. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXX, add the following:

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

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

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on how to improve the living facilities for members of the Armed Forces and their families who are living in housing with lead contamination on an installation of the Department.

SA 463. Mr. SULLIVAN (for himself, Ms. BALDWIN, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1019. CONTRACTS FOR OVERHAUL, REPAIR, AND MAINTENANCE OF NAVAL VESSELS IN NON-COASTWIDE SHIPYARDS.

Section 8669a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) The Secretary of the Navy may award a contract for the overhaul, repair, or maintenance of a naval vessel to a firm that is located in a non-coastwide area outside the area of the homeport of the vessel, including a yard in Alaska, the Great Lakes or the Gulf Coast, if the Secretary determines that such an award will—

''(1) reduce the vessel maintenance backlog of the Navy;

''(2) improve fleet readiness; and

''(3) support the operational needs of the Navy.''.

SA 464. Mr. CORNYN (for himself, Mr. RUBIO, Mr. CASSIDY, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1290. SECURITY PROMOTION IN CENTRAL AMERICA.

(a) SHORT TITLE.—This section may be cited as the ''Central America Security Partnership Act of 2019''.

(b) SPECIAL ENVOY FOR CENTRAL AMERICA.—Not later than 180 days after the date of the enactment of this section, the President shall appoint a Special Envoy for Central America. The Special Envoy shall serve for one three-year term.

(c) STRATEGY.—

(1) IN GENERAL.—Not later than 210 days after the date of the enactment of this section, the Special Envoy, in consultation with the Secretary of State, the Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, the Attorney General, and the Director of the Office of National Drug Control Policy, shall submit to the appropriate congressional committees a strategy to—

(A) reduce the flow of narcotics into the United States and combat the influence of Transnational Criminal Organizations through law enforcement and cooperation with international partners;

(B) strengthen democratic institutions, rule of law, anti-corruption, and human rights efforts in Central America; and

(C) curtail unauthorized immigration to the United States by addressing the root causes of migration in Central America.

(2) ACTIVITIES.—The strategy developed under this subsection shall include the following activities:

(A) Support anti-corruption efforts that strengthen the capacities of law enforcement, the justice sector, and financial institutions.

(B) Establish and reinforce regional counternarcotics trafficking initiatives to interdict the flow of narcotics, including fentanyl and fentanyl precursors and analogs, to the United States.

(C) Establish a multilateral Commission against Illicit Opioids and International Organized Crime among the United States, Mexico, Central American, and South American countries to regularly review results of enhanced law enforcement and justice cooperation.

(D) Create a regional commission for the Northern Triangle to coordinate anti-corruption initiatives that strengthen domestic institutions and provide technical assistance to local prosecutors.

(E) Support Federal, local, and community-based crime and violence prevention efforts.

(F) Assess port security and opportunities to promote trade through enhanced partnership, leadership training, technology modernization, and trusted trader programs.

(G) Establish and reinforce reintegration programs for repatriated persons that reduce the likelihood for repeated migration to the United States.

(H) Develop a market-based approach to investment and development that identifies opportunities for private investment and roles for the United States International Development Finance Corporation, the Millennium Challenge Corporation, and the United States Agency for International Development.

(I) Promote the establishment and supervision of effective tax collection and enforcement systems.

(J) Identify opportunities for regional and international partnerships.

(K) Provide a comprehensive assessment of the current sanctions regime and make recommendations for the most efficient use of sanctions to deter corruption, insecurity, and the key drivers of migration.

(L) Assess the resources necessary to promote the strategy.

(M) Provide legislative recommendations necessary to achieve the strategy.

(d) REPORT.—At the same time as the Special Envoy submits the strategy required under subsection (c), the Special Envoy shall submit to the appropriate congressional

committees a comprehensive report on current United States-funded Central American aid programs. The report shall—

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

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

(3) provide measurable outcomes on progress made by existing programs; and

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

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

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Select Committee on Intelligence, the Committee on the Judiciary, the Committee on Finance, the Committee on Appropriations, and the Caucus on International Narcotics Control of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Homeland Security, the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.

SA 465. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. NATIONAL CENTER FOR EXCELLENCE FOR PATHOGEN AND MICROBIOME ANALYSIS.

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

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $12,500,000 to carry out this section.

SA 466. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

SEC. 1290. IMPROVING ACCESS TO COUNTRY-SPECIFIC INFORMATION RELATING TO ASYLUM CLAIMS.

(a) ANNUAL COUNTRY CONDITIONS REPORT.—

(1) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Defense shall compile an annual report that objectively identifies, for each country from which a national submitted an application for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) during the most recent fiscal year, any conditions within such country that would support a claim that a national of such country would be unable or unwilling to return to such country due to a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

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

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

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

(2) ADDITIONAL INFORMATION.—The Chief Immigration Judge of the Executive Office for Immigration Review or the Director of U.S. Citizenship and Immigration Services may request that the Secretary of State provide information pertaining to the conditions in the country of origin for consideration in asylum processing, including examples that do or do not meet asylum standards. The Secretary of State shall respond to the judge or Director not later than 14 days after receiving a request under this paragraph.

(c) USE OF COUNTRY-SPECIFIC INFORMATION RECEIVED FROM THE SECRETARY OF STATE.—Asylum officers and immigration judges shall consider any information compiled or provided by the Secretary of State under subsections (a) and (b) before making a determination regarding credible fear claims in conjunction with an application for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158).

SA 467. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1086. INCLUSION UNDER THE RADIATION EXPOSURE COMPENSATION ACT.

Section 4(b)(1)(C) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note; Public Law 101–426) is amended by inserting ''all acreage in any county all or part of which is located in'' before ''that part''.

SA 468. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

(1) The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

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

(3) Chapter 67 of title 41, United States Code.

(4) Chapter 37 of title 40, United States Code.

(c) DEFINITION OF SKILLBRIDGE PROGRAM.—In this section, the term ''SkillBridge program'' means any program of job training and employment skills training for members of the Armed Forces pursuant to section 1143(e) of title 10, United States Code.

SA 469. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, insert the following:

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

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

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

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

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

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

SA 470. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department

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

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

SEC. 520. PRIORITY AND EMPHASIS IN PROMOTION OF MEMBERS OF THE ARMED FORCES FOR BILLET-RELATED SKILLS AND TRAINING, OPERATIONAL EXPERIENCE, AND DECORATIONS.

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

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

(1) Billet-related skills.

(2) Billet-related training.

(3) Operational experience.

(4) Decoration and awards.

(c) GUIDANCE.—Promotion selection boards and personnel responsible for determinations regarding promotion of members of the Armed Forces shall carry out subsection (a) in accordance with guidance issued by the Secretary of the military department concerned for purposes of this section. Such guidance shall specify the extent of the priority and emphasis to be afforded by promotion selection boards and such personnel in the promotion of members, and the manner in which such priority and emphasis is to be afforded.

SA 471. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 520. PREFERENCE IN PROMOTION AND RETENTION OF MEMBERS OF THE ARMED FORCES FOR EXPERIENCE CREDITABLE TOWARD A CAMPAIGN, COMBAT, OR VALOR AWARD.

(a) PREFERENCE IN PROMOTION OF OFFICERS.—

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

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

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

''(3) Each Secretary of a military department shall issue guidance for the administration of this subsection by selection boards under the jurisdiction of such Secretary. The guidance shall specify the extent of the preference to be assigned an officer for particular periods of operational experience, and shall provide that an officer shall be assigned one month of operational experience for each month in which the officer performs any service constituting operational experience.''.

(2) APPEARANCE ON PROMOTION LISTS.—Section 624(a)(1) of such title is amended by inserting '', except such officers who were approved by the President and recommended by the board to be assigned preference of placement on the promotion list under section 616(h) of this title as these officers shall be placed on the promotion list in accordance with the preference so assigned by the board'' after ''officers on the active-duty list''.

(b) PREFERENCE IN RETENTION OF OFFICERS.—Each Secretary of a miliary department shall issue guidance under which officers (other than warrant officers) of each Armed Force under the jurisdiction of such Secretary are afforded such preference in retention in such Armed Force for operational experience as such Secretary shall specify in such guidance.

(c) PREFERENCE IN RETENTION AND PROMOTION OF WARRANT OFFICERS AND ENLISTED MEMBERS.—

(1) IN GENERAL.—Each Secretary of a miliary department shall issue guidance under which members of each Armed Force under the jurisdiction of such Secretary described in paragraph (2) are afforded such preference in retention and promotion in such Armed Force for operational experience as such Secretary shall specify in such guidance.

(2) COVERED MEMBERS.—The members of the Armed Forces described in this paragraph are the following:

(A) Warrant officers.

(B) Enlisted members.

(d) GUIDANCE.—Each Secretary of a military department shall issue the guidance required by this section, including the guidance required for purposes of subsection (h)(3) of section 616 of title 10, United States Code (as added by subsection (a)(1)), not later than 60 days after the date of the enactment of this Act. The guidance shall specify the extent of the preference to be assigned or afforded a member in retention or promotion for particular periods of operational experience, and shall provide that a member shall be assigned or afforded one month of operational experience for each month in which the member performs any service constituting operational experience. The guidance may specify different preference for members for particular experience based on grade, and different preference for different categories of experience.

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

SA 472. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

Commencing not later than 90 days after the date of the enactment of this Act—

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

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

SA 473. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

SA 474. Mr. KENNEDY (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISCLOSURE REQUIREMENT.

Section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214) is amended by adding at the end the following:

''(i) DISCLOSURE REGARDING FOREIGN JURISDICTIONS THAT PREVENT INSPECTIONS.—

''(1) DEFINITIONS.—In this subsection—

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

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

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

''(ii) that begins after the date of the enactment of this subsection.

''(2) DISCLOSURE TO COMMISSION.—The Commission shall—

''(A) identify each covered issuer that, with respect to the preparation of the audit report on the financial statement of the covered issuer that is included in a report described in paragraph (1)(A) filed by the covered issuer, retains a registered public accounting firm that has a branch or office that—

''(i) is located in a foreign jurisdiction; and

''(ii) the Board is unable to inspect under this section; and

''(B) require each covered issuer identified under subparagraph (A) to, in accordance with the rules issued by the Commission under paragraph (4), submit to the Commission documentation that establishes that the covered issuer is not owned or controlled by a governmental entity in the foreign jurisdiction described in subparagraph (A)(i).

''(3) TRADING PROHIBITION AFTER 3 YEARS OF NON-INSPECTIONS.—

''(A) IN GENERAL.—If the Commission determines that a covered issuer has 3 consecutive non-inspection years, the Commission shall prohibit the securities of the covered issuer from being traded on a national securities exchange or alternative trading system.

''(B) REMOVAL OF INITIAL PROHIBITION.—If, after the Commission imposes a prohibition on a covered issuer under subparagraph (A), the covered issuer certifies to the Commission that the covered issuer has retained a registered public accounting firm that the Board has inspected under this section to the satisfaction of the Commission, the Commission shall end that prohibition.

''(C) RECURRENCE OF NON-INSPECTION YEARS.—If, after the Commission ends a prohibition under subparagraph (B) or (D) with respect to a covered issuer, the Commission determines that the covered issuer has a non-inspection year, the Commission shall prohibit the securities of the covered issuer from being traded on a national securities exchange or alternative trading system.

''(D) REMOVAL OF SUBSEQUENT PROHIBITION.—If, after the end of the 5-year period beginning on the date on which the Commission imposes a prohibition on a covered issuer under subparagraph (C), the covered issuer certifies to the Commission that the covered issuer will retain a registered public accounting firm that the Board is able to inspect under this section, the Commission shall end that prohibition.

''(4) RULES.—Not later than 90 days after the date of enactment of this subsection, the Commission shall issue rules that establish the manner and form in which a covered issuer shall make a submission required under paragraph (2)(B).''.

SA 475. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

(2) a claim for damages would not be compensable under chapter 163 of title 10, United States Code (commonly known as the ''Foreign Claims Act''); and

(3) the property damage, personal injury, or death was not caused by action by an enemy.

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

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

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

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

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

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

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

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

(h) FUNDING.—Funds for ex gratia payments under the program under this section during a fiscal year shall be derived from amounts authorized to be appropriated for the Department for such fiscal year and available for such purpose. Any payments using such funds shall be made only in accordance with the requirements of this section.

SA 476. Mr. REED (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PCAOB ENFORCEMENT TRANSPARENCY.

(a) SHORT TITLE.—This section may be cited as the ''PCAOB Enforcement Transparency Act of 2019''.

(b) OPEN MEETINGS AUTHORIZED.—Section 105(c)(2) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7215(c)(2)) is amended to read as follows:

''(2) PUBLIC HEARINGS.—Hearings under this section shall be open to the public, unless the Board, on its own motion or after considering the motion of a party, orders otherwise.''.

(c) PUBLICATION OF DETERMINATIONS.—Section 105(d)(1)(C) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7215(d)(1)(C)) is amended by striking ''(once any stay on the imposition of such sanction has been lifted)''.

SA 477. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is amended—

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

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

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

''(1) Employment counseling.

''(2) Behavioral health counseling.

''(3) Suicide prevention.

''(4) Housing advocacy.

''(5) Financial counseling.

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

SA 478. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1008. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE EFFECTS OF CONTINUING RESOLUTIONS ON READINESS AND PLANNING OF THE DEPARTMENT OF DEFENSE.

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

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

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

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

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

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

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

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

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

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

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

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

(3) The funding issues of the Department associated with continuing resolutions, including the extent to which the Department has requested so-called ''anomalies'' or exceptions to limitations on duration, amount, or purposes of funds that otherwise apply to interim funding under continuing resolutions, including the following (beginning with fiscal year 2010):

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

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

(C) The number and absolute value of such exceptions requested by the Department.

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

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

(F) The amount by which the budget of the Department has been misaligned either between or within accounts dued to continuing resolutions, set forth by budget category 050 and amount, together with adjustments for length of the continuing resolution concerned.

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

SA 479. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

(A) a beneficiary developing country; or

(B) a least-developed beneficiary developing country.

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

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

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

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

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

SA 480. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

(2) Applicants who must travel to the closest Processing Station are often driven by their military recruiter and receive free lodging at a nearby hotel paid by the Armed Force concerned.

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

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

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

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

SA 481. Mr. JOHNSON (for himself, Ms. BALDWIN, Mr. CORNYN, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 589. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO JAMES MEGELLAS FOR ACTS OF VALOR DURING THE BATTLE OF THE BULGE.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 7271 of such title to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for the acts of valor during World War II described in subsection (b).

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

SA 482. Mr. BRAUN (for himself, Mr. RUBIO, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

(1) The Castro regime has used arbitrary incarcerations, harassment, and intimidation to deny basic freedoms to thousands of Cubans since the Cuban Revolution.

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

(3) The children were enrolled in a Christian distance school in Honduras.

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

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

(6) The Government of Cuba's insistence on state-controlled education is a sign of authoritarianism, enabling them to indoctrinate youth with a communist ideology.

(7) Parents have the right to teach their children free from the state indoctrination of an autocratic regime.

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

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

(10) The Cuban Liberty and Democratic Solidarity (Libertad) Act of 1996 (22 U.S.C. 6021 et seq.) does not permit these sanctions to be lifted until the Castro regime has been deposed and Cuba has legalized political activity and made a commitment to free and fair elections.

(11) Despite the 2014 Executive branch decision to normalize relations with Cuba, it is still in the power of Congress to lift an embargo.

(b) SENSE OF SENATE.—The Senate—

(1) expresses solidarity with the people of Cuba in their pursuit of religious freedom;

(2) calls on the Government of Cuba to release all political prisoners, including those who have been imprisoned for homeschooling their children;

(3) calls on the OAS Inter-American Commission on Human Rights to grant the Precautionary Measures requested on April 25, 2019;

(4) calls on the Government of Cuba to recognize the right of parents to teach their own children free from state communist indoctrination;

(5) calls on the Government of Cuba to institute democratic reforms, including reforms that guarantee freedom of religion; and

(6) calls for the continued implementation of the Cuban Liberty and Democratic Solidarity Act of 1996.

SA 483. Ms. COLLINS (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

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

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

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

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

SA 484. Mr. DAINES (for himself, Mr. MANCHIN, Mr. CRAPO, Ms. BALDWIN, Mrs. CAPITO, Mr. TESTER, Mr. BOOZMAN, Mrs. SHAHEEN, Mr. MORAN, Mr. JONES, Mr. COONS, Ms. SINEMA, Mr. BLUMENTHAL, Mr. CRAMER, Mr. LEAHY, Ms. HASSAN, Ms. ROSEN, Ms. KLOBUCHAR, Mr. HOEVEN, Mr. UDALL, Ms. WARREN, Mr. ROUNDS, and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 705. MODIFICATION OF ELIGIBILITY FOR TRICARE RESERVE SELECT OF CERTAIN MEMBERS OF THE SELECTED RESERVE.

Section 1076d(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''(1) Except as provided in paragraph (2), a member'' and inserting ''A member''; and

(2) by striking paragraph (2).

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

At the appropriate place, insert the following:

SEC. _____. MODIFICATION OF PERIOD AFTER RETIREMENT FOR AUTHORITY OF DEPARTMENT OF DEFENSE TO APPOINT RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS WITHIN THE DEPARTMENT AFTER RETIREMENT.

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

(1) in subsection (b), in the matter preceding paragraph (1)—

(A) by striking ''civil service'' and inserting ''competitive service''; and

(B) by striking ''during the period of 180 days''; and

(2) by adding at the end the following:

''(d) Section 5534a shall not apply to any appointment made under this section.

''(e)(1) Not later than February 15 each year, the Secretary of Defense and the Director of the Office of Personnel Management shall jointly submit to Congress a report on the appointments made during the preceding year using the authority in subsection (b)(2) of this section.

''(2) Each report under this subsection shall set forth, for the year covered by such report, the following:

''(A) The number of appointments made using the authority in subsection (b)(2) of this section.

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

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

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

(1) in the matter preceding paragraph (1), by striking ''his retirement'' and inserting ''the member's retirement''; and

(2) in paragraph (1), by striking ''his designee'' and inserting ''the Secretary's designee''.

SA 486. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

Section 1253(c) of title 10, United States Code, is amended by striking paragraph (3).

SA 487. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. CLARIFICATION OF LIMITATION ON EXPEDITED HIRING AUTHORITY FOR POST-SECONDARY STUDENTS.

Section 3116(d)(1) of title 5, United States Code, is amended to read as follows:

''(1) IN GENERAL.—Except as provided in paragraph (2), the total number of students

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

SA 488. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

''(h) INVESTMENT IN SUPPLY CHAIN SECURITY.—

''(1) IN GENERAL.—The President may make available to an eligible entity described in paragraph (2) payments to increase the security of supply chains and supply chain activities, if the President certifies to Congress not less than 30 days before making such a payment that the payment is in the national security interests of the United States.

''(2) ELIGIBLE ENTITY.—An eligible entity described in this paragraph is an entity that—

''(A) is organized under the laws of the United States or any jurisdiction within the United States; and

''(B) produces—

''(i) one or more critical components;

''(ii) critical technology; or

''(iii) one or more products for the increased security of supply chains or supply chain activities.

''(3) DEFINITIONS.—In this subsection, the terms 'supply chain' and 'supply chain activities' have the meanings given those terms by the President by regulation under section 1086(b) of the National Defense Authorization Act for Fiscal Year 2020.''.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall prescribe regulations setting forth definitions for the terms ''supply chain'' and ''supply chain activities'' for the purposes of section 303(h) of the Defense Production Act of 1950 (50 U.S.C. 4533(h)), as added by subsection (a).

(2) SCOPE OF DEFINITIONS.—The definitions required by paragraph (1)—

(A) shall encompass—

(i) the organization, people, activities, information, and resources involved in the delivery and operation of a product or service used by the Government; or

(ii) critical infrastructure as defined in Presidential Policy Directive 21 (February 12, 2013; relating to critical infrastructure security and resilience); and

(B) may include variations for specific sectors or Government functions.

SA 489. Mr. CRAPO (for himself, Mr. WARNER, Mr. DAINES, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. ESTABLISHMENT OF NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

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

''SEC. 905. NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

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

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

''(c) CENTER PERSONNEL.—

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

''(2) DETAIL OR ASSIGNMENT OF PERSONNEL.—

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

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

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

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

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

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

''(A) classified and unclassified information;

''(B) threat information; and

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

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

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

''(B) at-risk industry partners; and

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

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

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

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

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

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

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

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

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

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

SA 490. Mr. CRAPO (for himself, Mr. WARNER, Mr. DAINES, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. ESTABLISHMENT OF NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

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

''SEC. 905. NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.

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

''(b) DIRECTOR OF NATIONAL SUPPLY CHAIN INTELLIGENCE CENTER.—There is a Director

of the National Supply Chain Intelligence Center, who shall be appointed by the President, in consultation with the Director of National Intelligence and other interagency partners as the President considers appropriate.

''(c) CENTER PERSONNEL.—

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

''(A) The Department of Defense.

''(B) The Department of Justice.

''(C) The Department of Homeland Security.

''(D) The Department of Commerce.

''(2) DETAIL OR ASSIGNMENT OF PERSONNEL.—

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

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

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

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

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

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

''(A) classified and unclassified information;

''(B) threat information; and

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

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

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

''(B) at-risk industry partners; and

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

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

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

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

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

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

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

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

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

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

SA 491. Mr. CRAPO (for himself, Ms. STABENOW, Mrs. SHAHEEN, Mr. RISCH, Ms. ROSEN, Mr. GARDNER, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 569. MODIFICATION OF ELEMENTS OF REPORTS ON THE IMPROVED TRANSITION ASSISTANCE PROGRAM.

Section 552(b)(4) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) by redesignating subparagraphs (A) through (D) as subparagraphs (B) through (E), respectively;

(2) by inserting before subparagraph (B), as redesignated by paragraph (1), the following new subparagraph (A):

''(A) The total number of members eligible to attend Transition Assistance Program counseling.''; and

(3) by adding at the end the following new subparagraphs:

''(F) The number of members who participated in programs under section 1143(e) of title 10, United States Code (commonly referred to as 'Job Training, Employment Skills, Apprenticeships and Internships (JTEST-AI)' or 'Skill Bridge').

''(G) Such other information as is required to provide Congress with a comprehensive description of the participation of the members in the Transition Assistance Program and programs described in subparagraph (F).''.

SA 492. Mr. CRAPO (for himself, Ms. STABENOW, Mrs. SHAHEEN, Mr. RISCH, Ms. ROSEN, Mr. GARDNER, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 569. EDUCATION OF MEMBERS OF THE ARMED FORCES ON CAREER READINESS AND PROFESSIONAL DEVELOPMENT.

(a) PROGRAMS OF EDUCATION REQUIRED.—

(1) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2015 the following new section:

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

''(a) PROGRAM OF EDUCATION REQUIRED.—The Secretary of Defense shall carry out a program to provide education on career readiness and professional development to members of the armed forces.

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

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

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

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

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

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

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

''(c) TIMING OF PROVISION OF INFORMATION.—Subject to subsection (d), information, instruction, and other matters under the program under this section shall be provided to members at the times as follows:

''(1) Upon arrival at first duty station.

''(2) Upon arrival at any subsequent duty station.

''(3) Upon deployment.

''(4) Upon promotion.

''(5) Upon reenlistment.

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

''(d) SINGLE PROVISION OF INFORMATION IN A YEAR WITH MULTIPLE EVENTS.—A member who has received information and instruction under the program under this section in connection with an event specified in subsection (c) in a year may elect not to undergo additional receipt of information and instruction under the program in connection with another such event in the year, unless such other event is arrival at a new duty station.''.

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

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

(b) REPORT ON IMPLEMENTATION.—

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

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

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

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

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

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

SA 493. Mr. CRAPO (for himself, Ms. STABENOW, Mrs. SHAHEEN, Mr. RISCH, Ms. ROSEN, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 569. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON PARTICIPATION IN TRANSITION ASSISTANCE PROGRAMS AT SMALL AND REMOTE MILITARY INSTALLATIONS.

(a) REPORT REQUIRED.—Not later than 18 months after the date of the successful implementation of section 552 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on a review, conducted by the Comptroller General for purposes of the report, on the participation in covered transition assistance programs of members of the Armed Forces assigned to small military installations and remote military installations as described in subsection (c).

(b) COVERED TRANSITION ASSISTANCE PROGRAMS.—For purposes of this section, covered transition assistance programs are the following:

(1) The Transition Assistance Program.

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

(3) Any other program of apprenticeship, on-the-job training, or internship offered at a small military installation or remote installation that the Comptroller General considers appropriate for inclusion in the review under this section.

(c) SMALL MILITARY INSTALLATIONS; REMOTE MILITARY INSTALLATIONS.—For purposes of this section:

(1) A small military installation is an installation at which are assigned not more than 10,000 members of the Armed Forces.

(2) A remote military installation is any installation as follows:

(A) An installation in the United States that is located more than 50 miles from any city with a population of 50,000 people or more (as determined by the Office of Management and Budget).

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

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

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

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

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

(A) Compliance with the deadlines for participation provided for in subparagraphs (A) and (B) of section 1142(a)(3) of title 10, United States Code.

(B) A comparison between rates of participation in person and rates of participation online.

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

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

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

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

(1) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

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

SA 494. Mr. CRAPO (for himself, Ms. STABENOW, Mrs. SHAHEEN, Mr. RISCH, Ms. ROSEN, Mr. GARDNER, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 569. COMMAND MATTERS IN CONNECTION WITH TRANSITION ASSISTANCE PROGRAMS.

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

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

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

(d) COVERED TRANSITION ASSISTANCE PROGRAMS DEFINED.—In this section, the term ''covered transition assistance programs'' means the following:

(1) The Transition Assistance Program.

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

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

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

SA 495. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1412. REPORT RELATING TO RARE EARTH ELEMENTS.

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

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

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

(A) traditional mining of such elements;

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

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

SA 496. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1086. IMPOSITION OF SANCTIONS WITH RESPECT TO THE CIVIL NUCLEAR SECTOR OF IRAN.

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

(1) IN GENERAL.—Section 1244 of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803) is amended—

(A) in the section header, by striking ''**AND SHIPBUILDING**'' and inserting ''**SHIPBUILDING, AND CIVIL NUCLEAR**'';

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

(C) in subsection (b)—

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

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

(D) in subsection (c)—

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

(ii) in paragraph (2)—

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

(II) in subparagraph (C)(i), by striking ''or shipbuilding'' and inserting ''shipbuilding, or civil nuclear''; and

(E) in subsection (d)—

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

(ii) in paragraph (3), by striking ''or shipbuilding'' and inserting ''shipbuilding, or civil nuclear''.

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

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

(b) SANCTIONS WITH RESPECT TO SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS.—Section 1245(a)(1)(C)(i)(I) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8804(a)(1)(C)(i)(I)) is amended by striking ''or shipbuilding'' and inserting ''shipbuilding, or civil nuclear''.

(c) SANCTIONS WITH RESPECT TO UNDERWRITING SERVICES OR INSURANCE OR REINSURANCE.—Section 1246(a)(1)(B)(i) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8805(a)(1)(B)(i)) is amended by striking ''or shipbuilding'' and inserting ''shipbuilding, or civil nuclear''.

SA 497. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1226. IMPOSITION OF SANCTIONS WITH RESPECT TO SPECIAL TRADE AND FINANCE INSTITUTE OF IRAN.

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

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

SA 498. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. UNITED STATES-ISRAEL DIRECTED ENERGY CAPABILITIES COOPERATION.

(a) AUTHORITY.—

(1) IN GENERAL.—(A) The Secretary of Defense, upon request of the Ministry of Defense of Israel and with the concurrence of the Secretary of State, is authorized to carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish directed energy capabilities that address threats to the United States, deployed forces of the United States, or Israel.

(B) Any activities carried out pursuant to such authority shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States and the national security interests of Israel.

(2) REPORT.—The activities described in paragraph (1) may be carried out after the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the following:

(A) A memorandum of agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents.

(B) A certification that the memorandum of agreement—

(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel;

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of Israel, including a description of what the funds have been used for, when funds were expended, and an identification of entities that expended the funds.

(b) SUPPORT IN CONNECTION WITH ACTIVITIES.—

(1) IN GENERAL.—(A) The Secretary of Defense may provide maintenance and sustainment support to Israel for the directed energy capabilities research, development, test, and evaluation activities authorized in subsection (a)(1).

(B) Such authority includes authority to install equipment necessary to carry out such research, development, test, and evaluation.

(2) REPORT.—The support described in paragraph (1) may not be provided until 15 days after the Secretary of Defense submits to the appropriate committees of Congress a report setting forth a detailed description of the support to be provided.

(3) MATCHING CONTRIBUTION.—The support described in paragraph (1) may not be provided unless the Secretary of Defense certifies to the appropriate committees of Congress that the Government of Israel will contribute to such support—

(A) an amount equal to not less than the amount of support to be so provided; or

(B) an amount that otherwise meets the best efforts of Israel, as mutually agreed to by the United States and Israel.

(c) LEAD AGENCY.—The Secretary of Defense shall designate an appropriate research and development entity of a military department as the lead agency of the Department of Defense in carrying out this section.

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

(e) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 499. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

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

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

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) Components of telecommunications equipment or video surveillance equipment produced by Huawei Technologies Company or HiSilicon Technologies Co., Ltd. (or any subsidiary or affiliate of such entities).''; and

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

SA 500. Mr. CRUZ (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (G)(ii), by striking ''and'' at the end;

(B) in subparagraph (H), by adding ''and'' at the end; and

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

''(I) a qualified reservist;'';

(2) in paragraph (4), by striking ''and'' at the end;

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(6) 'qualified reservist' means an individual who is a member of a reserve component of the Armed Forces on the date of the applicable determination—

''(A) who—

''(i) has completed at least 6 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

''(B) who—

''(i) has completed at least 10 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; and

''(7) 'reserve component of the Armed Forces' means a reserve component specified in section 101(27) of title 38.''.

(b) TIERED HIRING PREFERENCE FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 3309 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(3) a preference eligible described in section 2108(6)(B)—3 points; and

''(4) a preference eligible described in section 2108(6)(A)—2 points.''.

(c) GAO REVIEW.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) assesses Federal employment opportunities for members of a reserve component of the Armed Forces;

(2) evaluates the impact of the amendments made by this section on the hiring of reservists and veterans by the Federal Government; and

(3) provides recommendations, if any, for strengthening Federal employment opportunities for members of a reserve component of the Armed Forces.

SA 501. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1412. DEVELOPMENT OF RARE EARTH MINERALS IN THE UNITED STATES.

(a) GRANTS.—

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

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

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President, acting through the Defense Logistics Agency, should use the full authority provided under section 15 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–6) to ensure that the United States has sufficient stockpile resources of rare earth minerals as required for the national defense.

SA 502. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. PLAN ON SUSTAINMENT OF ROUGH TERRAIN CONTAINER HANDLER FLEETS.

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

(1) jointly develop plans for sustainment of their respective RT240 Rough Terrain Container Handler (RTCH) fleets to ensure operational capability of such fleets into the 2030s;

(2) assess available modernization capabilities to enhance joint deployment of such fleets; and

(3) provide a joint briefing to the Committees on Armed Services of the Senate and the House of Representatives on the readiness of such fleets.

SA 503. Mr. CRUZ (for himself, Mr. CORNYN, Mr. THUNE, and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 147. BRIEFING ON PLANS TO INCREASE READINESS OF B–1 BOMBER AIRCRAFT.

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

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

(1) A description of aircraft structural issues.

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

(3) Projected repair timelines.

(4) Future mitigation strategies.

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

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

(7) A plan for continued upgrades and improvements.

SA 504. Ms. COLLINS (for herself, Mrs. SHAHEEN, Mr. KING, and Ms. HASSAN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 621.

SA 505. Mr. WICKER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) ESTABLISHMENT OF CRITERIA.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish criteria for treatment and remediation of perfluoroalkyl substances and polyfluoroalkyl substances (PFAS) in drinking water and ground water at military installations and other Department of Defense facilities.

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

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

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

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

(A) give preference to filtration products made from materials mined, produced, or manufactured in the United States, consistent with chapter 83 of title 41, United States Code (commonly referred to as the ''Buy American Act''); and

(B) require that—

(i) filtration materials may be recycled for extended use; and

(ii) filtration materials demonstrate long-term useful life; and

(4) require the submission and consideration of filtration material performance data such as performance curves and operations cost projections over 5- and 10-year periods.

(c) REPORTING REQUIREMENT.—If the Department of Defense enters into a contract for treatment and remediation services pursuant to this section that does not utilize filtration products made from materials mined, produced, or manufactured in the United States, the Secretary of Defense shall submit to the congressional defense committees a report justifying the use of such products, including an explanation of the circumstances that necessitate the use of such products despite the preference established pursuant to subsection (b)(3)(A).

SA 506. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2826. PROHIBITION ON USE OF FUNDS TO CONSTRUCT ELECTRIC OR HEATING COGENERATION PLANTS FOR MEDICAL FACILITIES ON INSTALLATIONS IN GERMANY.

None of the funds authorized to be appropriated by this Act may be used to construct an electric or heating cogeneration plant for a medical facility on an installation of the Department of Defense in Germany until the Chief of Engineers and the Commanding General of the Army Corps of Engineers certify to the congressional defense committees that selection of the source of furnished energy complies with the requirements of section 2880 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 10 U.S.C. 2911 note) and section 2811 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232).

SA 507. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 113. REPORT ON THE WARFIGHTING CAPABILITY CURRENTLY DELIVERED BY BLOCK I AND BLOCK II CONFIGURATIONS OF H–47 CHINOOK HELICOPTERS.

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

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

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

(3) A plan to ensure that warfighter capability is not negatively affected by the delay or termination of the CH–47F Chinook Block-II upgrade.

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

SA 508. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 866. SENSE OF CONGRESS ON MUNITIONS SUPPLY CHAIN DIVERSITY.

It is the sense of Congress that—

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

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

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

SA 509. Mr. TOOMEY (for himself, Mr. BRAUN, Mrs. CAPITO, Mr. CORNYN, and Mr. PERDUE) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle—Funding Limitations for Sanctuary Jurisdictions

SEC. ___01. SHORT TITLE.

This subtitle may be cited as the ''Stop Dangerous Sanctuary Cities Act''.

SEC. ___02. ENSURING THAT LOCAL AND FEDERAL LAW ENFORCEMENT OFFICERS MAY COOPERATE TO SAFEGUARD OUR COMMUNITIES.

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

(1) shall be deemed to be acting as an agent of the Department of Homeland Security; and

(2) with regard to actions taken to comply with the detainer, shall have all authority available to officers and employees of the Department of Homeland Security.

(b) LEGAL PROCEEDINGS.—In any legal proceeding brought against a State, a political subdivision of State, or an officer, employee, or agent of such State or political subdivision, which challenges the legality of the seizure or detention of an individual pursuant to a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357)—

(1) no liability shall lie against the State or political subdivision of a State for actions taken in compliance with the detainer; and

(2) if the actions of the officer, employee, or agent of the State or political subdivision were taken in compliance with the detainer—

(A) the officer, employee, or agent shall be deemed—

(i) to be an employee of the Federal Government and an investigative or law enforcement officer; and

(ii) to have been acting within the scope of his or her employment under section 1346(b) and chapter 171 of title 28, United States Code;

(B) section 1346(b) of title 28, United States Code, shall provide the exclusive remedy for the plaintiff; and

(C) the United States shall be substituted as defendant in the proceeding.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to provide immunity to any person who knowingly violates the civil or constitutional rights of an individual.

SEC. ___03. SANCTUARY JURISDICTION DEFINED.

(a) IN GENERAL.—Except as provided under subsection (b), for purposes of this subtitle, the term ''sanctuary jurisdiction'' means any State or political subdivision of a State that has in effect a statute, ordinance, policy, or practice that prohibits or restricts any government entity or official from—

(1) sending, receiving, maintaining, or exchanging with any Federal, State, or local government entity information regarding the citizenship or immigration status (lawful or unlawful) of any individual; or

(2) complying with a request lawfully made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to comply with a detainer for, or notify about the release of, an individual.

(b) EXCEPTION.—A State or political subdivision of a State shall not be deemed a sanctuary jurisdiction based solely on its having a policy whereby its officials will not share information regarding, or comply with a request made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to comply with a detainer regarding, an individual who comes forward as a victim or a witness to a criminal offense.

SEC. ___04. SANCTUARY JURISDICTIONS INELIGIBLE FOR CERTAIN FEDERAL FUNDS.

(a) ECONOMIC DEVELOPMENT ADMINISTRATION GRANTS.—

(1) GRANTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT.—Section 201(b) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141(b)) is amended—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(4) the area in which the project is to be carried out is not a sanctuary jurisdiction (as defined in section ___03 of the Stop Dangerous Sanctuary Cities Act).''.

(2) GRANTS FOR PLANNING AND ADMINISTRATIVE EXPENSES.—Section 203(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3143(a)) is amended by adding at the end the following: ''A sanctuary jurisdiction (as defined in section ___03 of the

Stop Dangerous Sanctuary Cities Act) may not be deemed an eligible recipient under this subsection.''.

(3) SUPPLEMENTARY GRANTS.—Section 205(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3145(a)) is amended—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3)(B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(4) will be carried out in an area that does not contain a sanctuary jurisdiction (as defined in section 3 of the Stop Dangerous Sanctuary Cities Act).''.

(4) GRANTS FOR TRAINING, RESEARCH, AND TECHNICAL ASSISTANCE.—Section 207 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3147) is amended by adding at the end the following:

''(c) INELIGIBILITY OF SANCTUARY JURISDICTIONS.—Grant funds authorized under this section may not be used to provide assistance to a sanctuary jurisdiction (as defined in section ___03 of the Stop Dangerous Sanctuary Cities Act).''.

(b) COMMUNITY DEVELOPMENT BLOCK GRANTS.—Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) is amended—

(1) in section 102(a) (42 U.S.C. 5302(a)), by adding at the end the following:

''(25) The term 'sanctuary jurisdiction' has the meaning provided in section ___03 of the Stop Dangerous Sanctuary Cities Act.''; and

(2) in section 104 (42 U.S.C. 5304)—

(A) subsection (b)—

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

(ii) by redesignating paragraph (6) as paragraph (7); and

(iii) by inserting after paragraph (5) the following:

''(6) the grantee is not a sanctuary jurisdiction and will not become a sanctuary jurisdiction during the period for which the grantee receives a grant under this title; and''; and

(B) by adding at the end the following:

''(n) PROTECTION OF INDIVIDUALS AGAINST CRIME.—

''(1) IN GENERAL.—No funds authorized to be appropriated to carry out this title may be obligated or expended for any State or unit of general local government that is a sanctuary jurisdiction.

''(2) RETURNED AMOUNTS.—

''(A) STATE.—If a State is a sanctuary jurisdiction during the period for which it receives amounts under this title, the Secretary—

''(i) shall direct the State to immediately return to the Secretary any such amounts that the State received for that period; and

''(ii) shall reallocate amounts returned under clause (i) for grants under this title to other States that are not sanctuary jurisdictions.

''(B) UNIT OF GENERAL LOCAL GOVERNMENT.—If a unit of general local government is a sanctuary jurisdiction during the period for which it receives amounts under this title, any such amounts that the unit of general local government received for that period—

''(i) in the case of a unit of general local government that is not in a nonentitlement area, shall be returned to the Secretary for grants under this title to States and other units of general local government that are not sanctuary jurisdictions; and

''(ii) in the case of a unit of general local government that is in a nonentitlement area, shall be returned to the Governor of the State for grants under this title to other units of general local government in the State that are not sanctuary jurisdictions.

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

''(i) apply the relevant allocation formula under subsection (b), with all sanctuary jurisdictions excluded; and

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

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

SA 510. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) BUY AMERICAN ACT GUIDANCE.—

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

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

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

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

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

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

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

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

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

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

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

SEC. _____. PILOT PROGRAM ON IMPLEMENTING TRANSPORT ACCESS CONTROL CAPABILITY.

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

SA 512. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXX, add the following:

SEC. 3057. USE OF ENERGY EFFICIENCY MEASURES IN CONSTRUCTION OR RENOVATION OF A PRIVATIZED MILITARY HOUSING UNITS.

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

(b) ENERGY EFFICIENCY MEASURES DESCRIBED.—The energy efficiency measures described in this subsection are those developed by the Secretary, in consultation with the Administrator of the General Services Administration and the Secretary of Energy, for purposes of this section and shall include the following:

(1) Solar and geothermal power.

(2) Double-pane windows.

(3) Adequate insulation.

(4) Electric fixtures and appliances that reduce energy usage.

(c) CERTIFICATION.—Before using any energy efficiency measure under this section, the Secretary of Defense shall certify to the Committees on Armed Services of the Senate and the House of Representatives that—

(1) if the measure has an available lifecycle cost, the measure will have the same lifecycle cost or a lower lifecycle cost as compared to traditional measures; or

(2) if the measure does not have an available lifecycle cost, the measure will have the same upfront or a lower upfront cost as compared to traditional measures.

SA 513. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 811. ANALYSIS OF ALTERNATIVES PURSUANT TO MATERIEL DEVELOPMENT DECISIONS.

(a) IN GENERAL.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2366c the following new section:

''§ 2366d. Analysis of alternatives pursuant to materiel development decisions

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

''(2) The Director, Cost Assessment and Program Evaluation, shall ensure that the study guidance issued by the Director shall be of such scope that is reasonable to produce within the allotted time.

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

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

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

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

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

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

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

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

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2366c the following new item:

''2366d. Analysis of alternatives pursuant to materiel development decisions.''.

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

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

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

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

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

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

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

SA 515. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1616 and insert the following:

SEC. 1616. REQUIREMENTS FOR PHASE 2 OF ACQUISITION STRATEGY FOR NATIONAL SECURITY SPACE LAUNCH PROGRAM.

(a) IN GENERAL.—In carrying out phase 2 of the acquisition strategy for the National Security Space Launch program, before the date on which the initial report required by subsection (b) is submitted, the Secretary of the Air Force—

(1) may not—

(A) modify the acquisition schedule or mission performance requirements; or

(B) award missions to more than two launch service providers; and

(2) shall ensure that launch services are procured only from launch service providers that use launch vehicles meeting each Government requirement with respect to required payloads to reference orbits.

(b) REPORT AND BRIEFING.—

(1) IN GENERAL.—Not later than June 30, 2020, and annually thereafter for the duration of phase 2, the Secretary shall submit to the congressional defense committees a report and briefing that includes—

(A) an analysis of the commercial market for space launch, including whether commercial launch providers are able to meet the required reference orbits for national security launch;

(B) a description of the total costs of launches procured under phase 2, including launch service support;

(C) a plan to increase competition in the National Security Space Launch program to more than two launch service providers; and

(D) a plan to ensure an open and transparent process for launch site assignments at the Eastern and Western Ranges.

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

(A) review the report; and

(B) submit to Congress—

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

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

SA 516. Mr. KING (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

(a) REQUIREMENT FOR A LICENSE TO EXPORT SERVICES RELATING TO BIOMETRIC INFORMATION SYSTEMS.—

(1) IN GENERAL.—Beginning on the date that is 180 days after the date of the enactment of this Act, the President shall require a license for the export of any training, advice, or installation, integration, support, or other services, related to a system—

(A) designed to identify, or verify the identity of, an individual using biometric information; or

(B) used to collect, store, search, or operate on biometric information.

(2) LIST REQUIRED.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a list of all licenses granted pursuant to paragraph (1) during the year preceding the submission of the report.

(b) RESTRICTION ON EXPORT OF SURVEILLANCE TECHNOLOGY TO CHINA.—Digital surveillance equipment, technology, or services may not be exported to the People's Republic of China unless, not less than 15 days before the export to the People's Republic of China of any such equipment, technology, or service, the President determines and certifies to the appropriate congressional committees that—

(1) the export of the equipment, technology, or service is not detrimental to United States industry;

(2) the export of the equipment, technology, or service, including any indirect benefit that could be derived from the export of the equipment, service, or technology, will not measurably improve the digital surveillance capabilities of the Government of the People's Republic of China; and

(3) the export of the equipment, technology, or service does not negatively affect the security of the United States.

(c) DEFINITIONS.—In this section:

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

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

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

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

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 1263. DISCLOSURES RELATING TO CONTRIBUTIONS TO SURVEILLANCE CAPABILITIES OF PEOPLE'S REPUBLIC OF CHINA.

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by inserting after section 14B (15 U.S.C. 78n–2) the following:

''SEC. 14C. DISCLOSURES RELATING TO CONTRIBUTIONS TO SURVEILLANCE CAPABILITIES OF PEOPLE'S REPUBLIC OF CHINA.

''Not later than one year after the date of the enactment of this section, the Commission shall issue final rules to require each

issuer, in the annual report of the issuer submitted under section 13 or section 15(d) or in the annual proxy statement of the issuer submitted under section 14(a)—

''(1) to certify that the issuer has not exported any equipment, technology, or service that could measurably improve the digital surveillance capabilities of the Government of the People's Republic of China, including through any indirect benefit that could be derived from the export of the equipment, service, or technology;

''(2) to disclose whether the issuer has willingly or unwillingly provided any training, advice, or installation, integration, support, or other services, related to a system—

''(A) designed to identify, or verify the identity of, an individual using biometric information; or

''(B) used to collect, store, search, or operate on biometric information; and

''(3) to include a strategy to assure that the issuer will not willingly or unwillingly provided any training, advice or installation, integration, support, or other services related to a system described in paragraph (2) that could measurably improve the digital surveillance capabilities of the Government of the People's Republic of China.''.

SA 517. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle _____ of title _____, add the following: appropriate place in title _____, insert the following:

SEC. _____. AMENDMENTS TO RESEARCH PROJECT TRANSACTION AUTHORITIES TO ELIMINATE COST-SHARING REQUIREMENTS AND REDUCE BURDENS ON USE.

(a) COOPERATIVE AGREEMENTS FOR RESEARCH PROJECTS.—Section 2371(e) of title 10, United States Code, is amended—

(1) by striking paragraph (2);

(2) by striking paragraph (1)(B);

(3) in paragraph (1)(A), by striking ''; and'' and inserting a period; and

(4) by striking ''(e) CONDITIONS.—(1) The Secretary of Defense'' and all that follows through ''(A) to the maximum extent practicable'' and inserting ''(e) CONDITIONS.—The Secretary of Defense, to the maximum extent practicable''.

(b) CONFORMING AMENDMENT.—Section 2371b(b) of title 10, United States Code, is amended by striking ''(b) EXERCISE OF AUTHORITY.—'' and all that follows through ''(2) To the maximum extent practicable'' and inserting ''(b) EXERCISE OF AUTHORITY.—To the maximum extent practicable''.

SA 518. Mr. WARNER (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At appropriate place in title X, insert the following:

SEC. _____. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES AND RIGHT TO APPEAL.

(a) EXCLUSIVITY OF PROCEDURES.—Section 801 of the National Security Act of 1947 (50 U.S.C. 3161) is amended by adding at the end the following:

''(c) EXCLUSIVITY.—Except as provided in subsection (b) and subject to sections 801A and 801B, the procedures established pursuant to subsection (a) shall be the exclusive procedures by which decisions about eligibility for access to classified information are governed.''.

(b) TRANSPARENCY.—Such section is further amended by adding at the end the following:

''(d) PUBLICATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the President shall—

''(A) publish in the Federal Register the procedures established pursuant to subsection (a); or

''(B) submit to Congress a certification that the procedures currently in effect that govern access to classified information as described in subsection (a)—

''(i) are published in the Federal Register; and

''(ii) comply with the requirements of subsection (a).

''(2) UPDATES.—Whenever the President makes a revision to a procedure established pursuant to subsection (a), the President shall publish such revision in the Federal Register not later than 30 days before the date on which the revision becomes effective.''.

(c) CONSISTENCY.—

(1) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended by inserting after section 801 the following:

''SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSIFIED INFORMATION.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) CLASSIFIED INFORMATION.—The term 'classified information' includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(b) IN GENERAL.—Each head of an agency that makes a determination regarding eligibility for access to classified information shall ensure that in making the determination, the head of the agency or any person acting on behalf of the agency—

''(1) does not violate any right or protection enshrined in the Constitution of the United States, including rights articulated in the First, Fifth, and Fourteenth Amendments;

''(2) does not discriminate for or against an individual on the basis of race, color, religion, sex, national origin, age, or handicap;

''(3) is not carrying out—

''(A) retaliation for political activities or beliefs; or

''(B) a coercion or reprisal described in section 2302(b)(3) of title 5, United States Code; and

''(4) does not violate section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 801 the following:

''Sec. 801A. Decisions relating to access to classified information.''.

(d) RIGHT TO APPEAL.—

(1) IN GENERAL.—Such title, as amended by subsection (c), is further amended by inserting after section 801A the following:

''SEC. 801B. RIGHT TO APPEAL.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) COVERED PERSON.—The term 'covered person' means a person, other than the President and Vice President, currently or formerly employed in, detailed to, assigned to, or issued an authorized conditional offer of employment for a position that requires access to classified information by an agency, including the following:

''(A) A member of the Armed Forces.

''(B) A civilian.

''(C) An expert or consultant with a contractual or personnel obligation to an agency.

''(D) Any other category of person who acts for or on behalf of an agency as determined by the head of the agency.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(4) NEED FOR ACCESS.—The term 'need for access' has such meaning as the President may define in the procedures established pursuant to section 801(a).

''(5) SECURITY EXECUTIVE AGENT.—The term 'Security Executive Agent' means the officer serving as the Security Executive Agent pursuant to section 803.

''(b) AGENCY REVIEW.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020, each head of an agency shall, consistent with the interest of national security, establish and publish in the Federal Register a process by which a covered person to whom eligibility for access to classified information was denied or revoked by the agency can appeal that denial or revocation within the agency.

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

''(A) In the case of a covered person to whom eligibility for access to classified information is denied or revoked by an agency, the following:

''(i) The head of the agency shall provide the covered person with a written—

''(I) detailed explanation of the basis for the denial or revocation as the head of the agency determines is consistent with the interests of national security and as permitted by other applicable provisions of law; and

''(II) notice of the right of the covered person to a hearing and appeal under this subsection.

''(ii) Not later than 30 days after receiving a request from the covered person for copies of the documents that formed the basis of the agency's decision to revoke or deny, including the investigative file, the head of the agency shall provide to the covered person copies of such documents as—

''(I) the head of the agency determines is consistent with the interests of national security; and

''(II) permitted by other applicable provisions of law, including—

''(aa) section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act');

''(bb) section 552a of such title (commonly known as the 'Privacy Act of 1974'); and

''(cc) such other provisions of law relating to the protection of confidential sources and privacy of individuals.

''(iii)(I) The covered person shall have the opportunity to retain counsel or other representation at the covered person's expense.

''(II) Upon the request of the covered person, and a showing that the ability to review classified information is essential to the resolution of an appeal under this subsection, counsel or other representation retained under this clause shall be considered for access to classified information for the limited purposes of such appeal.

''(iv)(I) The head of the agency shall provide the covered person an opportunity, at a point in the process determined by the agency head—

''(aa) to appear personally before an adjudicative or other authority, other than the investigating entity, and to present to such authority relevant documents, materials, and information, including evidence that past problems relating to the denial or revocation have been overcome or sufficiently mitigated; and

''(bb) to call and cross-examine witnesses before such authority, unless the head of the agency determines that calling and cross-examining witnesses is not consistent with the interests of national security.

''(II) The head of the agency shall make, as part of the security record of the covered person, a written summary, transcript, or recording of any appearance under item (aa) of subclause (I) or calling or cross-examining of witnesses under item (bb) of such subclause.

''(v) On or before the date that is 30 days after the date on which the covered person receives copies of documents under clause (ii), the covered person may request a hearing of the decision to deny or revoke by filing a written appeal with the head of the agency.

''(B) A requirement that each review of a decision under this subsection is completed on average not later than 180 days after the date on which a hearing is requested under subparagraph (A)(v).

''(3) AGENCY REVIEW PANELS.—

''(A) IN GENERAL.—Each head of an agency shall establish a panel to hear and review appeals under this subsection.

''(B) MEMBERSHIP.—

''(i) COMPOSITION.—Each panel established by the head of an agency under subparagraph (A) shall be composed of at least three employees of the agency selected by the head, two of whom shall not be members of the security field.

''(ii) TERMS.—A term of service on a panel established by the head of an agency under subparagraph (A) shall not exceed 2 years.

''(C) DECISIONS.—

''(i) WRITTEN.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

''(ii) CONSISTENCY.—Each head of an agency that establishes a panel under subparagraph (A) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

''(iii) OVERTURN.—The head of an agency may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head personally exercises the authority granted by this clause to overturn such decision.

''(iv) FINALITY.—Each decision of a panel established under subparagraph (A) or overturned pursuant to clause (iii) of this subparagraph shall be final but subject to appeal and review under subsection (c).

''(D) ACCESS TO CLASSIFIED INFORMATION.—The head of an agency that establishes a panel under subparagraph (A) shall afford access to classified information to the members of the panel as the head determines—

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

''(ii) consistent with the interests of national security.

''(4) REPRESENTATION BY COUNSEL.—

''(A) IN GENERAL.—Each head of an agency shall ensure that, under this subsection, a covered person appealing a decision of the head's agency under this subsection has an opportunity to retain counsel or other representation at the covered person's expense.

''(B) ACCESS TO CLASSIFIED INFORMATION.—

''(i) IN GENERAL.—Upon the request of a covered person appealing a decision of an agency under this subsection and a showing that the ability to review classified information is essential to the resolution of the appeal under this subsection, the head of the agency shall sponsor an application by the counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

''(ii) EXTENT OF ACCESS.—Counsel or another representative who is cleared for access under this subparagraph may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

''(5) CORRECTIVE ACTION.—

''(A) IN GENERAL.—If, in the course of proceedings under this subsection, the head of an agency or a panel established by the head under paragraph (3) decides that a covered person's eligibility for access to classified information was improperly denied or revoked by the agency, the agency shall take corrective action to return the covered person, as nearly as practicable and reasonable, to the position such covered person would have held had the improper denial or revocation not occurred.

''(B) COMPENSATION.—Corrective action under subparagraph (A) may include compensation, in an amount not to exceed $300,000, for any loss of wages or benefits suffered, or expenses otherwise incurred, by reason of such improper denial or revocation.

''(6) PUBLICATION OF DECISIONS.—

''(A) IN GENERAL.—Each head of an agency shall publish each final decision on an appeal under this subsection.

''(B) REQUIREMENTS.—In order to ensure transparency, oversight by Congress, and meaningful information for those who need to understand how the clearance process works, each publication under subparagraph (A) shall be—

''(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231);

''(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

''(iii) made available on a website that is searchable by members of the public.

''(c) HIGHER LEVEL REVIEW.—

''(1) PANEL.—

''(A) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020, the Security Executive Agent shall establish a panel to review decisions made on appeals pursuant to the processes established under subsection (b).

''(B) SCOPE OF REVIEW AND JURISDICTION.—After initial review to verify grounds for appeal, the panel established under subparagraph (A) shall review such decisions only—

''(i) as they relate to violations of section 801A(b); or

''(ii) to the extent to which an agency properly conducted a review of an appeal under subsection (b).

''(C) COMPOSITION.—The panel established pursuant to subparagraph (A) shall be composed of three individuals selected by the Security Executive Agent for purposes of the panel, of whom at least one shall be an attorney.

''(2) APPEALS AND TIMELINESS.—

''(A) APPEALS.—

''(i) INITIATION.—On or before the date that is 30 days after the date on which a covered person receives a written decision on an appeal under subsection (b), the covered person may initiate oversight of that decision by filing a written appeal with the Security Executive Agent.

''(ii) FILING.—A written appeal filed under clause (i) relating to a decision of an agency shall be filed in such form, in such manner, and containing such information as the Security Executive Agent may require, including—

''(I) a description of—

''(aa) any alleged violations of section 801A(b) relating to the denial or revocation of the covered person's eligibility for access to classified information; and

''(bb) any allegations of how the decision may have been the result of the agency failing to properly conduct a review under subsection (b); and

''(II) supporting materials and information for the allegations described under subclause (I).

''(B) TIMELINESS.—The Security Executive Agent shall ensure that, on average, review of each appeal filed under this subsection is completed not later than 180 days after the date on which the appeal is filed.

''(3) DECISIONS AND REMANDS.—

''(A) IN GENERAL.—If, in the course of reviewing under this subsection a decision of an agency under subsection (b), the panel established under paragraph (1) decides that there is sufficient evidence of a violation of section 801A(b) to merit a new hearing or decides that the decision of the agency was the result of an improperly conducted review under subsection (b), the panel shall vacate the decision made under subsection (b) and remand to the agency by which the covered person shall be eligible for a new appeal under subsection (b).

''(B) WRITTEN DECISIONS.—Each decision of the panel established under paragraph (1) shall be in writing and contain a justification of the decision.

''(C) CONSISTENCY.—The panel under paragraph (1) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

''(D) FINALITY.—

''(i) IN GENERAL.—Except as provided in clause (ii), each decision of the panel established under paragraph (1) shall be final.

''(ii) OVERTURN.—The Security Executive Agent may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the Security Executive Agent personally exercises the authority granted by this clause to overturn such decision.

''(E) NATURE OF REMANDS.—In remanding a decision under subparagraph (A), the panel established under paragraph (1) may not direct the outcome of any further appeal under subsection (b).

''(F) NOTICE OF DECISIONS.—For each decision of the panel established under paragraph (1) regarding a covered person, the Security Executive Agent shall provide the covered person with a written notice of the decision that includes a detailed description

of the reasons for the decision, consistent with the interests of national security and applicable provisions of law.

''(4) REPRESENTATION BY COUNSEL.—

''(A) IN GENERAL.—The Security Executive Agent shall ensure that, under this subsection, a covered person appealing a decision under subsection (b) has an opportunity to retain counsel or other representation at the covered person's expense.

''(B) ACCESS TO CLASSIFIED INFORMATION.—

''(i) IN GENERAL.—Upon the request of the covered person and a showing that the ability to review classified information is essential to the resolution of an appeal under this subsection, the Security Executive Agent shall sponsor an application by the counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

''(ii) EXTENT OF ACCESS.—Counsel or another representative who is cleared for access under this subparagraph may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

''(5) ACCESS TO DOCUMENTS AND EMPLOYEES.—

''(A) AFFORDING ACCESS TO MEMBERS OF PANEL.—The Security Executive Agent shall afford access to classified information to the members of the panel established under paragraph (1)(A) as the Security Executive Agent determines—

''(i) necessary for the panel to review a decision described in such paragraph; and

''(ii) consistent with the interests of national security.

''(B) AGENCY COMPLIANCE WITH REQUESTS OF PANEL.—Each head of an agency shall comply with each request by the panel for a document and each request by the panel for access to employees of the agency necessary for the review of an appeal under this subsection, to the degree that doing so is, as determined by the head of the agency and permitted by applicable provisions of law, consistent with the interests of national security.

''(6) PUBLICATION OF DECISIONS.—

''(A) IN GENERAL.—For each final decision on an appeal under this subsection, the head of the agency with respect to which the appeal pertains and the Security Executive Agent shall each publish the decision, consistent with the interests of national security.

''(B) REQUIREMENTS.—In order to ensure transparency, oversight by Congress, and meaningful information for those who need to understand how the clearance process works, each publication under subparagraph (A) shall be—

''(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231);

''(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

''(iii) made available on a website that is searchable by members of the public.

''(d) PERIOD OF TIME FOR THE RIGHT TO APPEAL.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any covered person who has been the subject of a decision made by the head of an agency to deny or revoke eligibility for access to classified information shall retain all rights to appeal under this section until the conclusion of the appeal process under this section.

''(2) WAIVER OF RIGHTS.—

''(A) PERSONS.—Any covered person may voluntarily waive the covered person's right to appeal under this section and such waiver shall be conclusive.

''(B) AGENCIES.—The head of an agency may not require a covered person to waive the covered person's right to appeal under this section for any reason.

''(e) WAIVER OF AVAILABILITY OF PROCEDURES FOR NATIONAL SECURITY INTEREST.—

''(1) IN GENERAL.—If the head of an agency determines that a procedure established under this section cannot be made available to a covered person in an exceptional case without damaging a national security interest of the United States by revealing classified information, such procedure shall not be made available to such covered person.

''(2) FINALITY.—A determination under paragraph (1) shall be final and conclusive and may not be reviewed by any other official or by any court.

''(3) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (1) that a procedure established under this section cannot be made available to a covered person, the head shall, not later than 30 days after the date on which the head makes such determination, submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (1) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (1), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

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

''(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or affect the responsibility and power of the head of an agency to deny or revoke eligibility for access to classified information in the interest of national security.

''(2) DENIALS AND REVOCATION.—The power and responsibility to deny or revoke eligibility for access to classified information pursuant to any other provision of law or Executive order may be exercised only when the head of an agency determines that an applicable process established under this section cannot be invoked in a manner that is consistent with national security.

''(3) FINALITY.—A determination under paragraph (2) shall be final and conclusive and may not be reviewed by any other official or by any court.

''(4) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (2) that determination relating to a denial or revocation of eligibility for access to classified information could not be made pursuant to a process established under this section, the head shall, not later than 30 days after the date on which the head makes such determination under paragraph (2), submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (2) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (2), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

''(g) RELATIONSHIP TO SUITABILITY.—No person may use a determination of suitability under part 731 of title 5, Code of Federal Regulations, or successor regulation, for the purpose of denying a covered person the review proceedings of this section where there has been a denial or revocation of eligibility for access to classified information.

''(h) PRESERVATION OF ROLES AND RESPONSIBILITIES UNDER EXECUTIVE ORDER 10865 AND OF THE DEFENSE OFFICE OF HEARINGS AND APPEALS.—Nothing in this section shall be construed to diminish or otherwise affect the procedures in effect on the day before the date of the enactment of this Act for denial and revocation procedures provided to individuals by Executive Order 10865 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry), or successor order, including those administered through the Defense Office of Hearings and Appeals of the Department of Defense under Department of Defense Directive 5220.6, or successor directive.

''(i) RULE OF CONSTRUCTION RELATING TO CERTAIN OTHER PROVISIONS OF LAW.—This section and the processes and procedures established under this section shall not be construed to apply to paragraphs (6) and (7) of section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002), as amended by subsection (c), is further amended by inserting after the item relating to section 801A the following:

''Sec. 801B. Right to appeal.''.

SA 519. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REPORT ON THE EXPANDED PURVIEW OF THE DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the Defense Counterintelligence and Security Agency.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) Identification of the resources and authorities appropriate for the Inspector General for the expanded purview of the Defense Counterintelligence and Security Agency.

(2) Identification of the resources and authorities needed to perform the civil liberties and privacy officer function of the Defense Counterintelligence and Security Agency.

(3) An assessment of the security protocols in effect for personally identifiable information held by the Defense Counterintelligence and Security Agency.

(4) An assessment of the governance structure of the Defense Counterintelligence and Security Agency as it relates to the Department of Defense, including with respect to status, authorities, and leadership.

(5) An assessment of the governance structure of the Defense Counterintelligence and Security Agency as it relates to interagency partners, including the Office of Management and Budget, the Office of the Director of National Intelligence, and the Office of Personnel Management.

(6) The methodology the Defense Counterintelligence and Security Agency will prioritize requests for background investigation requests from government agencies and industry.

SA 520. Mr. WARNER (for himself, Mrs. FEINSTEIN, and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3048. IMPROVEMENTS TO PRIVATIZED MILITARY HOUSING.

(a) MOLD ASSESSMENT AND REMEDIATION.—The Secretary concerned shall establish standard mold assessment and mold remediation requirements and standard operating procedures for mold assessment and remediation in agreements entered into with landlords of privatized military housing under the jurisdiction of the Secretary concerned based on Federal Government guidelines and industry standards.

(b) ADVISORY GROUP ON PRIVATIZED MILITARY HOUSING AGREEMENTS.—

(1) IN GENERAL.—The Secretary of Defense shall establish a temporary and independent advisory group to assist the Department of Defense in the renegotiation of agreements with landlords of privatized military housing.

(2) MEMBERS.—The Secretary shall appoint to the advisory group under paragraph (1) subject matters experts—

(A) from Federal agencies other than the Department of Defense; and

(B) from outside the Federal Government.

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

(A) The oversight of privatized military housing by independent, credentialed, and high-quality housing inspectors.

(B) The adherence of landlords to Federal, State, and local laws relating to environmental and safety hazards.

(C) The use of appropriately credentialed and skilled contractors for maintenance.

(D) Direct access by tenants to a tenant housing advocate.

(E) The establishment of an independent third-party arbiter for dispute resolution.

(F) The issuance of clear penalties for the landlord when the landlord does not meet its obligations under the agreement.

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

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

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

(e) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' has the meaning given that term in section 101(9) of title 10, United States Code.

SA 521. Mr. WARNER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. ELIGIBILITY FOR FOREIGN MILITARY SALES AND EXPORT STATUS UNDER ARMS EXPORT CONTROL ACT.

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in sections 3(d)(2)(B), 3(d)(3)(A)(i), 3(d)(5), 21(e)(2)(A), 36(b)(1), 36(b)(2), 36(b)(6), 36(c)(2)(A), 36(c)(5), 36(d)(2)(A), 62(c)(1), and 63(a)(2), by inserting ''India,'' before ''or New Zealand'' each place it appears;

(2) in section 3(b)(2), by inserting ''the Government of India,'' before ''or the Government of New Zealand''; and

(3) in sections 21(h)(1)(A) and 21(h)(2), by inserting ''India,'' before ''or Israel'' each place it appears.

SA 522. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. IMPROVING QUALITY OF INFORMATION IN BACKGROUND INVESTIGATION REQUEST PACKAGES.

(a) REPORT ON METRICS AND BEST PRACTICES.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Counterintelligence and Security Agency, which serves as the primary executive branch service provider for background investigations for eligibility for access to classified information, eligibility to hold a sensitive position, and for suitability and fitness for other matters pursuant to Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for Government employment, fitness for contractor employees, and eligibility for access to classified national security information), shall, in consultation with the Security, Suitability, and Credentialing Performance Accountability Council established under such executive order, submit to Congress a report on—

(1) metrics for assessing the completeness and quality of packages for background investigations submitted by agencies requesting background investigations from the Defense Counterintelligence and Security Agency;

(2) rejection rates of background investigation submission packages due to incomplete or erroneous data, by agency; and

(3) best practices for ensuring full and complete information in background investigation requests.

(b) ANNUAL REPORT ON PERFORMANCE.—Not later than 270 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Security, Suitability, and Credentialing Performance Accountability Council shall submit to Congress a report on performance against the metrics and return rates identified in paragraphs (1) and (2) of subsection (a).

(c) IMPROVEMENT PLANS.—

(1) IDENTIFICATION.—Not later than one year after the date of the enactment of this Act, executive agents under Executive Order 13467 (50 U.S.C. 3161 note) shall identify agencies in need of improvement with respect to the quality of the information in the background investigation submissions of the agencies as reported in subsection (b).

(2) PLANS.—Not later than 90 days after an agency is identified under paragraph (1), the head of the agency shall provide the executive agents referred to in such paragraph with a plan to improve the performance of the agency with respect to the quality of the information in the agency's background investigation submissions.

SA 523. Mr. UDALL (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. REPORT REGARDING GOVERNMENT NUCLEAR TESTING AND COMPENSATION FOR RADIATION EXPOSURE.

By not later than 90 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Attorney General, shall prepare and submit a report to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that—

(1) assesses the extent to which individuals affected by Federal Government nuclear testing are prevented from receiving compensation under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note); and

(2) describes the different groups, including an estimate of the number of people in each group, who are affected by Federal Government nuclear testing but are not compensated under such Act, including people of the United States who live in close proximity to where such testing occurred.

SA 524. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for

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

At the end of title XV, add the following:

Subtitle C—Other Matters

SEC. 1531. REVIEW OF JOINT IMPROVISED-THREAT DEFEAT ORGANIZATION RESEARCH RELATING TO HUMANITARIAN DEMINING EFFORTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a review of the research of the Joint Improvised-Threat Defeat Organization to identify information that may be released to United States humanitarian demining organizations for the purpose of improving the efficiency and effectiveness of humanitarian demining efforts.

(b) REPORT TO CONGRESS.—The Secretary shall submit a report to the congressional defense committees detailing the research identified under subsection (a).

SA 525. Mr. VAN HOLLEN (for himself, Mr. TOOMEY, Mr. BROWN, Mr. PORTMAN, Mr. GARDNER, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

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

SEC. 1701. SHORT TITLE.

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

Subtitle A—Sanctions With Respect to North Korea

SEC. 1711. FINDINGS.

Congress finds the following:

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

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

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

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

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

(E) restrict North Korean shipping, including the registration, reflagging, or insuring of North Korean ships;

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

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

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

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

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

(K) prohibit exports of North Korean textiles;

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

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

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

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

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

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

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

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

(T) prohibit trade in statuary of North Korean origin.

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

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

(4) According to a report by the International Atomic Energy Agency released in August 2018, ''The continuation and further development of the DPRK's nuclear programme and related statements by the DPRK are a cause for grave concern. The DPRK's nuclear activities, including those in relation to the Yongbyon Experimental Nuclear Power Plant (5 MW(e)) reactor, the use of the building which houses the reported centrifuge enrichment facility and the construction at the light water reactor, as well as the DPRK's sixth nuclear test, are clear violations of relevant UN Security Council resolutions, including resolution 2375 (2017) and are deeply regrettable.''.

(5) In July 2018, Secretary of State Mike Pompeo testified to the Committee on Foreign Relations of the Senate that North Korea ''continue[s] to produce fissile material'' despite public pledges by North Korean leader Kim Jong-un to denuclearize.

(6) The 2019 Missile Defense Review conducted by the Department of Defense states that North Korea ''continues to pose an extraordinary threat and the United States must remain vigilant. In the past, North Korea frequently issued explicit nuclear missile threats against the United States and allies, all the while working aggressively to field the capability to strike the U.S. homeland with nuclear-armed ballistic missiles. Over the past decade, it has invested considerable resources in its nuclear and ballistic missile programs, and undertaken extensive nuclear and missile testing in order to realize the capability to threaten the U.S. homeland with missile attack. As a result, North Korea has neared the time when it could credibly do so.''.

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

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

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

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

(9) In November 2017, President Donald Trump designated the government of North Korea as a state sponsor of terrorism pursuant to authorities under the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.), as continued in effect at the time under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), and the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(10) On February 22, 2018, the Secretary of State determined that the Government of North Korea was responsible for the lethal nerve agent attack in 2017 on Kim Jong Nam, the half-brother of North Korean leader Kim Jong-un, in Malaysia, triggering sanctions required under the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (22 U.S.C. 5601 et seq.).

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

SEC. 1712. SENSE OF CONGRESS.

It is the sense of Congress that—

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

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

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

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

SEC. 1713. DEFINITIONS.

(a) IN GENERAL.—In this subtitle, the terms ''applicable Executive order'', ''applicable United Nations Security Council resolution'', ''appropriate congressional committees'', ''Government of North Korea'', ''North Korea'', and ''North Korean financial institution'' have the meanings given those terms in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202), as amended by subsection (b).

(b) AMENDMENTS TO DEFINITIONS IN NORTH KOREA SANCTIONS AND POLICY ENHANCEMENT ACT OF 2016.—Section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202) is amended—

(1) in paragraph (1)(A), in the matter preceding clause (i), by striking ''Executive Order No. 13694'' and all that follows through ''to the extent that'' and inserting the following: ''Executive Order 13694 (50 U.S.C. 1701 note; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities), Executive Order 13722 (50 U.S.C. 1701 note; relating to blocking the property of the Government of North Korea and the Workers' Party of Korea, and prohibiting certain transactions with respect to North Korea), or Executive Order 13810 (82 Fed. Reg. 44705; relating to imposing additional sanctions with respect to North Korea), to the extent that''; and

(2) in paragraph (2)(A), by striking ''or 2321 (2016)'' and inserting ''2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017), or 2397 (2017)''.

PART I—EXPANSION OF SANCTIONS AND RELATED MATTERS

SEC. 1721. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT PROVIDE FINANCIAL SERVICES TO CERTAIN SANCTIONED PERSONS.

(a) IN GENERAL.—Title II of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9221 et seq.) is amended by inserting after the item relating to section 201A the following:

''SEC. 201B. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT PROVIDE FINANCIAL SERVICES TO CERTAIN SANCTIONED PERSONS.

''(a) IN GENERAL.—The Secretary of the Treasury shall impose one or more of the sanctions described in subsection (b) with respect to a foreign financial institution that the Secretary determines, on or after the date that is 90 days after the date of the enactment of the Otto Warmbier Banking Restrictions Involving North Korea Act of 2019, knowingly provides significant financial services to any person designated for the imposition of sanctions under—

''(1) subsection (a) or (b) of section 104;

''(2) an applicable Executive order; or

''(3) an applicable United Nations Security Council resolution.

''(b) SANCTIONS DESCRIBED.—The sanctions that may be imposed with respect to a foreign financial institution subject to subsection (a) are the following:

''(1) ASSET BLOCKING.—The Secretary may block and prohibit, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of the foreign financial institution if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

''(2) RESTRICTIONS ON CORRESPONDENT AND PAYABLE-THROUGH ACCOUNTS.—The Secretary may prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account or a payable-through account by the foreign financial institution.

''(c) IMPLEMENTATION; PENALTIES.—

''(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

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

''(d) REGULATIONS.—Not later than 180 days after the date of the enactment of the Otto Warmbier Banking Restrictions Involving North Korea Act of 2019, the President shall, as appropriate, prescribe regulations to carry out this section.

''(e) DEFINITIONS.—In this section:

''(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms 'account', 'correspondent account', and 'payable-through account' have the meanings given those terms in section 5318A of title 31, United States Code.

''(2) FINANCIAL INSTITUTION.—The term 'financial institution' means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Y) of section 5312(a)(2) of title 31, United States Code.

''(3) FOREIGN FINANCIAL INSTITUTION.—The term 'foreign financial institution' shall have the meaning of that term as determined by the Secretary of the Treasury.

''(4) KNOWINGLY.—The term 'knowingly', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.''.

(b) CLERICAL AMENDMENT.—The table of contents for the North Korea Sanctions and Policy Enhancement Act of 2016 is amended by inserting after the item relating to section 201A the following:

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

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

(a) IN GENERAL.—Section 210 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9230) is amended—

(1) by striking ''United States sanctions'' and all that follows through ''the date of the enactment of this Act'' and inserting ''United States sanctions provided for in Executive Order 13687 (50 U.S.C. 1701 note; relating to imposing additional sanctions with respect to North Korea), Executive Order 13694 (50 U.S.C. 1701 note; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities), Executive Order 13722 (50 U.S.C. 1701 note; relating to blocking the property of the Government of North Korea and the Workers' Party of Korea, and prohibiting certain transactions with respect to North Korea), or Executive Order 13810 (82 Fed. Reg. 44705; relating to imposing additional sanctions with respect to North Korea), as such Executive Orders are in effect on the day before the date of the enactment of the Otto Warmbier Banking Restrictions Involving North Korea Act of 2019'';

(2) by striking ''the Government of North Korea, persons acting for or on behalf of that Government, and persons owned or controlled, directly or indirectly, by that Government or persons acting for or on behalf of that Government,'' and inserting ''persons subject to such sanctions''; and

(3) by striking ''and 2094 (2013)'' and inserting ''2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017), and 2397 (2017)''.

(b) CONFORMING AMENDMENT.—Section 210 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9230) is amended in the section heading by striking ''**SANCTIONS WITH RESPECT TO NORTH KOREAN ACTIVITIES UNDERMINING CYBERSECURITY**'' and inserting ''**EXECUTIVE ORDERS RELATING TO SANCTIONS WITH RESPECT TO NORTH KOREA**''.

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

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

SEC. 1723. EXPANSION OF MANDATORY DESIGNATIONS UNDER NORTH KOREA SANCTIONS AND POLICY ENHANCEMENT ACT OF 2016.

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

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

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

(3) by inserting after paragraph (14) the following:

''(15) knowingly, directly or indirectly, purchases or otherwise acquires from the Government of North Korea significant quantities of coal, iron, or iron ore, except as specifically approved by the United Nations Security Council;

''(16) knowingly, directly or indirectly, provides to North Korea coal, iron, or iron ore;

''(17) knowingly, directly or indirectly, purchases or otherwise acquires textiles from the Government of North Korea, except as specifically approved by the United Nations Security Council;

''(18) knowingly facilitates a significant transfer of funds or property from the Government of North Korea that materially contributes to any violation of an applicable United Nations Security Council resolution;

''(19) knowingly, directly or indirectly, purchases or otherwise acquires significant types or amounts of seafood from North Korea, except as specifically approved by the United Nations Security Council;

''(20) knowingly, directly or indirectly, engages in, facilitates, or is responsible for the exportation of workers from North Korea;

''(21) knowingly, directly or indirectly, sells or transfers vessels to North Korea, except as specifically approved by the United Nations Security Council;

''(22) knowingly, directly or indirectly, supplies, sells, or transfers to North Korea crude oil or refined petroleum products in excess of the aggregate amounts established in applicable United Nations Security Council resolutions, except as specifically approved by the United Nations Security Council;

''(23) knowingly contributes to—

''(A) the bribery of an official of the Government of North Korea or any person acting for or on behalf of that official;

''(B) the misappropriation, theft, or embezzlement of public funds by, or for the benefit of, an official of the Government of North Korea or any person acting for or on behalf of that official; or

''(C) the use of any proceeds of any activity described in subparagraph (A) or (B); or''; and

(4) in paragraph (24), as redesignated by paragraph (2), by striking ''through (14)'' and inserting ''through (23)''.

(b) CONFORMING AMENDMENTS.—The North Korea Sanctions and Policy Enhancement Act of 2016 is amended—

(1) in section 104(b)(1) (22 U.S.C. 9214(b)(1))—

(A) by striking subparagraphs (B), (D), (E), (F), and (L); and

(B) by redesignating subparagraphs (C), (G), (H), (I), (J), (K), (M), and (N) as subparagraphs (B), (C), (D), (E), (F), (G), (H), and (I), respectively; and

(2) in section 302(b)(3) (22 U.S.C. 9241(b)(3)), by striking ''section 104(b)(1)(M)'' and inserting ''section 104(a)(20)''.

SEC. 1724. EXTENSION OF APPLICABILITY PERIOD OF PROLIFERATION PREVENTION SANCTIONS.

Section 203(b)(2) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9223(b)(2)) is amended by striking ''2 years'' and inserting ''5 years''.

SEC. 1725. SENSE OF CONGRESS ON IDENTIFICATION AND BLOCKING OF PROPERTY OF NORTH KOREAN OFFICIALS.

It is the sense of Congress that the President should—

(1) encourage international collaboration through the Financial Action Task Force and its global network to utilize its standards and apply means at its disposal to counter the money laundering, terrorist financing, and proliferation financing threats emanating from North Korea; and

(2) prioritize multilateral efforts to identify and block—

(A) any property owned or controlled by a North Korean official; and

(B) any significant proceeds of kleptocracy by the Government of North Korea or a North Korean official.

SEC. 1726. MODIFICATION OF REPORT ON IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS BY OTHER GOVERNMENTS.

Section 317 of the Korean Interdiction and Modernization of Sanctions Act (title III of Public Law 115–44; 131 Stat. 950) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years,'' and inserting ''Not later than 180 days after the date of the enactment of the Otto Warmbier Banking Restrictions Involving North Korea Act of 2019, and annually thereafter for 5 years,'';

(B) in paragraph (3), by striking ''; or'' and inserting a semicolon;

(C) by redesignating paragraph (4) as paragraph (8); and

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

''(4) prohibit, in the territories of such countries or by persons subject to the jurisdiction of such governments, the opening of new joint ventures or cooperative entities with North Korean persons or the expansion of existing joint ventures through additional investments, whether or not for or on behalf of the Government of North Korea, unless such joint ventures or cooperative entities have been approved by the Committee of the United Nations Security Council established by United Nations Security Council Resolution 1718 (2006);

''(5) prohibit the unauthorized clearing of funds by North Korean financial institutions through financial institutions subject to the jurisdiction of such governments;

''(6) prohibit the unauthorized conduct of commercial trade with North Korea that is prohibited under applicable United Nations Security Council resolutions;

''(7) prevent the provision of financial services to North Korean persons or the transfer of financial services to North Korean persons to, through, or from the territories of such countries or by persons subject to the jurisdiction of such governments; or''; and

(2) by amending subsection (c) to read as follows:

''(c) DEFINITIONS.—In this section:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term 'appropriate congressional committees and leadership' means—

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

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

''(2) APPLICABLE UNITED NATIONS SECURITY COUNCIL RESOLUTION; NORTH KOREAN FINANCIAL INSTITUTION; NORTH KOREAN PERSON.—The terms 'applicable United Nations Security Council resolution', 'North Korean financial institution', and 'North Korean person' have the meanings given those terms in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202).''.

SEC. 1727. REPORT ON USE BY THE GOVERNMENT OF NORTH KOREA OF BENEFICIAL OWNERSHIP RULES TO ACCESS THE INTERNATIONAL FINANCIAL SYSTEM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the appropriate congressional committees a report setting forth the findings of the Secretary regarding how the Government of North Korea is exploiting laws with respect to the beneficial owner of an entity in order to access the international financial system.

(b) ELEMENTS.—The Secretary shall include in the report required under subsection (a) proposals for such legislative and administrative action as the Secretary considers appropriate to combat the abuse by the Government of North Korea of shell companies and other similar entities to avoid or evade sanctions.

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

PART II—CONGRESSIONAL REVIEW AND OVERSIGHT

SEC. 1731. NOTIFICATION OF TERMINATION OR SUSPENSION OF SANCTIONS.

Not less than 15 days before taking any action to terminate or suspend the application of sanctions under this subtitle or an amendment made by this subtitle, the President shall notify the appropriate congressional committees of the President's intent to take the action and the reasons for the action.

SEC. 1732. REPORTS ON CERTAIN LICENSING ACTIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report on the operation of the system for issuing licenses for transactions under covered regulatory provisions during the preceding 180-day period that includes—

(1) the number and types of such licenses applied for during that period; and

(2) the number and types of such licenses issued during that period.

(b) COVERED REGULATORY PROVISION DEFINED.—In this section, the term ''covered regulatory provision'' means any of the following provisions, as in effect on the day before the date of the enactment of this Act and as such provisions relate to North Korea:

(1) Part 743, 744, or 746 of title 15, Code of Federal Regulations.

(2) Part 510 of title 31, Code of Federal Regulations.

(3) Any other provision of title 31, Code of Federal Regulations.

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

SEC. 1733. BRIEFINGS ON IMPLEMENTATION AND ENFORCEMENT OF SANCTIONS.

Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall provide to the appropriate congressional committees a briefing on efforts relating to the implementation and enforcement of United States sanctions with respect to North Korea, including appropriate updates on the efforts of the Department of the Treasury to address compliance with such sanctions by foreign financial institutions.

SEC. 1734. REPORT ON FINANCIAL NETWORKS AND FINANCIAL METHODS OF THE GOVERNMENT OF NORTH KOREA.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through 2025, the President shall submit to the appropriate congressional committees a report on sources of external support for the Government of North Korea that includes—

(A) a description of the methods used by the Government of North Korea to deal in, transact in, or conceal the ownership, control, or origin of goods and services exported by North Korea;

(B) an assessment of the relationship between the proliferation of weapons of mass destruction by the Government of North Korea and the financial industry or financial institutions;

(C) an assessment of the relationship between the acquisition by the Government of North Korea of military expertise, equipment, and technology and the financial industry or financial institutions;

(D) a description of the export by any person to the United States of goods, services, or technology that are made with significant amounts of North Korean labor, material, or goods, including minerals, manufacturing, seafood, overseas labor, or other exports from North Korea;

(E) an assessment of the involvement of any person in human trafficking involving citizens or nationals of North Korea;

(F) a description of how the President plans to address the flow of funds generated by activities described in subparagraphs (A) through (E), including through the use of sanctions or other means;

(G) an assessment of the extent to which the Government of North Korea engages in criminal activities, including money laundering, to support that Government;

(H) information relating to the identification, blocking, and release of property described in section 201B(b)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016, as added by section 1721;

(I) a description of the metrics used to measure the effectiveness of law enforcement and diplomatic initiatives of Federal, State, and foreign governments to comply with the provisions of applicable United Nations Security Council resolutions; and

(J) an assessment of the effectiveness of programs within the financial industry to ensure compliance with United States sanctions, applicable United Nations Security Council resolutions, and applicable Executive orders.

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

(b) INTERAGENCY COORDINATION.—The President shall ensure that any information collected pursuant to subsection (a) is shared among the Federal departments and agencies involved in investigations described in section 102(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9212(b)).

SEC. 1735. REPORT ON COUNTRIES OF CONCERN WITH RESPECT TO TRANSSHIPMENT, REEXPORTATION, OR DIVERSION OF CERTAIN ITEMS TO NORTH KOREA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act,

and annually thereafter through 2023, the Director of National Intelligence shall submit to the President, the Secretary of Defense, the Secretary of Commerce, the Secretary of State, the Secretary of the Treasury, and the appropriate congressional committees a report that identifies all countries that the Director determines are of concern with respect to transshipment, reexportation, or diversion of items subject to the provisions of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, to an entity owned or controlled by the Government of North Korea.

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

PART III—GENERAL MATTERS

SEC. 1741. RULEMAKING.

The President shall prescribe such rules and regulations as may be necessary to carry out this subtitle and amendments made by this subtitle.

SEC. 1742. AUTHORITY TO CONSOLIDATE REPORTS.

(a) IN GENERAL.—Any and all reports required to be submitted to the appropriate congressional committees under this subtitle or an amendment made by this subtitle that are subject to a deadline for submission consisting of the same unit of time may be consolidated into a single report that is submitted pursuant to that deadline.

(b) CONTENTS.—Any reports consolidated under subsection (a) shall contain all information required under this subtitle or an amendment made by this subtitle and any other elements that may be required by existing law.

SEC. 1743. WAIVERS, EXEMPTIONS, AND TERMINATION.

(a) APPLICATION AND MODIFICATION OF EXEMPTIONS AND WAIVERS FROM NORTH KOREA SANCTIONS AND POLICY ENHANCEMENT ACT OF 2016.—Section 208 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9228) is amended—

(1) by inserting ''201B,'' after ''201A,'' each place it appears; and

(2) in subsection (c), by inserting '', not less than 15 days before the waiver takes effect,'' after ''if the President''.

[(b) EXCEPTION RELATING TO IMPORTATION OF GOODS.—]

[(1) IN GENERAL.—No provision affecting sanctions under this subtitle or an amendment made by this subtitle shall apply to sanctions on the importation of goods.]

[(2) GOOD DEFINED.—In this subsection, the term ''good'' means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.]

(c) SUSPENSION.—

(1) IN GENERAL.—Subject to section 1731, any requirement to impose sanctions under this subtitle or the amendments made by this subtitle, and any sanctions imposed pursuant to this subtitle or any such amendment, may be suspended for up to one year if the President makes the certification described in section 401 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9251) to the appropriate congressional committees.

(2) RENEWAL.—A suspension under paragraph (1) may be renewed in accordance with section 401(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9251(b)).

(d) TERMINATION.—Subject to section 1731, any requirement to impose sanctions under this subtitle or the amendments made by this subtitle, and any sanctions imposed pursuant to this subtitle or any such amendment, shall terminate on the date on which the President makes the certification described in section 402 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9252).

SEC. 1744. PROCEDURES FOR REVIEW OF CLASSIFIED INFORMATION.

(a) IN GENERAL.—If a finding under this subtitle or an amendment made by this subtitle, a prohibition, condition, or penalty imposed as a result of any such finding, or a penalty imposed under this subtitle or an amendment made by this subtitle, is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)) and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the Secretary of the Treasury may submit such information to the court ex parte and in camera.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to confer or imply any right to judicial review of any finding under this subtitle or an amendment made by this subtitle, any prohibition, condition, or penalty imposed as a result of any such finding, or any penalty imposed under this subtitle or an amendment made by this subtitle.

SEC. 1745. BRIEFING ON RESOURCING OF SANCTIONS PROGRAMS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the Treasury shall provide to the appropriate congressional committees a briefing on—

(1) the resources allocated by the Department of the Treasury to support each sanctions program administered by the Department; and

(2) recommendations for additional authorities or resources necessary to expand the capacity or capability of the Department related to implementation and enforcement of such programs.

SEC. 1746. BRIEFING ON PROLIFERATION FINANCING.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury shall provide to the appropriate congressional committees a briefing on addressing proliferation finance.

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

(1) The Department of the Treasury's definition and description of an appropriate risk-based approach to combating financing of the proliferation of weapons of mass destruction.

(2) An assessment of—

(A) Federal financial regulatory agency oversight, including by the Financial Crimes Enforcement Network, of United States financial institutions and the adoption by their foreign subsidiaries, branches, and correspondent institutions of a risk-based approach to proliferation financing; and

(B) whether financial institutions in foreign jurisdictions known by the United States intelligence and law enforcement communities to be jurisdictions through which North Korea moves substantial sums of licit and illicit finance are applying a risk-based approach to proliferation financing, and if that approach is comparable to the approach required by United States financial institution supervisors.

(3) A survey of the technical assistance the Office of Technical Assistance of the Department of the Treasury, and other appropriate Executive branch offices, currently provide foreign institutions on implementing counter-proliferation financing best practices.

(4) An assessment of the ability of foreign subsidiaries, branches, and correspondent institutions of United States financial institutions to implement a risk-based approach to proliferation financing.

Subtitle B—Divestment From North Korea

SEC. 1751. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO DIVEST FROM COMPANIES THAT INVEST IN NORTH KOREA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should support the decision of any State or local government made for moral, prudential, or reputational reasons, to divest from, or prohibit the investment of assets of the State or local government in, a person that engages in investment activities described in subsection (c) if North Korea is subject to economic sanctions imposed by the United States or the United Nations Security Council.

(b) AUTHORITY TO DIVEST.—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of subsection (d) to divest the assets of the State or local government from, or prohibit investment of the assets of the State or local government in, any person that the State or local government determines, using credible information available to the public, engages in investment activities described in subsection (c).

(c) INVESTMENT ACTIVITIES DESCRIBED.—Investment activities described in this subsection are activities of a value of more than $10,000 relating to an investment in North Korea or in goods or services originating in North Korea that are not conducted pursuant to a license issued by the Department of the Treasury.

(d) REQUIREMENTS.—Any measure taken by a State or local government under subsection (b) shall meet the following requirements:

(1) NOTICE.—The State or local government shall provide written notice to each person with respect to which a measure under this section is to be applied.

(2) TIMING.—The measure applied under this section shall apply to a person not earlier than the date that is 90 days after the date on which written notice under paragraph (1) is provided to the person.

(3) OPPORTUNITY TO DEMONSTRATE COMPLIANCE.—

(A) IN GENERAL.—The State or local government shall provide to each person with respect to which a measure is to be applied under this section an opportunity to demonstrate to the State or local government that the person does not engage in investment activities described in subsection (c).

(B) NONAPPLICATION.—If a person with respect to which a measure is to be applied under this section demonstrates to the State or local government under subparagraph (A) that the person does not engage in investment activities described in subsection (c), the measure shall not apply to that person.

(4) SENSE OF CONGRESS ON AVOIDING ERRONEOUS TARGETING.—It is the sense of Congress that a State or local government should not adopt a measure under subsection (b) with respect to a person unless the State or local government has—

(A) made every effort to avoid erroneously targeting the person; and

(B) verified that the person engages in investment activities described in subsection (c).

(e) NOTICE TO DEPARTMENT OF JUSTICE.—Not later than 30 days before a State or local government applies a measure under this section, the State or local government shall notify the Attorney General of that measure.

(f) AUTHORIZATION FOR PRIOR APPLIED MEASURES.—

(1) IN GENERAL.—Notwithstanding any other provision of this section or any other provision of law, a State or local government may enforce a measure (without regard to the requirements of subsection (d), except as provided in paragraph (2)) applied by the State or local government before the date of the enactment of this Act that provides for the divestment of assets of the State or local government from, or prohibits the investment of the assets of the State or local government in, any person that the State or local government determines, using credible information available to the public, engages in investment activities described in subsection (c) that are identified in that measure.

(2) APPLICATION OF NOTICE REQUIREMENTS.—A measure described in paragraph (1) shall be subject to the requirements of paragraphs (1), (2), and (3)(A) of subsection (d) on and after the date that is 2 years after the date of the enactment of this Act.

(g) NO PREEMPTION.—A measure applied by a State or local government that is consistent with subsection (b) or (f) is not preempted by any Federal law.

(h) DEFINITIONS.—In this section:

(1) ASSET.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''asset'' means public monies, and includes any pension, retirement, annuity, endowment fund, or similar instrument, that is controlled by a State or local government.

(B) EXCEPTION.—The term ''asset'' does not include employee benefit plans covered by title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

(2) INVESTMENT.—The term ''investment'' includes—

(A) a commitment or contribution of funds or property;

(B) a loan or other extension of credit; and

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

(i) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (f), this section applies to measures applied by a State or local government before, on, or after the date of the enactment of this Act.

(2) NOTICE REQUIREMENTS.—Except as provided in subsection (f), subsections (d) and (e) apply to measures applied by a State or local government on or after the date of the enactment of this Act.

SEC. 1752. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.

Section 13(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a–13(c)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(C) engage in investment activities described in section 1751(c) of the Otto Warmbier Banking Restrictions Involving North Korea Act of 2019.''.

SEC. 1753. SENSE OF CONGRESS REGARDING CERTAIN ERISA PLAN INVESTMENTS.

It is the sense of Congress that—

(1) a fiduciary of an employee benefit plan, as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(3)), may divest plan assets from, or avoid investing plan assets in, any person the fiduciary determines engages in investment activities described in section 1751(c), if—

(A) the fiduciary makes that determination using credible information that is available to the public; and

(B) the fiduciary prudently determines that the result of that divestment or avoidance of investment would not be expected to provide the employee benefit plan with—

(i) a lower rate of return than alternative investments with commensurate degrees of risk; or

(ii) a higher degree of risk than alternative investments with commensurate rates of return; and

(2) by divesting assets or avoiding the investment of assets as described in paragraph (1), the fiduciary is not breaching the responsibilities, obligations, or duties imposed upon the fiduciary by subparagraph (A) or (B) of section 404(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104(a)(1)).

SEC. 1754. RULE OF CONSTRUCTION.

Nothing in this subtitle, an amendment made by this subtitle, or any other provision of law authorizing sanctions with respect to North Korea shall be construed to affect or displace—

(1) the authority of a State or local government to issue and enforce rules governing the safety, soundness, and solvency of a financial institution subject to its jurisdiction; or

(2) the regulation and taxation by the several States of the business of insurance, pursuant to the Act of March 9, 1945 (59 Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.) (commonly known as the ''McCarran-Ferguson Act'').

Subtitle C—Financial Industry Guidance to Halt Trafficking

SEC. 1761. SHORT TITLE.

This subtitle may be cited as the ''Financial Industry Guidance to Halt Trafficking Act'' or the ''FIGHT Act''.

SEC. 1762. FINDINGS.

Congress finds the following:

(1) The terms ''human trafficking'' and ''trafficking in persons'' are used interchangeably to describe crimes involving the exploitation of a person for the purposes of compelled labor or commercial sex through the use of force, fraud, or coercion.

(2) According to the International Labour Organization, there are an estimated 24,900,000 people worldwide who are victims of forced labor, including human trafficking victims in the United States.

(3) Human trafficking is perpetrated for financial gain.

(4) According to the International Labour Organization, of the estimated $150,000,000,000 or more in global profits generated annually from human trafficking—

(A) approximately ⅔ are generated by commercial sexual exploitation, exacted by fraud or by force; and

(B) approximately ⅓ are generated by forced labor.

(5) Most purchases of commercial sex acts are paid for with cash, making trafficking proceeds difficult to identify in the financial system. Nonetheless, traffickers rely heavily on access to financial institutions as destinations for trafficking proceeds and as conduits to finance every step of the trafficking process.

(6) Under section 1956 of title 18, United States Code (relating to money laundering), human trafficking is a ''specified unlawful activity'' and transactions conducted with proceeds earned from trafficking people, or used to further trafficking operations, can be prosecuted as money laundering offenses.

SEC. 1763. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should aggressively apply, as appropriate, existing sanctions for human trafficking authorized under section 111 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7108);

(2) the Financial Crimes Enforcement Network of the Department of the Treasury should continue—

(A) to monitor reporting required under subchapter II of chapter 53 of title 31, United States Code (commonly known as the ''Bank Secrecy Act'') and to update advisories, as warranted;

(B) to periodically review its advisories to provide covered financial institutions, as appropriate, with a list of new ''red flags'' for identifying activities of concern, particularly human trafficking;

(C) to encourage entities covered by the advisories described in subparagraph (B) to incorporate relevant elements provided in the advisories into their current transaction and account monitoring systems or in policies, procedures, and training on human trafficking to enable financial institutions to maintain ongoing efforts to examine transactions and accounts;

(D) to use geographic targeting orders, as appropriate, to impose additional reporting and recordkeeping requirements under section 5326(a) of title 31, United States Code, to carry out the purposes of, and prevent evasions of the Bank Secrecy Act; and

(E) to utilize the Bank Secrecy Act Advisory Group and other relevant entities to identify opportunities for nongovernmental organizations to share relevant actionable information on human traffickers' use of the financial sector for nefarious purposes;

(3) Federal banking regulators, the Department of the Treasury, relevant law enforcement agencies, and the Human Smuggling and Trafficking Center, in partnership with representatives from the United States financial community, should adopt regular forms of sharing information to disrupt human trafficking, including developing protocols and procedures to share actionable information between and amongst covered institutions, law enforcement, and the United States intelligence community;

(4) training front line bank and money service business employees, school teachers, law enforcement officers, foreign service officers, counselors, and the general public is an important factor in identifying trafficking victims;

(5) the Department of Homeland Security's Blue Campaign, training by the BEST Employers Alliance, and similar efforts by industry, human rights, and nongovernmental organizations focused on human trafficking provide good examples of current efforts to educate employees of critical sectors to save victims and disrupt trafficking networks;

(6) the President should intensify diplomatic efforts, bilaterally and in appropriate international fora, such as the United Nations, to develop and implement a coordinated, consistent, multilateral strategy for addressing the international financial networks supporting human trafficking; and

(7) in deliberations between the United States Government and any foreign country, including through participation in the Egmont Group of Financial Intelligence Units, regarding money laundering, corruption, and transnational crimes, the United States Government should—

(A) encourage cooperation by foreign governments and relevant international fora in identifying the extent to which the proceeds from human trafficking are being used to facilitate terrorist financing, corruption, or other illicit financial crimes;

(B) encourage cooperation by foreign governments and relevant international fora in identifying the nexus between human trafficking and money laundering;

(C) advance policies that promote the cooperation of foreign governments, through information sharing, training, or other measures, in the enforcement of this subtitle;

(D) encourage the Financial Action Task Force to update its July 2011 typology reports entitled, ''Laundering the Proceeds of Corruption'' and ''Money Laundering Risks Arising from Trafficking in Human Beings and Smuggling of Migrants'', to identify the money laundering risk arising from the trafficking of human beings; and

(E) encourage the Egmont Group of Financial Intelligence Units to study the extent to which human trafficking operations are being used for money laundering, terrorist financing, or other illicit financial purposes.

SEC. 1764. COORDINATION OF HUMAN TRAFFICKING ISSUES BY THE OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE.

(a) FUNCTIONS.—Section 312(a)(4) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively; and

(2) by inserting after subparagraph (D) the following:

''(E) combating illicit financing relating to human trafficking;''.

(b) INTERAGENCY COORDINATION.—Section 312(a) of such title is amended by adding at the end the following:

''(8) INTERAGENCY COORDINATION.—The Secretary of the Treasury, after consultation with the Undersecretary for Terrorism and Financial Crimes, shall designate an office within the OTFI that shall coordinate efforts to combat the illicit financing of human trafficking with—

''(A) other offices of the Department of the Treasury;

''(B) other Federal agencies, including—

''(i) the Office to Monitor and Combat Trafficking in Persons of the Department of State; and

''(ii) the Interagency Task Force to Monitor and Combat Trafficking;

''(C) State and local law enforcement agencies; and

''(D) foreign governments.''.

SEC. 1765. STRENGTHENING THE ROLE OF ANTI-MONEY LAUNDERING AND OTHER FINANCIAL TOOLS IN COMBATING HUMAN TRAFFICKING.

(a) INTERAGENCY TASK FORCE RECOMMENDATIONS TARGETING MONEY LAUNDERING RELATED TO HUMAN TRAFFICKING.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Interagency Task Force to Monitor and Combat Trafficking shall submit to the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives, the Secretary of the Treasury, and each appropriate Federal banking agency—

(A) an analysis of anti-money laundering efforts of the United States Government, United States financial institutions, and multilateral development banks related to human trafficking; and

(B) appropriate legislative, administrative, and other recommendations to strengthen efforts against money laundering relating to human trafficking.

(2) REQUIRED RECOMMENDATIONS.—The recommendations under paragraph (1) shall include—

(A) best practices based on successful anti-human trafficking programs currently in place at domestic and international financial institutions that are suitable for broader adoption;

(B) feedback from stakeholders, including victims of severe trafficking in persons, advocates of persons at risk of becoming victims of severe forms of trafficking in persons, the United States Advisory Council on Human Trafficking, civil society organizations, and financial institutions on policy proposals derived from the analysis conducted by the task force referred to in paragraph (1) that would enhance the efforts and programs of financial institutions to detect and deter money laundering related to human trafficking, including any recommended changes to internal policies, procedures, and controls related to human trafficking;

(C) any recommended changes to training programs at financial institutions to better equip employees to deter and detect money laundering related to human trafficking; and

(D) any recommended changes to expand human trafficking-related information sharing among financial institutions and between such financial institutions, appropriate law enforcement agencies, and appropriate Federal agencies.

(b) ADDITIONAL REPORTING REQUIREMENT.—Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

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

(A) by inserting ''the Committee on Financial Services,'' after ''the Committee on Foreign Affairs''; and

(B) by inserting ''the Committee on Banking, Housing, and Urban Affairs,'' after ''the Committee on Foreign Relations,'';

(2) in subparagraph (Q)(vii), by striking ''; and'' and inserting a semicolon;

(3) in subparagraph (R), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(S) the efforts of the United States to eliminate money laundering related to human trafficking and the number of investigations, arrests, indictments, and convictions in money laundering cases with a nexus to human trafficking.''.

(c) REQUIRED REVIEW OF PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Federal Financial Institutions Examination Council, in consultation with the Secretary of the Treasury, victims of severe forms of trafficking in persons, advocates of persons at risk of becoming victims of severe forms of trafficking in persons, the United States Advisory Council on Trafficking, civil society organizations, the private sector, and appropriate law enforcement agencies, shall—

(1) review and enhance training and examinations procedures to improve the surveillance capabilities of anti-money laundering and countering the financing of terrorism programs to detect human trafficking-related financial transactions;

(2) review and enhance procedures for referring potential human trafficking cases to the appropriate law enforcement agency; and

(3) determine, as appropriate, whether requirements for financial institutions and covered financial institutions are sufficient to detect and deter money laundering related to human trafficking.

(d) LIMITATIONS.—Nothing in this section shall be construed to—

(1) grant rulemaking authority to the Interagency Task Force to Monitor and Combat Trafficking; or

(2) authorize financial institutions to deny services to or violate the privacy of victims of trafficking, victims of severe forms of trafficking, or individuals not responsible for promoting severe forms of trafficking in persons.

SEC. 1766. SENSE OF CONGRESS ON RESOURCES TO COMBAT HUMAN TRAFFICKING.

It is the sense of Congress that—

(1) adequate funding should be provided for critical Federal efforts to combat human trafficking;

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

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

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

(5) the Department of State should be provided additional resources, as necessary, to carry out the Survivors of Human Trafficking Empowerment Act (section 115 of Public Law 114–22; 129 Stat. 243).

Subtitle D—Miscellaneous

SEC. 1771. EXCEPTION RELATING TO IMPORTATION OF GOODS.

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

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

SA 526. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 569. DEGREE GRANTING AUTHORITY FOR UNITED STATES ARMY ARMAMENT GRADUATE SCHOOL.

(a) IN GENERAL.—Chapter 751 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7422. Degree granting authority for United States Army Armament Graduate School

''(a) AUTHORITY.—Under regulations prescribed by the Secretary of the Army, the Chancellor of the United States Army Armament Graduate School may, upon the recommendation of the faculty and provost of the college, confer appropriate degrees upon graduates who meet the degree requirements.

''(b) LIMITATION.—A degree may not be conferred under this section unless—

''(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

''(2) the United States Army Armament Graduate School is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

''(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree

granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

''(A) a copy of the self-assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education's National Advisory Committee on Institutional Quality and Integrity; and

''(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

''(2) Upon any modification or redesignation of existing degree granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

''(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing an explanation of any action by the appropriate academic accrediting agency or organization not to accredit the United States Army Armament Graduate School to award any new or existing degree.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 751 of such title is amended by adding at the end the following new item:

''7422. Degree granting authority for United States Army Armament Graduate School.''.

SA 527. Mr. CRUZ (for himself, Ms. SINEMA, Mr. SCOTT of Florida, Mr. MARKEY, Mr. PETERS, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—SPACE FRONTIER ACT

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Space Frontier Act of 2019''.

SEC. 1702. DEFINITIONS.

In this title:

(1) ISS.—The term ''ISS'' means the International Space Station.

(2) NASA.—The term ''NASA'' means the National Aeronautics and Space Administration.

(3) NOAA.—The term ''NOAA'' means the National Oceanic and Atmospheric Administration.

Subtitle A—Streamlining Oversight of Launch and Reentry Activities

SEC. 1711. OFFICE OF COMMERCIAL SPACE TRANSPORTATION.

(a) IN GENERAL.—Section 50921 of title 51, United States Code, is amended—

(1) by inserting ''(b) AUTHORIZATION OF APPROPRIATIONS.—'' before ''There'' and indenting appropriately; and

(2) by inserting before subsection (b), the following:

''(a) ASSOCIATE ADMINISTRATOR FOR COMMERCIAL SPACE TRANSPORTATION.—The Assistant Secretary for Commercial Space Transportation shall serve as the Associate Administrator for Commercial Space Transportation.''.

(b) ESTABLISHMENT OF ASSISTANT SECRETARY FOR COMMERCIAL SPACE TRANSPORTATION.—Section 102(e)(1) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''6'' and inserting ''7''; and

(2) in subparagraph (A), by inserting ''Assistant Secretary for Commercial Space Transportation,'' after ''Assistant Secretary for Research and Technology,''.

SEC. 1712. USE OF EXISTING AUTHORITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Transportation should make use of existing authorities, including waivers and safety approvals, as appropriate, to protect the public, make more efficient use of resources, reduce the regulatory burden for an applicant for a commercial space launch or reentry license or experimental permit, and promote commercial space launch and reentry.

(b) LICENSE APPLICATIONS AND REQUIREMENTS.—Section 50905 of title 51, United States Code, is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—

''(A) APPLICATIONS.—A person may apply to the Secretary of Transportation for a license or transfer of a license under this chapter in the form and way the Secretary prescribes.

''(B) DECISIONS.—Consistent with the public health and safety, safety of property, and national security and foreign policy interests of the United States, the Secretary, not later than the applicable deadline described in subparagraph (C), shall issue or transfer a license if the Secretary decides in writing that the applicant complies, and will continue to comply, with this chapter and regulations prescribed under this chapter.

''(C) APPLICABLE DEADLINE.—The applicable deadline described in this subparagraph shall be—

''(i) for an applicant that was or is a holder of any license under this chapter, not later than 90 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

''(ii) for a new applicant, not later than 180 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

''(D) NOTICE TO APPLICANTS.—The Secretary shall inform the applicant of any pending issue and action required to resolve the issue if the Secretary has not made a decision not later than—

''(i) for an applicant described in subparagraph (C)(i), 60 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

''(ii) for an applicant described in subparagraph (C)(ii), 120 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

''(E) NOTICE TO CONGRESS.—The Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a written notice not later than 30 days after any occurrence when the Secretary has not taken action on a license application within an applicable deadline established by this subsection.''; and

(B) in paragraph (2)—

(i) by inserting ''PROCEDURES FOR SAFETY APPROVALS.—'' before ''In carrying out'';

(ii) by inserting ''software,'' after ''services,''; and

(iii) by adding at the end the following: ''Such safety approvals may be issued simultaneously with a license under this chapter.''; and

(2) by adding at the end the following:

''(e) USE OF EXISTING AUTHORITIES.—

''(1) IN GENERAL.—The Secretary shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources, reduce the regulatory burden for an applicant under this section, and promote commercial space launch and reentry.

''(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.''.

(c) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES.—Section 50904 of title 51, United States Code, is amended by adding at the end the following:

''(e) MULTIPLE SITES.—The Secretary may issue a single license or permit for an operator to conduct launch services and reentry services at multiple launch sites or reentry sites.''.

SEC. 1713. EXPERIMENTAL PERMITS.

Section 50906 of title 51, United States Code, is amended by adding at the end the following:

''(j) USE OF EXISTING AUTHORITIES.—

''(1) IN GENERAL.—The Secretary shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources, reduce the regulatory burden for an applicant under this section, and promote commercial space launch and reentry.

''(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.''.

SEC. 1714. GOVERNMENT-DEVELOPED SPACE TECHNOLOGY.

Section 50901(b)(2)(B) of title 51, United States Code, is amended by striking ''and encouraging''.

SEC. 1715. REGULATORY REFORM.

(a) DEFINITIONS.—The definitions set forth in section 50902 of title 51, United States Code, shall apply to this section.

(b) FINDINGS.—Congress finds that the commercial space launch regulatory environment has at times impeded the United States commercial space launch sector in its innovation of launch technologies, reusable launch and reentry vehicles, and other areas related to commercial launches and reentries.

(c) REGULATORY IMPROVEMENTS FOR COMMERCIAL SPACE LAUNCH ACTIVITIES.—

(1) IN GENERAL.—Not later than February 1, 2020, the Secretary of Transportation shall issue a final rule to revise any regulations under chapter 509, United States Code, as the Secretary considers necessary to meet the objective of this section.

(2) OBJECTIVE.—The objective of this section is to establish, consistent with the purposes described in section 50901(b) of title 51, United States Code, a regulatory regime for commercial space launch activities under chapter 509 that—

(A) creates, to the extent practicable, requirements applicable both to expendable launch and reentry vehicles and to reusable launch and reentry vehicles;

(B) is neutral with regard to the specific technology utilized in a launch, a reentry, or an associated safety system;

(C) protects the health and safety of the public;

(D) establishes clear, high-level performance requirements;

(E) encourages voluntary, industry technical standards that complement the high-level performance requirements established under subparagraph (D); and

(F) facilitates and encourages appropriate collaboration between the commercial space launch and reentry sector and the Department of Transportation with respect to the requirements under subparagraph (D) and the standards under subparagraph (E).

(d) CONSULTATION.—In revising the regulations under subsection (c), the Secretary of Transportation shall consult with the following:

(1) The Secretary of Defense.

(2) The Administrator of NASA.

(3) Such members of the commercial space launch and reentry sector as the Secretary of Transportation considers appropriate to ensure adequate representation across industry.

(e) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the persons described in subsection (d), shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress in carrying out this section.

(2) CONTENTS.—The report shall include—

(A) milestones and a schedule to meet the objective of this section;

(B) a description of any Federal agency resources necessary to meet the objective of this section;

(C) recommendations for legislation that would expedite or improve the outcomes under subsection (c); and

(D) a plan for ongoing consultation with the persons described in subsection (d).

SEC. 1716. SECRETARY OF TRANSPORTATION OVERSIGHT AND COORDINATION OF COMMERCIAL LAUNCH AND REENTRY OPERATIONS.

(a) OVERSIGHT AND COORDINATION.—

(1) IN GENERAL.—The Secretary of Transportation, in accordance with the findings under section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note) and subject to section 50905(b)(2)(C) of title 51, United States Code, shall take such action as may be necessary to consolidate or modify the requirements across Federal agencies identified in section 1617(c)(1)(A) of that Act into a single application set that satisfies those requirements and expedites the coordination of commercial launch and reentry services.

(2) CHAPTER 509.—

(A) PURPOSES.—Section 50901(b)(3) of title 51, United States Code, is amended by inserting ''all'' before ''commercial launch and reentry operations''.

(B) GENERAL AUTHORITY.—Section 50903(b) of title 51, United States Code, is amended—

(i) by redesignating paragraphs (1) and (2) as paragraphs (3) and (4), respectively; and

(ii) by inserting before paragraph (3), as redesignated, the following:

''(1) consistent with this chapter, authorize, license, and oversee the conduct of all commercial launch and reentry operations, including any commercial launch or commercial reentry at a Federal range;

''(2) if an application for a license or permit under this chapter includes launch or reentry at a Defense range, coordinate with the Secretary of Defense, or designee, to protect any national security interest relevant to such activity, including any necessary mitigation measure to protect Department of Defense property and personnel;''.

(3) EFFECTIVE DATE.—This subsection takes effect on the date on which the final rule under section 105(c) is published in the Federal Register.

(b) RULES OF CONSTRUCTION.—Nothing in this title, or the amendments made by this title, may be construed to affect—

(1) section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note); or

(2) the authority of the Secretary of Defense as it relates to safety and security related to launch or reentry at a Defense range.

(c) TECHNICAL AMENDMENT; REPEAL REDUNDANT LAW.—Section 113 of the U.S. Commercial Space Launch Competitiveness Act (Public Law 114–90; 129 Stat. 704; 51 U.S.C. 50918 note) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 1717. STUDY ON JOINT USE OF SPACEPORTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act—

(1) the Secretary of Transportation shall, in consultation with the Secretary of Defense, conduct a study on the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers; and

(2) submit the results of the study to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate and the Committee on Science, Space, and Technology and the Committee on Armed Services of the House of Representatives.

(b) CONSIDERATIONS.—In conducting the study required by subsection (a), the Secretary of Transportation shall consider the following:

(1) Improvements that could be made to the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(2) Means to facilitate the ability for a military installation to request that the Secretary of Transportation consider the military installation as a site to provide or permit the licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(3) The feasibility of increasing the number of military installations that provide or are permitted to be utilized for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(4) The importance of the use of safety approvals of launch vehicles, reentry vehicles, space transportation vehicles, safety systems, processes, services, or personnel (including approval procedures for the purpose of protecting the health and safety of crew, Government astronauts, and space flight participants), to the extent permitted that may be used in conducting licensed commercial space launch, reentry activities, and space transportation services at installations.

SEC. 1718. AIRSPACE INTEGRATION REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation shall—

(1) identify and review the current policies and tools used to integrate launch and reentry (as those terms are defined in section 50902 of title 51, United States Code) into the national airspace system;

(2) consider whether the policies and tools identified in paragraph (1) need to be updated to more efficiently and safely manage the national airspace system; and

(3) submit to the appropriate committees of Congress a report on the findings under paragraphs (1) and (2), including recommendations for how to more efficiently and safely manage the national airspace system.

(b) CONSULTATION.—In conducting the review under subsection (a), the Secretary shall consult with such members of the commercial space launch and reentry sector and commercial aviation sector as the Secretary considers appropriate to ensure adequate representation across those industries.

(c) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Science, Space, and Technology of the House of Representatives; and

(3) the Committee on Transportation and Infrastructure of the House of Representatives.

Subtitle B—Streamlining Oversight of Nongovernmental Earth Observation Activities

SEC. 1721. NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.

(a) LICENSING OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.—Chapter 601 of title 51, United States Code, is amended—

(1) in section 60101—

(A) by amending paragraph (12) to read as follows:

''(12) UNENHANCED DATA.—The term 'unenhanced data' means signals or imagery products from Earth observation activities that are unprocessed or subject only to data preprocessing.'';

(B) by redesignating paragraphs (11), (12), and (13) as paragraphs (15), (18), and (19), respectively, and moving the paragraphs so as to appear in numerical order;

(C) by redesignating paragraphs (4) through (10) as paragraphs (5) through (11), respectively;

(D) by inserting after paragraph (3), the following:

''(4) EARTH OBSERVATION ACTIVITY.—The term 'Earth observation activity' means a space activity the primary purpose of which is to collect data that can be processed into imagery of the Earth or of man-made objects orbiting the Earth.'';

(E) by inserting after paragraph (11), as redesignated, the following:

''(12) NONGOVERNMENTAL EARTH OBSERVATION ACTIVITY.—The term 'nongovernmental Earth observation activity' means an Earth observation activity of a person other than—

''(A) the United States Government; or

''(B) a Government contractor or subcontractor if the Government contractor or subcontractor is performing the activity for the Government.

''(13) ORBITAL DEBRIS.—The term 'orbital debris' means any space object that is placed in space or derives from a space object placed in space by a person, remains in orbit, and no longer serves any useful function or purpose.

''(14) PERSON.—The term 'person' means a person (as defined in section 1 of title 1) subject to the jurisdiction or control of the United States.''; and

(F) by inserting after paragraph (15), as redesignated, the following:

''(16) SPACE ACTIVITY.—

''(A) IN GENERAL.—The term 'space activity' means any activity that is conducted in space.

''(B) INCLUSIONS.—The term 'space activity' includes any activity conducted on a celestial body, including the Moon.

''(C) EXCLUSIONS.—The term 'space activity' does not include any activity that is

conducted entirely on board or within a space object and does not affect another space object.

''(17) SPACE OBJECT.—The term 'space object' means any object, including any component of that object, that is launched into space or constructed in space, including any object landed or constructed on a celestial body, including the Moon.'';

(2) by amending subchapter III to read as follows:

''SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

''§ 60121. Purposes

''The purposes of this subchapter are—

''(1) to prevent, to the extent practicable, harmful interference to space activities by nongovernmental Earth observation activities;

''(2) to manage risk and prevent harm to United States national security;

''(3) to ensure consistency with international obligations of the United States; and

''(4) to promote the leadership, industrial innovation, and international competitiveness of the United States.

''§ 60122. General authority

''(a) IN GENERAL.—The Secretary shall carry out this subchapter.

''(b) FUNCTIONS.—In carrying out this subchapter, the Secretary shall consult with—

''(1) the Secretary of Defense;

''(2) the Director of National Intelligence; and

''(3) the head of such other Federal department or agency as the Secretary considers necessary.

''§ 60123. Administrative authority of Secretary

''(a) FUNCTIONS.—In order to carry out the responsibilities specified in this subchapter, the Secretary may—

''(1) grant, condition, or transfer licenses under this chapter;

''(2) seek an order of injunction or similar judicial determination from a district court of the United States with personal jurisdiction over the licensee to terminate, modify, or suspend licenses under this subchapter and to terminate licensed operations on an immediate basis, if the Secretary determines that the licensee has substantially failed to comply with any provisions of this chapter, with any terms, conditions, or restrictions of such license, or with any international obligations or national security concerns of the United States;

''(3) provide penalties for noncompliance with the requirements of licenses or regulations issued under this subchapter, including civil penalties not to exceed $10,000 (each day of operation in violation of such licenses or regulations constituting a separate violation);

''(4) compromise, modify, or remit any such civil penalty;

''(5) issue subpoenas for any materials, documents, or records, or for the attendance and testimony of witnesses for the purpose of conducting a hearing under this section;

''(6) seize any object, record, or report pursuant to a warrant from a magistrate based on a showing of probable cause to believe that such object, record, or report was used, is being used, or is likely to be used in violation of this chapter or the requirements of a license or regulation issued thereunder; and

''(7) make investigations and inquiries and administer to or take from any person an oath, affirmation, or affidavit concerning any matter relating to the enforcement of this chapter.

''(b) REVIEW OF AGENCY ACTION.—Any applicant or licensee that makes a timely request for review of an adverse action pursuant to paragraph (1), (3), (5), or (6) of subsection (a) shall be entitled to adjudication by the Secretary on the record after an opportunity for any agency hearing with respect to such adverse action. Any final action by the Secretary under this subsection shall be subject to judicial review under chapter 7 of title 5.

''§ 60124. Authorization to conduct nongovernmental Earth observation activities

''(a) REQUIREMENT.—No person may conduct any nongovernmental Earth observation activity without an authorization issued under this subchapter.

''(b) WAIVERS.—

''(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Defense, the Director of National Intelligence, and the head of such other Federal agency as the Secretary considers appropriate, may waive a requirement under this subchapter for a nongovernmental Earth observation activity, or for a type or class of nongovernmental Earth observation activities, if the Secretary decides that granting a waiver is consistent with section 60121.

''(2) STANDARDS.—Not later than 120 days after the date of the enactment of the Space Frontier Act of 2019, the Secretary shall establish standards, in consultation with the Secretary of Defense and the head of such other Federal agency as the Secretary considers appropriate, for determining de minimis Earth observation activities that would be eligible for a waiver under paragraph (1).

''(c) COVERAGE OF AUTHORIZATION.—The Secretary shall, to the maximum extent practicable, require a single authorization for a person—

''(1) to conduct multiple Earth observation activities using a single space object;

''(2) to operate multiple space objects carrying out substantially similar Earth observation activities; or

''(3) to use multiple space objects to carry out a single Earth observation activity.

''(d) APPLICATION.—

''(1) IN GENERAL.—A person seeking an authorization under this subchapter shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require for the purposes described in section 60121, including—

''(A) a description of the proposed Earth observation activity, including—

''(i) a physical and functional description of each space object;

''(ii) the orbital characteristics of each space object, including altitude, inclination, orbital period, and estimated operational lifetime; and

''(iii) a list of the names of all persons that have or will have direct operational or financial control of the Earth observation activity;

''(B) a plan to prevent orbital debris consistent with the 2001 United States Orbital Debris Mitigation Standard Practices or any subsequent revision thereof; and

''(C) a description of the capabilities of each instrument to be used to observe the Earth in the conduct of the Earth observation activity.

''(2) APPLICATION STATUS.—Not later than 14 days after the date on which an application is received, the Secretary shall make a determination whether the application is complete or incomplete and notify the applicant of that determination, including, if incomplete, the reason the application is incomplete.

''(e) REVIEW.—

''(1) IN GENERAL.—Not later than 90 days after the date on which the Secretary makes a determination under subsection (d)(2) that an application is complete, the Secretary shall review all information provided in that application and, subject to the provisions of this subsection, notify the applicant in writing whether the application was approved, with or without conditions, or denied.

''(2) APPROVALS.—The Secretary shall approve an application under this subsection if the Secretary determines that—

''(A) the Earth observation activity is consistent with the purposes described in section 60121; and

''(B) the applicant is in compliance, and will continue to comply, with this subchapter, including regulations.

''(3) DENIALS.—

''(A) IN GENERAL.—If an application under this subsection is denied, the Secretary—

''(i) shall include in the notification under paragraph (1)—

''(I) a reason for the denial; and

''(II) a description of each deficiency, including guidance on how to correct the deficiency;

''(ii) shall sign the notification under paragraph (1);

''(iii) may not delegate the duty under clause (ii); and

''(iv) shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a copy of the notification.

''(B) INTERAGENCY REVIEW.—Not later than 3 days after the date on which the Secretary makes a determination under subsection (d)(2) that an application is complete, the Secretary shall consult with the head of each Federal department and agency described in section 60122(b) and if any head of such Federal department or agency does not support approving the application—

''(i) that head of another Federal department or agency—

''(I) not later than 60 days after the date on which such consultation occurs, shall notify the Secretary, in writing, of the reason for withholding support, including a description of each deficiency and guidance on how to correct the deficiency;

''(II) shall sign the notification under subclause (I); and

''(III) may not delegate the duty under subclause (II), except the Secretary of Defense may delegate the duty under subclause (II) to an Under Secretary of Defense; and

''(ii) subject to all applicable laws, the Secretary shall include the notification under clause (i) in the notification under paragraph (1), including classified information if—

''(I) the Secretary of Defense or the Director of National Intelligence, as appropriate, determines that disclosure of the classified information is appropriate; and

''(II) the applicant has the required security clearance for the classified information.

''(C) INTERAGENCY ASSENTS.—If the head of another Federal department or agency does not notify the Secretary under subparagraph (B)(i)(I) within the time specified in that subparagraph, that head of another Federal department or agency shall be deemed to have assented to the application.

''(D) INTERAGENCY DISSENTS.—If, during the review of an application under paragraph (1), a head of a Federal department or agency described in subparagraph (B) disagrees with the Secretary or the head of another Federal department or agency described in subparagraph (B) with respect to a deficiency under this subsection, the Secretary shall submit the matter to the President, who shall resolve the dispute before the applicable deadline under paragraph (1).

''(E) DEFICIENCIES.—The Secretary shall—

''(i) provide each applicant under this paragraph with a reasonable opportunity—

''(I) to correct each deficiency identified under subparagraph (A)(i)(II); and

''(II) to resubmit a corrected application for reconsideration; and

''(ii) not later than 30 days after the date of on which a corrected application under clause (i)(II) is received, make a determination whether to approve the application or not, in consultation with—

''(I) each head of another Federal department or agency that submitted a notification under subparagraph (B); and

''(II) the head of such other Federal department or agency as the Secretary considers necessary.

''(F) IMPROPER BASIS FOR DENIAL.—

''(i) COMPETITION.—The Secretary shall not deny an application under this subsection in order to protect any existing Earth observation activity from competition.

''(ii) CAPABILITIES.—The Secretary shall not, to the maximum extent practicable, deny an application under this subsection based solely on the capabilities of the Earth observation activity if those capabilities—

''(I) are commercially available; or

''(II) are reasonably expected to be made commercially available, not later than 3 years after the date of the application, in the international or domestic marketplace.

''(iii) APPLICABILITY.—The prohibition under clause (ii)(II) shall apply whether the marketplace products and services originate from the operation of aircraft, uncrewed aircraft, or other platforms or technical means or are assimilated from a variety of data sources.

''(4) DEADLINE.—If the Secretary does not notify an applicant in writing before the applicable deadline under paragraph (1), the Secretary shall, not later than 1 business day after the date of the applicable deadline, notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives of the status of the application, including the reason the deadline was not met.

''(5) EXPEDITED REVIEW PROCESS.—Subject to paragraph (2) and section 60122(b), the Secretary may modify the requirements under this subsection, as the Secretary considers appropriate, to expedite the review of an application that seeks to conduct an Earth observation activity that is substantially similar to an Earth observation activity already licensed under this subchapter.

''(f) ADDITIONAL REQUIREMENTS.—An authorization issued under this subchapter shall require the authorized person—

''(1) to be in compliance with this subchapter;

''(2) to notify the Secretary of any significant change in the information contained in the application; and

''(3) to make available to the government of any country, including the United States, unenhanced data collected by the Earth observation system concerning the territory under the jurisdiction of that government as soon as such data are available and on reasonable commercial terms and conditions.

''(g) PROHIBITION ON RETROACTIVE CONDITIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), the Secretary may not modify any condition on, or add any condition to, an authorization under this subchapter after the date of the authorization.

''(2) RULE OF CONSTRUCTION.—Nothing in this section shall be constructed to prohibit the Secretary from removing a condition on an authorization under this subchapter.

''(3) INTERAGENCY REVIEW.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (E), the Secretary or the head of a Federal department or agency described in section 60122(b) may, without delegation, propose the modification or addition of a condition to an authorization under this subchapter after the date of the authorization.

''(B) CONSULTATION REQUIREMENT.—Prior to making the modification or addition under subparagraph (A), the Secretary or the applicable head of the Federal department or agency shall consult with the head of each of the other Federal departments and agencies described in section 60122(b) and if any head of such Federal department or agency does not support such modification or addition that head of another Federal department or agency—

''(i) not later than 60 days after the date on which the consultation occurs, shall notify the Secretary, in writing, of the reason for withholding support;

''(ii) shall sign the notification under clause (i); and

''(iii) may not delegate the duty under clause (ii).

''(C) INTERAGENCY ASSENTS.—If the head of another Federal department or agency does not notify the Secretary under subparagraph (B)(i) within the time specified in that subparagraph, that head of another Federal department or agency shall be deemed to have assented to the modification or addition under subparagraph (A).

''(D) INTERAGENCY DISSENTS.—If the head of a Federal department or agency described in subparagraph (A) disagrees with the Secretary or the head of another Federal department or agency described in subparagraph (A) with respect to such modification or addition under this paragraph, the Secretary shall submit the matter to the President, who shall resolve the dispute.

''(E) NOTICE.—Prior to making a modification or addition under subparagraph (A), the Secretary or the head of the Federal department or agency, as applicable, shall—

''(i) provide notice to the licensee of the reason for the proposed modification or addition, including, if applicable, a description of any deficiency and guidance on how to correct the deficiency; and

''(ii) provide the licensee a reasonable opportunity to correct a deficiency identified in clause (i).

''§ 60125. Annual reports

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the Space Frontier Act of 2019, and annually thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the progress in implementing this subchapter, including—

''(1) a list of all applications received or pending in the previous calendar year and the status of each such application;

''(2) notwithstanding paragraph (4) of section 60124(e), a list of all applications, in the previous calendar year, for which the Secretary missed the deadline under paragraph (1) of that section, including the reasons the deadline was not met; and

''(3) a description of all actions taken by the Secretary under the administrative authority granted under section 60123.

''(b) CLASSIFIED ANNEXES.—Each report under subsection (a) may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

''(c) CESSATION OF EFFECTIVENESS.—This section ceases to be effective September 30, 2021.

''§ 60126. Regulations

''The Secretary may promulgate regulations to implement this subchapter.

''§ 60127. Relationship to other executive agencies and laws

''(a) EXECUTIVE AGENCIES.—Except as provided in this subchapter or chapter 509, or any activity regulated by the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.), a person is not required to obtain from an executive agency a license, approval, waiver, or exemption to conduct a nongovernmental Earth observation activity.

''(b) RULE OF CONSTRUCTION.—This subchapter does not affect the authority of—

''(1) the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.); or

''(2) the Secretary of Transportation under chapter 509.

''(c) NONAPPLICATION.—This subchapter does not apply to any space activity the United States Government carries out for the Government.''; and

(3) by amending section 60147 to read as follows:

''§ 60147. Consultation

''(a) CONSULTATION WITH SECRETARY OF DEFENSE.—The Landsat Program Management shall consult with the Secretary of Defense on all matters relating to the Landsat Program under this chapter that affect national security. The Secretary of Defense shall be responsible for determining those conditions, consistent with this chapter, necessary to meet national security concerns of the United States and for notifying the Landsat Program Management of such conditions.

''(b) CONSULTATION WITH SECRETARY OF STATE.—

''(1) IN GENERAL.—The Landsat Program Management shall consult with the Secretary of State on all matters relating to the Landsat Program under this chapter that affect international obligations. The Secretary of State shall be responsible for determining those conditions, consistent with this chapter, necessary to meet international obligations and policies of the United States and for notifying the Landsat Program Management of such conditions.

''(2) INTERNATIONAL AID.—Appropriate United States Government agencies are authorized and encouraged to provide remote sensing data, technology, and training to developing nations as a component of programs of international aid.

''(3) REPORTING DISCRIMINATORY DISTRIBUTION.—The Secretary of State shall promptly report to the Landsat Program Management any instances outside the United States of discriminatory distribution of Landsat data.

''(c) STATUS REPORT.—The Landsat Program Management shall, as often as necessary, provide to Congress complete and updated information about the status of ongoing operations of the Landsat system, including timely notification of decisions made with respect to the Landsat system in order to meet national security concerns and international obligations and policies of the United States Government.''.

(b) TABLE OF CONTENTS.—The table of contents of chapter 601 of title 51, United States Code, is amended by striking the items relating to subchapter III and inserting the following:

''SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

''60121. Purposes.
''60122. General authority.
''60123. Administrative authority of Secretary.
''60124. Authorization to conduct nongovernmental Earth observation activities.
''60125. Annual reports.
''60126. Regulations.
''60127. Relationship to other executive agencies and laws.''.

(c) RULES OF CONSTRUCTION.—

(1) Nothing in this section or the amendments made by this section shall affect any

license, or application for a license, to operate a private remote sensing space system that was made under subchapter III of chapter 601 of title 51, United States Code (as in effect before the date of the enactment of this Act), before the date of the enactment of this Act. Such license shall continue to be subject to the requirements to which such license was subject under that chapter as in effect on the day before the date of the enactment of this Act.

(2) Nothing in this section or the amendments made by this section shall affect the prohibition on the collection and release of detailed satellite imagery relating to Israel under section 1064 of the National Defense Authorization Act for Fiscal Year 1997 (51 U.S.C. 60121 note).

SEC. 1722. RADIO-FREQUENCY MAPPING REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, shall complete and submit a report on space-based radio-frequency mapping to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Select Committee on Intelligence of the Senate;

(3) the Committee on Armed Services of the Senate;

(4) the Committee on Science, Space, and Technology of the House of Representatives;

(5) the Permanent Select Committee on Intelligence of the House of Representatives; and

(6) the Committee on Armed Services of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) a discussion of whether a need exists to regulate space-based radio-frequency mapping;

(2) a description of any immitigable impacts of space-based radio-frequency mapping on national security, United States competitiveness and space leadership, or Constitutional rights;

(3) any recommendations for additional regulatory action regarding space-based radio-frequency mapping;

(4) a detailed description of the costs and benefits of the recommendations described in paragraph (3); and

(5) an evaluation of—

(A) whether the development of voluntary consensus industry standards in coordination with the Department of Defense is more appropriate than issuing regulations with respect to space-based radio-frequency mapping; and

(B) whether existing law, including regulations and policies, could be applied in a manner that prevents the need for additional regulation of space-based radio-frequency mapping.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

Subtitle C—Miscellaneous

SEC. 1731. PROMOTING FAIRNESS AND COMPETITIVENESS FOR NASA PARTNERSHIP OPPORTUNITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) fair access to available NASA assets and services on a reimbursable, noninterference, equitable, and predictable basis is advantageous in enabling the United States commercial space industry;

(2) NASA should continue to promote fairness to all parties and ensure best value to the Federal Government in granting use of NASA assets, services, and capabilities in a manner that contributes to NASA's missions and objectives; and

(3) NASA should continue to promote small business awareness and participation through advocacy and collaborative efforts with internal and external partners, stakeholders, and academia.

(b) GUIDANCE FOR SMALL BUSINESS PARTICIPATION.—The Administrator of NASA shall—

(1) provide opportunities for the consideration of small business concerns during public-private partnership planning processes and in public-private partnership plans;

(2) invite the participation of each relevant director of an Office of Small and Disadvantaged Business Utilization under section 15(k) of the Small Business Act 915 U.S.C. 644(k) in public-private partnership planning processes and provide the director access to public-private partnership plans;

(3) not later than 90 days after the date of the enactment of this Act—

(A) identify and establish a list of all NASA assets, services, and capabilities that are available, or will be available, for public-private partnership opportunities; and

(B) make the list under subparagraph (A) available on NASA's website, in a searchable format;

(4) periodically as needed, but not less frequently than annually, update the list and website under paragraph (3); and

(5) not later than 180 days after the date of the enactment of this Act, develop a policy and issue guidance for a consistent, fair, and equitable method for scheduling and establishing priority of use of the NASA assets, services, and capabilities identified under this subsection.

(c) STRENGTHENING SMALL BUSINESS AWARENESS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of NASA shall designate an official at each NASA Center—

(1) to serve as an advocate for small businesses within the office that manages partnerships at each Center; and

(2) to provide guidance to small businesses on how to participate in public-private partnership opportunities with NASA.

SEC. 1732. MAINTAINING A NATIONAL LABORATORY IN SPACE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States national laboratory in space, which currently consists of the United States segment of the ISS (designated a national laboratory under section 70905 of title 51, United States Code)—

(A) benefits the scientific community and promotes commerce in space;

(B) fosters stronger relationships among NASA and other Federal agencies, the private sector, and research groups and universities;

(C) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(D) advances human knowledge and international cooperation;

(2) after the ISS is decommissioned, the United States should maintain a national microgravity laboratory in space;

(3) in maintaining a national microgravity laboratory described in paragraph (2), the United States should make appropriate accommodations for different types of ownership and operational structures for the ISS and future space stations;

(4) the national microgravity laboratory described in paragraph (2) should be maintained beyond the date on which the ISS is decommissioned and, if possible, in cooperation with international space partners to the extent practicable; and

(5) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space, short duration suborbital flights, drop towers, and other microgravity testing environments.

(b) REPORT.—The Administrator of NASA shall produce, in coordination with the National Space Council and other Federal agencies as the Administrator considers relevant, a report detailing the feasibility of establishing a microgravity national laboratory Federally Funded Research and Development Center to undertake the work related to the study and utilization of in-space conditions.

SEC. 1733. PRESENCE IN LOW-EARTH ORBIT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit; and

(2) low-Earth orbit should be utilized as a testbed to advance human space exploration, scientific discoveries, and United States economic competitiveness and commercial participation.

(b) HUMAN PRESENCE REQUIREMENT.—NASA shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the ISS.

SEC. 1734. CONTINUATION OF THE ISS.

(a) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking ''2024'' and inserting ''2030''.

(b) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking ''2024'' and inserting ''2030''.

(c) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking ''2024'' each place it appears and inserting ''2030''.

(d) MAINTAINING USE THROUGH AT LEAST 2030.—Section 70907 of title 51, United States Code, is amended—

(1) in the section heading, by striking ''**2024**'' and inserting ''**2030**''; and

(2) by striking ''2024'' each place it appears and inserting ''2030''.

SEC. 1735. UNITED STATES POLICY ON ORBITAL DEBRIS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) existing guidelines for the mitigation of orbital debris may not be adequate to ensure long-term usability of the space environment for all users; and

(2) the United States should continue to exercise a leadership role in developing orbital debris prevention standards that may be used by all space-faring nations.

(b) POLICY OF THE UNITED STATES.—It is the policy of the United States to have consistent standards across Federal agencies that minimize the risks from orbital debris in order to protect—

(1) the public health and safety;

(2) humans in space;

(3) the national security interests of the United States;

(4) the safety of property;

(5) space objects from interference; and

(6) the foreign policy interests of the United States.

SEC. 1736. LOW-EARTH ORBIT COMMERCIALIZATION PROGRAM.

(a) PROGRAM AUTHORIZATION.—The Administrator of NASA may establish a low-Earth

orbit commercialization program to encourage the fullest commercial use and development of space by the private sector of the United States.

(b) CONTENTS.—The program under subsection (a) may include—

(1) activities to stimulate demand for human space flight products and services in low-Earth orbit;

(2) activities to improve the capability of the ISS to accommodate commercial users; and

(3) subject to subsection (c), activities to accelerate the development of commercial space stations or commercial space habitats.

(c) CONDITIONS.—

(1) COST SHARE.—The Administrator shall give priority to an activity under subsection (b)(3) in which the private sector entity conducting the activity provides a share of the cost to develop and operate the activity.

(2) COMMERCIAL SPACE HABITAT.—The Administration may not engage in an activity under subsection (b)(3) until after the date on which the Administrator of NASA awards a contract for the use of a docking port on the ISS.

(d) REPORTS.—Not later than 30 days after the date on which an award or agreement is made under subsection (b)(3), the Administrator of NASA shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the development of the commercial space station or commercial space habitat, as applicable, including a business plan for how the activity will—

(1) meet NASA's future requirements for low-Earth orbit human space flight services; and

(2) satisfy the non-Federal funding requirement under subsection (c)(1).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator of NASA to carry out a low-Earth commercialization program under this section $150,000,000 for fiscal year 2020.

SEC. 1737. BUREAU OF SPACE COMMERCE.

(a) IN GENERAL.—Chapter 507 of title 51, United States Code, is amended—

(1) in the heading, by striking ''**OFFICE**'' and inserting ''**BUREAU**'';

(2) by amending section 50701 to read as follows:

''§ 50701. Definition of Bureau

''In this chapter, the term 'Bureau' means the Bureau of Space Commerce established in section 50702 of this title.'';

(3) in section 50702—

(A) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—There is established within the Department of Commerce a Bureau of Space Commerce.'';

(B) by amending subsection (b) to read as follows:

''(b) ASSISTANT SECRETARY.—The Bureau shall be headed by an Assistant Secretary for Space Commerce, to be appointed by the President with the advice and consent of the Senate and compensated at level II or III of the Executive Schedule, as determined by the Secretary of Commerce. The Assistant Secretary shall report directly to the Secretary of Commerce.'';

(C) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking ''Office'' and inserting ''Bureau'';

(ii) in paragraph (2), by inserting '', including activities licensed under chapter 601 of this title'' before the semicolon; and

(iii) in paragraph (5), by striking ''Position,'' and inserting ''Positioning,''; and

(D) in subsection (d)—

(i) in the heading, by striking ''DIRECTOR'' and inserting ''ASSISTANT SECRETARY'';

(ii) in the matter preceding paragraph (1)—

(I) by striking ''Director'' and inserting ''Assistant Secretary''; and

(II) by striking ''Office shall'' and inserting ''Bureau shall, under the direction and supervision of the Secretary,'';

(iii) by redesignating paragraphs (1) through (7) as paragraphs (3) through (9), respectively; and

(iv) by inserting before paragraph (3), as redesignated, the following:

''(1) to oversee the issuing of licenses under chapter 601 of this title;

''(2) coordinating Department policy impacting commercial space activities and working with other executive agencies to promote policies that advance commercial space activities;''; and

(v) in paragraph (8), as redesignated, by inserting '', consistent with the international obligations, foreign policy, and national security interests of the United States'' before the semicolon;

(4) in section 50703—

(A) by striking ''Office'' and inserting ''Bureau''; and

(B) by striking ''Committee on Science and Technology of the House of Representatives'' and inserting ''Committee on Science, Space, and Technology of the House of Representatives''; and

(5) by adding at the end the following:

''§ 50704. Authorization of appropriations

''There is authorized to be appropriated to the Secretary of Commerce to carry out this chapter $10,000,000 for each of fiscal years 2020 through 2024.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents of chapter 507 of title 51, United States Code, is amended—

(A) in the item relating to section 50701, by striking ''Office'' and inserting ''Bureau''; and

(B) by adding after the item relating to section 50703 the following:

''50704. Authorization of appropriations.''.

(2) TABLE OF CHAPTERS.—The table of chapters of title 51, United States Code, is amended in the item relating to chapter 507 by striking ''Office'' and inserting ''Bureau''.

(3) COOPERATION WITH FORMER SOVIET REPUBLICS.—Section 218 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (51 U.S.C. 50702 note) is amended by striking ''Office'' each place it appears and inserting ''Bureau''.

SA 528. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 12 ___. REPORT ON MILITARY ACTIVITIES OF THE RUSSIAN FEDERATION AND THE PEOPLE'S REPUBLIC OF CHINA IN THE ARCTIC REGION.

(a) IN GENERAL.—Not later than 180 days after enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the congressional defense committees the following:

(1) A report on the military activities of the Russian Federation in the Arctic region.

(2) A report on the military activities of the People's Republic of China in the Arctic region.

(b) MATTERS TO BE INCLUDED.—The reports under subsection (a) shall include, with respect to the Russian Federation or the People's Republic of China, as applicable, the following:

(1) A description of military activities of such country in the Arctic region, including—

(A) the emplacement of military infrastructure, equipment, or forces; and

(B) any exercises or other military activities;

(C) activities that are non-military in nature but are judged to have military implications.

(2) An assessment of—

(A) the intentions of such activities;

(B) the extent to which such activities affect or threaten the interests of the United States and allies in the Arctic region; and

(C) any response to such activities by the United States or allies.

(3) A description of future plans and requirements with respect to such activities.

(c) FORM.—Each report under subsection (a) shall be submitted in classified form, but may include an unclassified executive summary.

SA 529. Ms. HARRIS submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 594. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE, VETERANS, THEIR SPOUSES AND DEPENDENTS, SPOUSES AND DEPENDENTS OF REGULAR MEMBERS, AND MEMBERS OF GOLD STAR FAMILIES.

(a) IN GENERAL.—The Secretary of Defense shall carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to the following:

(1) Members of the National Guard and Reserves in reserve active status.

(2) Veterans of the Armed Forces.

(3) Spouses and other dependents of individuals referred to in paragraphs (1) and (2).

(4) Spouses and other dependents of regular members of the Armed Forces.

(5) Members of Gold Star Families.

(b) ADMINISTRATION.—The pilot program shall be offered to, and administered by, the adjutants general appointed under section 314 of title 32, United States Code, or other officials in the States concerned designated by the Secretary for purposes of the pilot program.

(c) FUNDING.—

(1) COST-SHARING REQUIREMENT.—As a condition on the provision of funds under this section to a State to support the operation of the pilot program in the State, the State must agree to contribute an amount, derived from non-Federal sources, equal to at least 50 percent of the funds provided by the Secretary to the State under this section.

(2) FEDERAL FUNDS.—Amounts for funds provided for the pilot program by the Secretary shall be derived from the Beyond the Yellow Ribbon Program administered by the Department of Defense.

(d) DIRECT EMPLOYMENT PROGRAM MODEL.—The pilot program should follow a job placement program model that focuses

on working one-on-one with individuals specified in subsection (a) to cost-effectively provide job placement services, including services such as identifying unemployed and underemployed individuals, job matching services, resume editing, interview preparation, and post-employment follow up. Development of the pilot program should be informed by existing State direct employment programs for members of the reserve components and veterans.

(e) TRAINING.—The pilot program should draw on the resources provided to transitioning members of the Armed Forces with civilian training opportunities through the SkillBridge transition training program administered by the Department of Defense.

(f) EVALUATION.—The Secretary shall develop outcome measurements to evaluate the success of the pilot program.

(g) REPORTING REQUIREMENTS.—

(1) REPORT REQUIRED.—Not later than March 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report describing the results of the pilot program. The Secretary shall prepare the report in coordination with the Secretary of Labor and the Chief of the National Guard Bureau.

(2) ELEMENTS OF REPORT.—A report under paragraph (1) shall include the following:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including the number of members of the reserve components and veterans of the Armed Forces hired and the cost-per-placement of participating members and veterans.

(B) An assessment of the impact of the pilot program and increased reserve component employment levels on the readiness of members of the reserve components and on the retention of members of the Armed Forces.

(C) A comparison of the pilot program to other programs conducted by the Department of Defense and Department of Veterans Affairs to provide unemployment and underemployment support to members of the reserve components and veterans of the Armed Forces, including the best practices developed through and used in such programs.

(D) Any other matters considered appropriate by the Secretary of Defense.

(h) DURATION OF AUTHORITY.—The authority to carry out the pilot program expires on September 30, 2023, except that the Secretary may, at the Secretary's discretion, extend the pilot program for not more than two additional fiscal years.

SA 530. Ms. HARRIS submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. 564. PLAN FOR STANDARDIZATION AMONG THE MILITARY DEPARTMENTS IN COLLECTION AND PRESENTATION OF INFORMATION ON MATTERS WITHIN THE MILITARY JUSTICE SYSTEM.

(a) FINDING.—According to a report of the Government Accountability Office dated May 30, 2019 (GAO-19-344), the military departments do not collect and maintain consistent race and ethnicity information in their investigations, military justice, and personnel databases, which ''limits their ability to collectively or comparatively assess these data to identify any disparities in the military justice system within and across the services''.

(b) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan to provide for the standardization among the military departments in the collection and presentation of race, ethnicity, and gender information within their investigations, military justice, and personnel databases for the purposes of identifying disparities in the military justice system.

SA 531. Mr. PETERS (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 569. FINAL PAY AND CERTIFICATE OF DISCHARGE OR RELEASE FOR RESERVE MEMBERS OF THE ARMED FORCES UPON DISCHARGE OR RELEASE FROM ACTIVE STATUS.

(a) IN GENERAL.—Section 1168(a) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''A member'';

(2) by striking ''an armed force'' and inserting ''the armed forces (including the reserve components)'';

(3) by inserting ''or active status'' after ''active duty'' the first place it appears;

(4) by striking ''his discharge certificate or certificate of release from active duty, respectively,'' and inserting ''the appropriate certificate'';

(5) by striking ''his final pay or a substantial part of that pay,'' and inserting ''the final pay of the member (or a substantial part of that pay)'';

(6) by striking ''him or his next of kin or legal representative'' and inserting ''the member (or the next of kin or legal representative of the member)''; and

(7) by adding at the end the following new paragraphs:

''(2) In paragraph (1), the term 'appropriate certificate' means the following:

''(A) In the case of a member being discharged, a discharge certificate.

''(B) In the case of a member being released from active duty, a certificate of release from active duty.

''(C) In the case of a member being released from active status, a certificate of release from active status.

''(3) Any certificate of release from active status delivered pursuant to paragraph (1) with respect to a member shall specify the total duration of inactive-duty training performed by the member during the period covered by such certificate.''.

(b) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

''§ 1168. Discharge or release from active duty or active status: limitations''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 59 of such title is amended by striking the item relating to section 1168 and inserting the following new item:

''1168. Discharge or release from active duty or active status: limitations.''.

SA 532. Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mrs. CAPITO, Mr. CARPER, Mr. CRAMER, Ms. SMITH, Mr. ROUNDS, Mr. COONS, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. ____. UTILIZING SIGNIFICANT EMISSIONS WITH INNOVATIVE TECHNOLOGIES.

(a) SHORT TITLE.—This section may be cited as the ''Utilizing Significant Emissions with Innovative Technologies Act'' or the ''USE IT Act''.

(b) RESEARCH, INVESTIGATION, TRAINING, AND OTHER ACTIVITIES.—Section 103 of the Clean Air Act (42 U.S.C. 7403) is amended—

(1) in subsection (c)(3), in the first sentence of the matter preceding subparagraph (A), by striking ''percursors'' and inserting ''precursors''; and

(2) in subsection (g)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting appropriately;

(B) in the undesignated matter following subparagraph (D) (as so redesignated)—

(i) in the second sentence, by striking ''The Administrator'' and inserting the following:

''(5) COORDINATION AND AVOIDANCE OF DUPLICATION.—The Administrator''; and

(ii) in the first sentence, by striking ''Nothing'' and inserting the following:

''(4) EFFECT OF SUBSECTION.—Nothing'';

(C) in the matter preceding subparagraph (A) (as so redesignated)—

(i) in the third sentence, by striking ''Such program'' and inserting the following:

''(3) PROGRAM INCLUSIONS.—The program under this subsection'';

(ii) in the second sentence—

(I) by inserting ''States, institutions of higher education,'' after ''scientists,''; and

(II) by striking ''Such strategies and technologies shall be developed'' and inserting the following:

''(2) PARTICIPATION REQUIREMENT.—Such strategies and technologies described in paragraph (1) shall be developed''; and

(iii) in the first sentence, by striking ''In carrying out'' and inserting the following:

''(1) IN GENERAL.—In carrying out'';

(D) by adding at the end the following:

''(6) CERTAIN CARBON DIOXIDE ACTIVITIES.—

''(A) IN GENERAL.—In carrying out paragraph (3)(A) with respect to carbon dioxide, the Administrator shall carry out the activities described in each of subparagraphs (B), (C), (D), and (E).

''(B) DIRECT AIR CAPTURE RESEARCH.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) BOARD.—The term 'Board' means the Direct Air Capture Technology Advisory Board established by clause (iii)(I).

''(II) DILUTE.—The term 'dilute' means a concentration of less than 1 percent by volume.

''(III) DIRECT AIR CAPTURE.—

''(aa) IN GENERAL.—The term 'direct air capture', with respect to a facility, technology, or system, means that the facility, technology, or system uses carbon capture

equipment to capture carbon dioxide directly from the air.

''(bb) EXCLUSION.—The term 'direct air capture' does not include any facility, technology, or system that captures carbon dioxide—

''(AA) that is deliberately released from a naturally occurring subsurface spring; or

''(BB) using natural photosynthesis.

''(IV) INTELLECTUAL PROPERTY.—The term 'intellectual property' means—

''(aa) an invention that is patentable under title 35, United States Code; and

''(bb) any patent on an invention described in item (aa).

''(ii) TECHNOLOGY PRIZES.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of the USE IT Act, the Administrator, in consultation with the Secretary of Energy, shall establish a program to provide, and shall provide, financial awards on a competitive basis for direct air capture from media in which the concentration of carbon dioxide is dilute.

''(II) DUTIES.—In carrying out this clause, the Administrator shall—

''(aa) subject to subclause (III), develop specific requirements for—

''(AA) the competition process; and

''(BB) the demonstration of performance of approved projects;

''(bb) offer financial awards for a project designed—

''(AA) to the maximum extent practicable, to capture more than 10,000 tons of carbon dioxide per year; and

''(BB) to operate in a manner that would be commercially viable in the foreseeable future (as determined by the Board); and

''(cc) to the maximum extent practicable, make financial awards to geographically diverse projects, including at least—

''(AA) 1 project in a coastal State; and

''(BB) 1 project in a rural State.

''(III) PUBLIC PARTICIPATION.—In carrying out subclause (II)(aa), the Administrator shall—

''(aa) provide notice of and, for a period of not less than 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in subclause (II)(aa); and

''(bb) take into account public comments received in developing the final version of those requirements.

''(iii) DIRECT AIR CAPTURE TECHNOLOGY ADVISORY BOARD.—

''(I) ESTABLISHMENT.—There is established an advisory board to be known as the 'Direct Air Capture Technology Advisory Board'.

''(II) COMPOSITION.—The Board shall be composed of 9 members appointed by the Administrator, who shall provide expertise in—

''(aa) climate science;

''(bb) physics;

''(cc) chemistry;

''(dd) biology;

''(ee) engineering;

''(ff) economics;

''(gg) business management; and

''(hh) such other disciplines as the Administrator determines to be necessary to achieve the purposes of this subparagraph.

''(III) TERM; VACANCIES.—

''(aa) TERM.—A member of the Board shall serve for a term of 6 years.

''(bb) VACANCIES.—A vacancy on the Board—

''(AA) shall not affect the powers of the Board; and

''(BB) shall be filled in the same manner as the original appointment was made.

''(IV) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

''(V) MEETINGS.—The Board shall meet at the call of the Chairperson or on the request of the Administrator.

''(VI) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

''(VII) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

''(VIII) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Board.

''(IX) DUTIES.—The Board shall advise the Administrator on carrying out the duties of the Administrator under this subparagraph.

''(X) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board.

''(iv) INTELLECTUAL PROPERTY.—

''(I) IN GENERAL.—As a condition of receiving a financial award under this subparagraph, an applicant shall agree to vest the intellectual property of the applicant derived from the technology in 1 or more entities that are incorporated in the United States.

''(II) RESERVATION OF LICENSE.—The United States—

''(aa) may reserve a nonexclusive, nontransferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States, in connection with any intellectual property described in subclause (I); but

''(bb) shall not, in the exercise of a license reserved under item (aa), publicly disclose proprietary information relating to the license.

''(III) TRANSFER OF TITLE.—Title to any intellectual property described in subclause (I) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

''(v) AUTHORIZATION OF APPROPRIATIONS.—

''(I) IN GENERAL.—There is authorized to be appropriated to carry out this subparagraph $35,000,000, to remain available until expended.

''(II) REQUIREMENT.—Research carried out using amounts made available under subclause (I) may not duplicate research funded by the Department of Energy.

''(vi) TERMINATION OF AUTHORITY.—The Board and all authority provided under this subparagraph shall terminate not later than 10 years after the date of enactment of the USE IT Act.

''(C) CARBON DIOXIDE UTILIZATION RESEARCH.—

''(i) DEFINITION OF CARBON DIOXIDE UTILIZATION.—In this subparagraph, the term 'carbon dioxide utilization' refers to technologies or approaches that lead to the use of carbon dioxide—

''(I) through the fixation of carbon dioxide through photosynthesis or chemosynthesis, such as through the growing of algae or bacteria;

''(II) through the chemical conversion of carbon dioxide to a material or chemical compound in which the carbon dioxide is securely stored; or

''(III) through the use of carbon dioxide for any other purpose for which a commercial market exists, as determined by the Administrator.

''(ii) PROGRAM.—The Administrator, in consultation with the Secretary of Energy, shall carry out a research and development program for carbon dioxide utilization to promote existing and new technologies that transform carbon dioxide generated by industrial processes into a product of commercial value, or as an input to products of commercial value.

''(iii) TECHNICAL AND FINANCIAL ASSISTANCE.—Not later than 2 years after the date of enactment of the USE IT Act, in carrying out this subsection, the Administrator, in consultation with the Secretary of Energy, shall support research and infrastructure activities relating to carbon dioxide utilization by providing technical assistance and financial assistance in accordance with clause (iv).

''(iv) ELIGIBILITY.—To be eligible to receive technical assistance and financial assistance under clause (iii), a carbon dioxide utilization project shall—

''(I) have access to an emissions stream generated by a stationary source within the United States that is capable of supplying not less than 250 metric tons per day of carbon dioxide for research;

''(II) have access to adequate space for a laboratory and equipment for testing small-scale carbon dioxide utilization technologies, with onsite access to larger test bays for scale-up; and

''(III) have existing partnerships with institutions of higher education, private companies, States, or other government entities.

''(v) COORDINATION.—In supporting carbon dioxide utilization projects under this paragraph, the Administrator shall consult with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency, States, the private sector, and institutions of higher education to develop methods and technologies to account for the carbon dioxide emissions avoided by the carbon dioxide utilization projects.

''(vi) AUTHORIZATION OF APPROPRIATIONS.—

''(I) IN GENERAL.—There is authorized to be appropriated to carry out this subparagraph $50,000,000, to remain available until expended.

''(II) REQUIREMENT.—Research carried out using amounts made available under subclause (I) may not duplicate research funded by the Department of Energy.

''(D) DEEP SALINE FORMATION REPORT.—

''(i) DEFINITION OF DEEP SALINE FORMATION.—

''(I) IN GENERAL.—In this subparagraph, the term 'deep saline formation' means a formation of subsurface geographically extensive sedimentary rock layers saturated with waters or brines that have a high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid.

''(II) CLARIFICATION.—In this subparagraph, the term 'deep saline formation' does not include oil and gas reservoirs.

''(ii) REPORT.—In consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency and relevant stakeholders, not later than 1 year after the date of enactment of the USE IT Act, the Administrator shall prepare, submit to Congress, and make publicly available a report that includes—

''(I) a comprehensive identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, using existing research;

''(II) recommendations, if any, for managing the potential risks identified under subclause (I), including potential risks unique to public land; and

''(III) recommendations, if any, for Federal legislation or other policy changes to mitigate any potential risks identified under subclause (I).

''(E) REPORT ON CARBON DIOXIDE NONREGULATORY STRATEGIES AND TECHNOLOGIES.—

''(i) IN GENERAL.—Not less frequently than once every 2 years, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes—

''(I) the recipients of assistance under subparagraphs (B) and (C); and

''(II) a plan for supporting additional nonregulatory strategies and technologies that could significantly prevent carbon dioxide emissions or reduce carbon dioxide levels in the air, in conjunction with other Federal agencies.

''(ii) INCLUSIONS.—The plan submitted under clause (i) shall include—

''(I) a methodology for evaluating and ranking technologies based on the ability of the technologies to cost effectively reduce carbon dioxide emissions or carbon dioxide levels in the air; and

''(II) a description of any nonair-related environmental or energy considerations regarding the technologies.

''(F) GAO REPORT.—The Comptroller General of the United States shall submit to Congress a report that—

''(i) identifies all Federal grant programs in which a purpose of a grant under the program is to perform research on carbon capture and utilization technologies, including direct air capture technologies; and

''(ii) examines the extent to which the Federal grant programs identified pursuant to clause (i) overlap or are duplicative.''.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') shall submit to Congress a report describing how funds appropriated to the Administrator during the 5 most recent fiscal years have been used to carry out section 103 of the Clean Air Act (42 U.S.C. 7403), including a description of—

(1) the amount of funds used to carry out specific provisions of that section; and

(2) the practices used by the Administrator to differentiate funding used to carry out that section, as compared to funding used to carry out other provisions of law.

(d) INCLUSION OF CARBON CAPTURE INFRASTRUCTURE PROJECTS.—Section 41001(6) of the FAST Act (42 U.S.C. 4370m(6)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting ''carbon capture,'' after ''manufacturing,'';

(B) in clause (i)(III), by striking ''or'' at the end;

(C) by redesignating clause (ii) as clause (iii); and

(D) by inserting after clause (i) the following:

''(ii) is covered by a programmatic plan or environmental review developed for the primary purpose of facilitating development of carbon dioxide pipelines; or''; and

(2) by adding at the end the following:

''(C) INCLUSION.—For purposes of subparagraph (A), construction of infrastructure for carbon capture includes construction of—

''(i) any facility, technology, or system that captures, utilizes, or sequesters carbon dioxide emissions, including projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)); and

''(ii) carbon dioxide pipelines.''.

(e) DEVELOPMENT OF CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION REPORT, PERMITTING GUIDANCE, AND REGIONAL PERMITTING TASK FORCE.—

(1) DEFINITIONS.—In this subsection:

(A) CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION PROJECTS.—The term ''carbon capture, utilization, and sequestration projects'' includes projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g))).

(B) EFFICIENT, ORDERLY, AND RESPONSIBLE.—The term ''efficient, orderly, and responsible'' means, with respect to development or the permitting process for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, a process that is completed in an expeditious manner while maintaining environmental, health, and safety protections.

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Chair of the Council on Environmental Quality (referred to in this section as the ''Chair''), in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, the Executive Director of the Federal Permitting Improvement Council, and the head of any other relevant Federal agency (as determined by the President), shall prepare a report that—

(i) compiles all existing relevant Federal permitting and review information and resources for project applicants, agencies, and other stakeholders interested in the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—

(I) the appropriate points of interaction with Federal agencies;

(II) clarification of the permitting responsibilities and authorities among Federal agencies; and

(III) best practices and templates for permitting;

(ii) inventories current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(iii) inventories existing initiatives and recent publications that analyze or identify priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(iv) identifies gaps in the current Federal regulatory framework for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(v) identifies Federal financing mechanisms available to project developers.

(B) SUBMISSION; PUBLICATION.—The Chair shall—

(i) submit the report under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(ii) as soon as practicable, make the report publicly available.

(3) GUIDANCE.—

(A) IN GENERAL.—After submission of the report under paragraph (2)(B), but not later than 1 year after the date of enactment of this Act, the Chair shall submit guidance consistent with that report to all relevant Federal agencies that—

(i) facilitates reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(ii) supports the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) REQUIREMENTS.—

(i) IN GENERAL.—The guidance under subparagraph (A) shall address requirements under—

(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(II) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(III) the Clean Air Act (42 U.S.C. 7401 et seq.);

(IV) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(V) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(VI) division A of subtitle III of title 54, United States Code (formerly known as the ''National Historic Preservation Act'');

(VII) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(VIII) the Act of June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the ''Bald and Golden Eagle Protection Act''); and

(IX) any other Federal law that the Chair determines to be appropriate.

(ii) ENVIRONMENTAL REVIEWS.—The guidance under subparagraph (A) shall include direction to States and other interested parties for the development of programmatic environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(iii) PUBLIC INVOLVEMENT.—The guidance under subparagraph (A) shall be subject to the public notice, comment, and solicitation of information procedures under section 1506.6 of title 40, Code of Federal Regulations (or a successor regulation).

(C) SUBMISSION; PUBLICATION.—The Chair shall—

(i) submit the guidance under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(ii) as soon as practicable, make the guidance publicly available.

(D) EVALUATION.—The Chair shall—

(i) periodically evaluate the reports of the task forces under paragraph (4)(E) and, as necessary, revise the guidance under subparagraph (A); and

(ii) each year, submit to the Committee on Environment and Public Works of the Senate, the Committee on Energy and Commerce of the House of Representatives, and relevant Federal agencies a report that describes any recommendations for legislation, rules, revisions to rules, or other policies that would address the issues identified by the task forces under paragraph (4)(E).

(4) TASK FORCE.—

(A) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Chair shall establish not less than 2 task forces, which shall each cover a different geographical area with differing demographic, land use, or geological issues—

(i) to identify permitting and other challenges and successes that permitting authorities and project developers and operators face; and

(ii) to improve the performance of the permitting process and regional coordination for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) MEMBERS AND SELECTION.—

(i) IN GENERAL.—The Chair shall—

(I) develop criteria for the selection of members to each task force; and

(II) select members for each task force in accordance with subclause (I) and clause (ii).

(ii) MEMBERS.—Each task force—

(I) shall include not less than 1 representative of each of—

(aa) the Environmental Protection Agency;

(bb) the Department of Energy;

(cc) the Department of the Interior;

(dd) any other Federal agency the Chair determines to be appropriate;

(ee) any State that requests participation in the geographical area covered by the task force;

(ff) developers or operators of carbon capture, utilization, and sequestration projects or carbon dioxide pipelines; and

(gg) nongovernmental membership organizations, the primary mission of which concerns protection of the environment; and

(II) at the request of a Tribal or local government, may include a representative of—

(aa) not less than 1 local government in the geographical area covered by the task force; and

(bb) not less than 1 Tribal government in the geographical area covered by the task force.

(C) MEETINGS.—

(i) IN GENERAL.—Each task force shall meet not less than twice each year.

(ii) JOINT MEETING.—To the maximum extent practicable, the task forces shall meet collectively not less than once each year.

(D) DUTIES.—Each task force shall—

(i) inventory existing or potential Federal and State approaches to facilitate reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including best practices that—

(I) avoid duplicative reviews;

(II) engage stakeholders early in the permitting process; and

(III) make the permitting process efficient, orderly, and responsible;

(ii) develop common models for State-level carbon dioxide pipeline regulation and oversight guidelines that can be shared with States in the geographical area covered by the task force;

(iii) provide technical assistance to States in the geographical area covered by the task force in implementing regulatory requirements and any models developed under clause (ii);

(iv) inventory current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(v) identify any priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(vi) identify gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;

(vii) identify Federal and State financing mechanisms available to project developers; and

(viii) develop recommendations for relevant Federal agencies on how to develop and research technologies that—

(I) can capture carbon dioxide; and

(II) would be able to be deployed within the region covered by the task force, including any projects that have received technical or financial assistance for research under paragraph (6) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)).

(E) REPORT.—Each year, each task force shall prepare and submit to the Chair and to the other task forces a report that includes—

(i) any recommendations for improvements in efficient, orderly, and responsible issuance or administration of Federal permits and other Federal authorizations required under a law described in paragraph (3)(B)(i); and

(ii) any other nationally relevant information that the task force has collected in carrying out the duties under subparagraph (D).

(F) EVALUATION.—Not later than 5 years after the date of enactment of this Act, the Chair shall—

(i) reevaluate the need for the task forces; and

(ii) submit to Congress a recommendation as to whether the task forces should continue.

SA 533. Mr. LANKFORD (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1247. SENSE OF CONGRESS ON ACQUISITION BY TURKEY OF S–400 AIR DEFENSE SYSTEM.

It is the sense of Congress that—

(1) Turkey is an important North Atlantic Treaty Organization ally and military partner;

(2) the acquisition by the Government of Turkey of the S–400 air defense system from the Russian Federation—

(A) undermines—

(i) the security interests of the United States; and

(ii) the air defense of Turkey;

(B) weakens the interoperability of the North Atlantic Treaty Organization; and

(C) is incompatible with the plan of the Government of Turkey—

(i) to accept delivery of and operate the F–35 aircraft; and

(ii) to continue to participate in F–35 aircraft production and maintenance;

(3) the United States and other member countries of the North Atlantic Treaty Organization have put forth several viable and competitive proposals to protect the vulnerable airspace of Turkey and to ensure the security and integrity of Turkey as a North Atlantic Treaty Organization ally;

(4) Russian Federation aggression on the periphery of Turkey, including in Georgia, Ukraine, the Black Sea, and Syria, and especially the indiscriminate bombing by the Russian Federation of the Idlib province of Syria on the border of Turkey and the incursions of Russian Federation warplanes into the airspace of Turkey on November 24, 2015, and other occasions, endangers the security of Turkey;

(5) the termination of the participation of Turkey in the F–35 program and supply chain, which may still be avoided if the Government of Turkey abandons its planned acquisition of the S–400 air defense system, would cause significant harm to the growing defense industry and economy of Turkey; and

(6) if the Government of Turkey accepts delivery of the S–400 air defense system—

(A) such acceptance would—

(i) constitute a significant transaction within the meaning of section 231(a) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9525(a));

(ii) endanger the integrity of the North Atlantic Treaty Organization Alliance and pose a significant threat to Turkey;

(iii) adversely affect ongoing operations of the United States Armed Forces, including coalition operations in which the United States Armed Forces participate;

(iv) result in a significant impact to defense cooperation between the United States and Turkey; and

(v) significantly increase the risk of compromising United States defense systems and operational capabilities; and

(B) the President should fully implement the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44; 131 Stat. 886) by imposing and applying sanctions under section 235 of that Act (22 U.S.C. 9529) with respect to any individual or entity determined to have engaged in such significant transaction as if such person were a sanctioned person for purposes of such section.

SA 534. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the table in section 4601, in the item relating to Wright-Patterson AFB, strike the amount in the Senate Authorized column and insert ''120,900''.

In the table in section 4601, in the item relating to Subtotal Air Force, strike the amount in the Senate Authorized column and insert ''1,765,730''.

In the table in section 4601, in the item relating to Total Military Construction, strike the amount in the Senate Authorized column and insert ''9,282,609''.

SA 535. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the table in section 2604, insert after the item relating to Rosecrans Memorial Airport the following new item:

Ohio	Rickenbacker International Airport.	$8,000,000

In the table in section 4601, insert after the item relating to Rosecrans Memorial Airport the following new item:

Air National Guard	Ohio Rickenbacker International Airport	Small arms range	0	8,000

In the table in section 4601, in the item relating to Subtotal Air National Guard, strike the amount in the Senate Authorized column and insert ''230,971''.

In the table in section 4601, in the item relating to Total Military Construction, strike the amount in the Senate Authorized column and insert ''9,243,709''.

SA 536. Mr. PORTMAN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1234 and insert the following:

SEC. 1234. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068), as most recently amended by section 1246 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), is further amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''in coordination with the Secretary of State'' and inserting ''with the concurrence of the Secretary of State'';

(2) in subsection (b)—

(A) by amending paragraph (11) to read as follows:

''(11) Air defense and coastal defense radars, and systems to support effective command and control and integration of air defense and coastal defense capabilities.'';

(B) by redesignating paragraphs (14) and (15) as paragraphs (15) and (16), respectively;

(C) by inserting after paragraph (13) the following new paragraph (14):

''(14) Coastal defense and anti-ship missile systems.''; and

(D) in paragraph (15), as so redesignated, by striking ''paragraphs (1) through (13)'' and inserting ''paragraphs (1) through (14)'';

(3) in subsection (c), by amending paragraph (5) to read as follows:

''(5) LETHAL ASSISTANCE.—Of the funds available for fiscal year 2020 pursuant to subsection (f)(5), $100,000,000 shall be available only for lethal assistance described in paragraphs (2), (3), (11), (12), and (14) of subsection (b).'';

(4) in subsection (f), by adding at the end the following new paragraph:

''(5) For fiscal year 2020, $300,000,000.'';

(5) in subsection (h), by striking ''December 31, 2021'' and inserting ''December 31, 2022'';

(6) by redesignating the second subsection (g) as subsection (i); and

(7) by adding at the end the following new subsection:

''(j) REPORT ON CAPABILITY AND CAPACITY REQUIREMENTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the Secretary of Defense, in coordination with the Secretary of State, shall submit a report to the congressional defense committees on the capability and capacity requirements of the military forces of Ukraine.

''(2) MATTERS TO BE INCLUDED.—The report under paragraph (1) shall include the following:

''(A) An identification of the capability gaps and capacity shortfalls of the military of Ukraine.

''(B) An assessment of the relative priority assigned by the Government of Ukraine to addressing such capability gaps and capacity shortfalls.

''(C) An assessment of the capability gaps and capacity shortfalls that—

''(i) may be addressed in a timely and efficient manner by unilateral efforts of the Government of Ukraine; and

''(ii) are unlikely to be sufficiently addressed solely through unilateral efforts.

''(D) An assessment of the capability gaps and capacity shortfalls that may be addressed by the Ukraine Security Assistance Initiative in a timely and efficient manner.

''(E) A future-years defense plan for the Ukraine Security Assistance Initiative for fiscal years 2021 through 2025 to meet the most critical capability gaps and capacity shortfalls of the military forces of Ukraine.''.

SA 537. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 542, strike lines 14 through 18, and insert the following:

''(14) Coastal defense and anti-ship missile systems.'';

(D) in paragraph (15), as so redesignated, by striking ''paragraphs (1) through (13)'' and inserting ''paragraphs (1) through (14)''; and

(E) by adding at the end the following new paragraph:

''(17) Anti-air defense systems.'';

SA 538. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1233 and insert the following:

SEC. 1233. EXTENSION AND MODIFICATION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2488), as most recently amended by section 1247 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), is further amended—

(1) in the matter preceding paragraph (1), by striking ''fiscal year 2017, 2018, or 2019'' and inserting ''fiscal year 2017, 2018, 2019, or 2020'';

(2) in paragraph (1) by striking ''; and'';

(3) in paragraph (2) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following new paragraph:

''(3) the Russian Federation has released the 24 Ukrainian sailors captured in the Kerch Strait on November 25, 2018.''.

SA 539. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2806. REPORT ON UNFUNDED REQUIREMENTS FOR MAJOR AND MINOR MILITARY CONSTRUCTION PROJECTS FOR CHILD DEVELOPMENT CENTERS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Under Secretary of Defense for Personnel and Readiness, in coordination with the Assistant Secretary for Energy, Installations, and Environment for each military department, shall submit to the congressional defense committees each year, at the time the budget of the President for the fiscal year beginning in such year is submitted to Congress under section 1105(a) of title 31, United States Code, a report, in priority order, listing unfunded requirements for major and minor military construction projects for child development centers of the Department of Defense.

(b) INCLUSION OF FORM.—Each report submitted under subsection (a) shall include a Department of Defense Form DD1391 for each major and minor military construction project included in the report.

SA 540. Mr. SCHATZ (for himself, Mr. DURBIN, Mr. LEAHY, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2806. MODIFICATION AND CLARIFICATION OF CONSTRUCTION AUTHORITY IN THE EVENT OF A DECLARATION OF WAR OR NATIONAL EMERGENCY.

(a) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—Section 2808 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (a) the following new subsection:

''(c) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—(1) Except as provided in paragraph (2), in the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $500,000,000.

''(2) In the event of a national emergency declaration in which the construction authority described in subsection (a) will be used only within the United States, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $100,000,000.''.

(b) ADDITIONAL CONDITION ON SOURCE OF FUNDS.—Section 2808(a) of title 10, United States Code, is amended—

(1) in the second sentence—

(A) by striking ''Such projects may'' and inserting the following:

''(b) CONDITIONS ON SOURCE OF FUNDS.—(1) Military construction projects to be undertaken using the construction authority described in subsection (a) may''; and

(B) by inserting before the period at the end of the sentence the following: ''and that the Secretary of Defense determines are otherwise unexecutable''; and

(2) by adding after the second sentence the following:

''(2) For purposes of paragraph (1), the Secretary may determine that funds appropriated for military construction are unexecutable if—

''(A) a military construction project for which the funds were appropriated has been cancelled, for a reason other than to provide funds to carry out military construction under this section; or

''(B) the cost of a military construction project for which the funds were appropriated has been reduced because of project modifications or other cost savings, for a reason other than to provide funds to carry out military construction under this section.''.

(c) WAIVER OF OTHER PROVISIONS OF LAW.—Section 2808 of title 10, United States Code, is amended by inserting after subsection (c), as added by subsection (a), the following new subsection:

''(d) WAIVER OF OTHER PROVISIONS OF LAW IN EVENT OF NATIONAL EMERGENCY.—In the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the authority provided by such subsection to waive or disregard another provision of law that would otherwise apply to a military construction project authorized by this section may be used only if—

''(1) such other provision of law does not provide a means by which compliance with the requirements of the law may be waived, modified, or expedited; and

''(2) the Secretary of Defense determines that the nature of the national emergency necessitates the noncompliance with the requirements of the law.''.

(d) ADDITIONAL NOTIFICATION REQUIREMENTS.—Subsection (e) of section 2808 of title 10, United States Code, as redesignated by subsection (a)(1), is amended—

(1) by striking ''of the decision'' and all that follows through the period at the end and inserting the following: ''of the following:

''(A) The reasons for the decision to use the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, the reasons why use of the armed forces is required in response to the declared national emergency.

''(B) The construction projects to be undertaken using the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, an explanation of how each construction project directly supports the immediate security, logistical, or short-term housing and ancillary supporting facility needs of the members of the armed forces used in the national emergency.

''(C) The estimated cost of the construction projects to be undertaken using the construction authority described in subsection (a), including the cost of any real estate action pertaining to the construction projects, and certification of compliance with the funding conditions imposed by subsections (b) and (c).

''(D) Any determination made pursuant to subsection (d)(2) to waive or disregard another provision of law to undertake any construction project using the construction authority described in subsection (a).

''(E) The military construction projects, including any military family housing and ancillary supporting facility projects, to be canceled or deferred in order to provide funds to undertake construction projects using the construction authority described in subsection (a) and the possible impact of the cancellation or deferment of such military construction projects on military readiness and the quality of life of members of the armed forces and their dependents.''; and

(2) by adding at the end the following new paragraph:

''(2) In the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, a construction project to be undertaken using such construction authority may be carried out only after the end of the five-day period beginning on the date the notification required by paragraph (1) is received by the appropriate committees of Congress.''.

(e) CLERICAL AMENDMENTS.—Section 2808 of title 10, United States Code, is further amended—

(1) in subsection (a), by inserting ''CONSTRUCTION AUTHORIZED.—'' after ''(a)'';

(2) in subsection (e), as redesignated by subsection (a)(1), by inserting ''NOTIFICATION REQUIREMENT.—(1)'' after ''(e)''; and

(3) in subsection (f), as redesignated by subsection (a)(1), by inserting ''TERMINATION OF AUTHORITY.—'' after ''(f)''.

SA 541. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 10___. REVISION OF FEDERAL CHARTER RESTRICTIONS ON GOLD STAR WIVES OF AMERICA.

Section 80507(b) of title 36, United States Code, is amended by striking ''or in any manner attempt to influence legislation''.

SA 542. Mr. COONS (for himself, Mr. GARDNER, Mrs. GILLIBRAND, Mr. TILLIS, Ms. HASSAN, Mr. PETERS, Mr. MORAN, Mr. RUBIO, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. IMPROVEMENTS TO NETWORK FOR MANUFACTURING INNOVATION PROGRAM.

(a) ALTERNATE PROGRAM NAME.—Subsection (a) of section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s) is amended by inserting ''or as 'Manufacturing USA''' after ''as the 'Network for Manufacturing Innovation Program'''.

(b) CENTERS FOR MANUFACTURING INNOVATION.—Subsection (c) of such section is amended—

(1) in subparagraphs (B) and (C)(i) of paragraph (1), by striking ''and tool development for microelectronics'' both places it appears and inserting ''tool development for microelectronics, food manufacturing, superconductors, advanced battery technologies, robotics, advanced sensors, quantum information science, supply chain water optimization, aeronautics and advanced materials, and graphene and graphene commercialization'';

(2) in paragraph (2)(D), by striking ''and minority'' and inserting '', minority, and veteran''; and

(3) in paragraph (3)(A), by striking '', but such'' and all that follows through ''under subsection (d)''.

(c) FINANCIAL ASSISTANCE TO ESTABLISH AND SUPPORT CENTERS FOR MANUFACTURING INNOVATION.—Subsection (d) of such section is amended—

(1) in paragraph (1) is amended to read as follows:

''(1) IN GENERAL.—In carrying out the Program, the Secretary shall award financial assistance to the following:

''(A) To a person or group of persons to assist the person or group of persons in planning, establishing, or supporting a center for manufacturing innovation.

''(B) To a center for manufacturing innovation, including a center that was not established using Federal funds, to support workforce development, cross-center projects, and other efforts which support the purposes of the Program.'';

(2) in paragraphs (2), (3), and (4), by striking ''under paragraph (1)'' each place it appears and inserting ''under paragraph (1)(A)'';

(3) in paragraph (4)—

(A) in subparagraph (C)—

(i) in clause (i), by striking ''; and'' and inserting a semicolon;

(ii) in clause (ii)—

(I) by inserting '', including appropriate measures for assessing the effectiveness of the activities funded with regards to the center's success in advancing the current state of the applicable advanced manufacturing technology area such as technology readiness level and manufacturing readiness level,'' after ''measures''; and

(II) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(iii) establish standards for the performance of centers for manufacturing innovation that are based on the measures developed under clause (ii); and

''(iv) for each center for manufacturing innovation supported by the award, 5 years after the initial award and every 5 years thereafter until Federal funding is discontinued, conduct an assessment of the center to confirm whether the performance of the center is meeting the standards for performance established under clause (iii).'';

(B) in subparagraph (D), by inserting '', including, as appropriate, the Department of Agriculture, the Department of Defense, the Department of Education, the Department of Energy, the Department of Labor, the Food and Drug Administration, the National Aeronautics and Space Administration, the National Institutes of Health, and the National Science Foundation'' after ''manufacturing''; and

(C) in subparagraph (E)—

(i) in clause (ii), by striking ''without the need for long-term Federal funding'';

(ii) in clause (iii), by striking ''significantly'';

(iii) in clause (v), by inserting ''and to improve the domestic supply chain'' after ''technologies''; and

(iv) in clause (ix), by inserting ''industrial, research, entrepreneurship, and other'' after ''leverage the'';

(4) in paragraph (5)—

(A) by striking subparagraph (A) and inserting the following:

''(A) PERFORMANCE DEFICIENCY.—

''(i) NOTICE OF DEFICIENCY.—If the Secretary finds that a center for manufacturing innovation does not meet the standards for performance established under clause (iii) of paragraph (4)(C) during an assessment pursuant to clause (iv) of such paragraph, the Secretary shall notify the center of any deficiencies in the performance of the center and provide the center one year to remedy such deficiencies.

''(ii) FAILURE TO REMEDY.—If a center for manufacturing innovation fails to remedy a deficiency identified under clause (i) or to show significant improvement in performance one year after notification of a performance deficiency identified under clause (i), the Secretary shall notify the center that the center is ineligible for further financial assistance awarded under paragraph (1) .'';

(B) in subparagraph (B), in the first sentence, by striking ''large capital facilities or equipment purchases'' and inserting ''satellite centers, large capital facilities, equipment purchases, workforce development, or general operations''; and

(C) by striking subparagraph (C); and

(5) by adding at the end the following:

''(6) USE OF FINANCIAL ASSISTANCE.—Financial assistance awarded under paragraph (1)(B) may be used to carry out Program-wide activities directed by the Secretary, such as activities targeting workforce development.''.

(d) FUNDING.—Subsection (e)(2) of such section is amended—

(1) by amending subparagraph (A) to read as follows:

''(A) NIST INDUSTRIAL TECHNICAL SERVICES ACCOUNT.—To the extent provided for in advance by appropriations Acts, the Secretary may use amounts appropriated to the Institute for Industrial Technical Services account to carry out this section as follows:

''(i) For each of the fiscal years 2015 through 2019, an amount not to exceed $5,000,000.

''(ii) For each of fiscal years 2020 through 2030, such amounts as may be necessary to carry out this section.''; and

(2) in subparagraph (B), by striking ''through 2024'' and inserting ''through 2019''.

(e) NATIONAL PROGRAM OFFICE.—Subsection (f) of such section is amended—

(1) in paragraph (2)—

(A) in subparagraph (B)—

(i) by inserting ''coordinate with and, as appropriate,'' before ''enter''; and

(ii) by inserting ''including the Department of Agriculture, the Department of Defense, the Department of Education, the Department of Energy, the Department of Labor, the Food and Drug Administration, the National Aeronautics and Space Administration, the National Institutes of Health, and the National Science Foundation,'' after ''manufacturing,'';

(B) in subparagraph (E), by striking ''; and'' and inserting a semicolon;

(C) by redesignating subparagraph (F) as subparagraph (J); and

(D) by inserting after subparagraph (E) the following:

''(F) to carry out pilot programs in collaboration with the centers for manufacturing innovation such as a laboratory-embedded entrepreneurship program;

''(G) to provide support services and funding as necessary to promote workforce development activities;

''(H) to coordinate with centers for manufacturing innovation to develop best practices for the membership agreements and coordination of similar project solicitations;

''(I) to collaborate with the Department of Labor, the Department of Education, industry, career and technical education schools, local community colleges, universities, and labor organizations to provide input for the development of national certifications for advanced manufacturing workforce skills in the technology areas of the centers for manufacturing innovation; and'';

(2) in paragraph (3), by inserting ''State, Tribal, and local governments,'' after ''community colleges,''; and

(3) in paragraph (5)—

(A) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(B) LIAISONS.—

''(i) IN GENERAL.—The Secretary may provide financial assistance to a manufacturing extension center established as part of the Hollings Manufacturing Extension Partnership to support the purposes of the Program by providing services in one or more of the following areas:

''(I) Cybersecurity awareness and support services for small- and medium-sized manufacturers.

''(II) Assistance with workforce development.

''(III) Technology transfer for small and medium-sized manufacturers.

''(IV) Such other areas as the Secretary determines appropriate to support the purposes of the Program.

''(ii) SUPPORT.—Support under clause (i) may include the designation of a liaison.''.

(f) REPORTING AND AUDITING.—Subsection (g) of such section is amended—

(1) in paragraphs (1) and (2), by striking ''under subsection (d)(1)'' and inserting ''under subsection (d)(1)(A)'';

(2) in paragraph (2)(A), by striking ''December 31, 2024'' and inserting ''December 31, 2030''; and

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) by striking ''2 years'' and inserting ''3 years''; and

(ii) by striking ''2-year'' and inserting ''3-year''; and

(B) in subparagraph (B), by striking ''December 31, 2024'' and inserting ''December 31, 2030''.

(g) EXPANSION.—Subject to the availability of appropriations, the Secretary of Commerce shall increase the number of centers for manufacturing innovation that participate in the Network for Manufacturing Innovation Program.

SEC. _____. REGIONAL INNOVATION PROGRAM.

Section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722) is amended to read as follows:

''SEC. 27. REGIONAL INNOVATION PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE RECIPIENT DEFINED.—The term 'eligible recipient' means—

''(A) a State;

''(B) an Indian tribe;

''(C) a city or other political subdivision of a State;

''(D) an entity that is a nonprofit organization, an institution of higher education, a public-private partnership, a science or research park, a Federal laboratory, a venture development organization, or an economic development organization or similar entity that is focused primarily on improving science, technology, innovation, or entrepreneurship; or

''(E) a consortium of any of the entities described in subparagraphs (A) through (D).

''(2) REGIONAL INNOVATION INITIATIVE.—The term 'regional innovation initiative' means a geographically-bounded public or nonprofit activity or program to address issues in the local innovation systems in order to—

''(A) increase the success of innovation-driven industry;

''(B) strengthen the competitiveness of industry through new product innovation and new technology adoption;

''(C) improve the pace of market readiness and overall commercialization of innovative research;

''(D) enhance the overall innovation capacity and long-term resilience of the region; and

''(E) leverage the region's unique competitive strengths to stimulate innovation and to create jobs.

''(3) STATE.—The term 'State' means one of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States.

''(4) VENTURE DEVELOPMENT ORGANIZATION.—The term 'venture development organization' means a State or nonprofit organization that contributes to regional or sector-based economic prosperity by providing services for the purposes of—

''(A) accelerating the commercialization of research;

''(B) strengthening the competitive position of industry through the development, commercial adoption, or deployment of technology; and

''(C) providing financial grants, loans, or direct financial investment to commercialize technology.

''(b) ESTABLISHMENT.—The Secretary shall establish a regional innovation program to encourage and support the development of regional innovation strategies designed to increase innovation-driven economic opportunity within their respective regions.

''(c) REGIONAL INNOVATION GRANTS.—

''(1) AUTHORIZATION OF GRANTS.—As part of the program established pursuant to subsection (b), the Secretary may award grants, on a competitive basis, to eligible recipients for activities designed to develop and support a regional innovation initiative.

''(2) PERMISSIBLE ACTIVITIES.—A grant awarded under this subsection shall be used for multiple activities determined appropriate by the Secretary, including—

''(A) improving the connectedness and strategic orientation of the region through planning, technical assistance, and communication among participants of a regional innovation initiative;

''(B) attracting additional participants to a regional innovation initiative;

''(C) increasing the availability and investment of private and philanthropic financing that supports innovation-based business ventures;

''(D) completing the research, development and introduction of new products, processes, and services into the commercial market;

''(E) increasing the number of full-time equivalent employment opportunities within innovation-based business ventures in the geographic region; and

''(F) achieving quantifiable, positive benefits to, or measurable enhancements for, the economic performance of the geographic region.

''(3) RESTRICTED ACTIVITIES.—Grants awarded under this subsection may not be used to pay for—

''(A) costs related to the recruitment, inducement, or associated financial or tangible incentives that might be offered to relocate an existing business from a geographic area to another geographic area; or

''(B) costs associated with offsetting revenues forgone by one or more taxing authorities through tax incentives, tax increment financing, special improvement districts, tax abatements for private development within designated zones or geographic areas, or

other reduction in revenues resulting from tax credits affecting the geographic region of the eligible recipients.

''(4) APPLICATIONS.—

''(A) IN GENERAL.—An eligible recipient shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

''(B) COMPONENTS.—Each application submitted under subparagraph (A) shall—

''(i) describe the regional innovation initiative;

''(ii) indicate whether the regional innovation initiative is supported by the private sector, State and local governments, and other relevant stakeholders;

''(iii) identify what activities the regional innovation initiative will undertake;

''(iv) describe the expected outcomes of the regional innovation initiative and how the eligible recipient will measure progress toward those outcomes;

''(v) indicate whether the participants in the regional innovation initiative have access to, or contribute to, a well-trained workforce and other innovation assets that are critical to the successful outcomes specified in the application;

''(vi) indicate whether the participants in the regional innovation initiative are capable of attracting additional funds from non-Federal sources; and

''(vii) if appropriate for the activities proposed in the application, analyze the likelihood that the participants in the regional innovation initiative will be able to sustain activities after grant funds received under this subsection have been expended.

''(C) FEEDBACK.—The Secretary shall provide feedback to program applicants that are not awarded grants to help them improve future applications.

''(D) SPECIAL CONSIDERATIONS.—The Secretary shall give special consideration to—

''(i) applications proposing to include workforce or training related activities in their regional innovation initiative from eligible recipients who agree to collaborate with local workforce investment area boards; and

''(ii) applications from regions that contain communities negatively impacted by trade.

''(5) COST SHARE.—The Secretary may not provide more than 50 percent of the total cost of any activity funded under this subsection.

''(6) OUTREACH TO RURAL COMMUNITIES.—

''(A) IN GENERAL.—The Secretary shall conduct outreach to public and private sector entities in rural communities to encourage those entities to participate in regional innovation initiatives under this subsection.

''(B) JUSTIFICATION.—As part of the program established pursuant to subsection (b), the Secretary, through the Economic Development Administration, shall submit an annual report to Congress that explains the balance in the allocation of grants to eligible recipients under this subsection between rural and urban areas.

''(7) FUNDING.—The Secretary may accept funds from other Federal agencies to support grants and activities under this subsection.

''(d) REGIONAL INNOVATION RESEARCH AND INFORMATION PROGRAM.—

''(1) IN GENERAL.—As part of the program established pursuant to subsection (b), the Secretary shall establish a regional innovation research and information program—

''(A) to gather, analyze, and disseminate information on best practices for regional innovation initiatives, including information relating to how innovation, productivity, and economic development can be maximized through such strategies;

''(B) to provide technical assistance, including through the development of technical assistance guides, for the development and implementation of regional innovation initiatives;

''(C) to support the development of relevant metrics and measurement standards to evaluate regional innovation initiatives, including the extent to which such strategies stimulate innovation, productivity, and economic development; and

''(D) to collect and make available data on regional innovation initiatives in the United States, including data on—

''(i) the size, specialization, and competitiveness of regional innovation initiatives;

''(ii) the regional domestic product contribution, total jobs and earnings by key occupations, establishment size, nature of specialization, patents, Federal research and development spending, and other relevant information for regional innovation initiatives; and

''(iii) supply chain product and service flows within and between regional innovation initiatives.

''(2) RESEARCH GRANTS.—The Secretary may award research grants on a competitive basis to support and further the goals of the program established under this section.

''(3) DISSEMINATION OF INFORMATION.—Data and analysis compiled by the Secretary under the program established in this subsection shall be made available to other Federal agencies, State and local governments, and nonprofit and for-profit entities.

''(4) REGIONAL INNOVATION GRANT PROGRAM.—The Secretary shall incorporate data and analysis relating to any grant awarded under subsection (c) into the program established under this subsection.

''(e) INTERAGENCY COORDINATION.—

''(1) IN GENERAL.—To the maximum extent practicable, the Secretary shall ensure that the activities carried out under this section are coordinated with, and do not duplicate the efforts of, other programs at the Department of Commerce or at other Federal agencies.

''(2) COLLABORATION.—

''(A) IN GENERAL.—The Secretary shall explore and pursue collaboration with other Federal agencies, including through multiagency funding opportunities, on regional innovation strategies.

''(B) SMALL BUSINESSES.—The Secretary shall ensure that such collaboration with Federal agencies prioritizes the needs and challenges of small businesses.

''(f) EVALUATION.—

''(1) IN GENERAL.—Not later than 5 years after Congress first appropriates funds to carry out this section, the Secretary shall competitively award a contract with an independent entity to conduct an evaluation of programs established under this section.

''(2) REQUIREMENTS.—The evaluation conducted under paragraph (1) shall include—

''(A) an assessment of whether the program is achieving its goals;

''(B) the program's efficacy in providing awards to geographically diverse entities;

''(C) any recommendations for how the program may be improved; and

''(D) a recommendation as to whether the program should be continued or terminated.

''(g) REPORTING REQUIREMENT.—Not later than 5 years after the first grant is awarded under subsection (c), and every 5 years thereafter until 5 years after the last grant recipient completes the regional innovation initiative for which such grant was awarded, the Secretary shall submit a report to Congress that describes the outcome of each regional innovation initiative that was completed during the previous 5 years.

''(h) FUNDING.—From amounts appropriated by Congress for economic development assistance authorized under section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), the Secretary may use up to $50,000,000 in each of the fiscal years 2020 through 2024 to carry out this section.''.

SA 543. Mr. TOOMEY (for himself, Mr. JONES, Mrs. CAPITO, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. BLOCKING FENTANYL IMPORTS.

(a) SHORT TITLE.—This section may be cited as the ''Blocking Deadly Fentanyl Imports Act''.

(b) AMENDMENT TO DEFINITION OF MAJOR ILLICIT DRUG PRODUCING COUNTRY.—Section 481(e)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''in which'';

(2) in subparagraph (A), by inserting ''in which'' before ''1,000'';

(3) in subparagraph (B)—

(A) by inserting ''in which'' before ''1,000''; and

(B) by striking ''or'' at the end;

(4) in subparagraph (C)—

(A) by inserting ''in which'' before ''5,000''; and

(B) by inserting ''or'' after the semicolon; and

(5) by adding at the end the following:

''(D) that is a significant source of illicit fentanyl, fentanyl analogues, or the precursors of fentanyl and fentanyl analogues;''.

(c) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by adding at the end the following:

''(9) A separate section that contains the following:

''(A) An identification of the countries that are the most significant exporters of illicit fentanyl, fentanyl analogues, and fentanyl precursor chemicals during the preceding calendar year.

''(B) An identification of the countries that are the most significant sources of diversion or chemicals described in subparagraph (A) for illicit uses, to the extent feasible.

''(C) A description of the extent to which each country identified pursuant to subparagraphs (A) and (B) has cooperated with the United States to prevent the chemicals described in subparagraph (A) from being exported from such country to the United States.''.

(d) WITHHOLDING OF BILATERAL AND MULTILATERAL ASSISTANCE.—

(1) IN GENERAL.—Section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j(a)) is amended—

(A) in paragraph (1), by striking ''clause (i) or (ii) of section 489(a)(8)(A) of this Act'' and inserting ''paragraph (8)(A) or (9) of section 489(a)''; and

(B) in paragraph (2), by striking ''clause (i) or (ii) of section 489(a)(8)(A) of this Act'' and inserting ''paragraph (8)(A) or (9) of section 489(a)''.

(2) DESIGNATION OF COUNTRIES WITHOUT EMERGENCY SCHEDULING PROCEDURES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)) is amended—

(A) in the matter preceding subparagraph (A), by striking ''also'';

(B) in subparagraph (A)(ii), by striking ''and'' at the end;

(C) by redesignating subparagraph (B) as subparagraph (E);

(D) by inserting after subparagraph (A) the following:

''(B) designate each country, if any, identified in such report that has failed to adopt and utilize emergency scheduling procedures for new illicit drugs and other synthetics that are comparable to the procedures authorized under title II of the Controlled Substances Act (21 U.S.C. 811 et seq.) for adding drugs and other substances to the controlled substances schedules;''; and

(E) in subparagraph (E), as redesignated, by striking ''so designated'' and inserting ''designated under subparagraph (A), (B), (C), or (D)''.

(3) DESIGNATION OF COUNTRIES WITHOUT ABILITY TO PROSECUTE CRIMINALS FOR THE MANUFACTURE OR DISTRIBUTION OF FENTANYL ANALOGUES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)), as amended by paragraph (2), is further amended by inserting after subparagraph (B) the following:

''(C) designate each country, if any, identified in such report that is incapable of prosecuting criminals for the manufacture or distribution of controlled substance analogues (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32)) in the same manner as criminals are prosecuted for the manufacture or distribution of controlled substances;''.

(4) DESIGNATION OF COUNTRIES THAT DO NOT REQUIRE THE REGISTRATION OF PILL PRESSES AND TABLETING MACHINES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)), as amended by paragraphs (2) and (3), is further amended by inserting after subparagraph (C) the following:

''(D) designate each country, if any, identified in such report that does not require the registration of tableting machines and encapsulating machines in a manner comparable to the registration requirements set forth in part 1310 of title 21, Code of Federal Regulations; and''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act.

SA 544. Ms. BALDWIN (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. AUTHORIZING USE OF ALL-VOLUNTEER FORCE EDUCATIONAL ASSISTANCE FOR PRIVATE PILOT'S LICENSES.

Section 3034(d) of title 38, United States Code, is amended—

(1) in paragraph (1), by inserting ''and is required for the course of education being pursued (including with respect to a dual major, concentration, or other element of a degree)'' before the semicolon; and

(2) in paragraph (2), by striking ''the individual'' and all that follows through ''training,'' and inserting ''on the day the individual begins a course of flight training, the individual possesses''.

SA 545. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 10____. STATE REVOLVING FUND TRANSFER AUTHORITY.

(a) DEFINITIONS.—In this section:

(1) CLEAN WATER REVOLVING FUND.—The term ''clean water revolving fund'' means a State water pollution control revolving fund established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

(2) DRINKING WATER REVOLVING FUND.—The term ''drinking water revolving fund'' means a State drinking water treatment revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(b) AUTHORITY.—In addition to the transfer authority in section 302(a) of the Safe Drinking Water Act Amendments of 1996 (42 U.S.C. 300j–12 note; Public Law 104–182), and notwithstanding section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)), during the 1-year period beginning on the date of enactment of this Act, if a State, in consultation with the Administrator of the Environmental Protection Agency, determines that available funds in the clean water revolving fund of the State are necessary to address a threat to public health as a result of heightened exposure to lead in drinking water, the State may transfer an amount equal to not more than 5 percent of the cumulative clean water revolving fund Federal grant dollars to the State to the drinking water revolving fund of the State. Funds transferred pursuant to this subsection shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these).

SA 546. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 10____. INCLUSION ON THE VIETNAM VETERANS MEMORIAL WALL OF THE NAMES OF THE CREW MEMBERS OF THE U.S.S. FRANK E. EVANS KILLED ON JUNE 3, 1969.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall authorize the inclusion on the Vietnam Veterans Memorial Wall in the District of Columbia of the names of the 74 crew members of the U.S.S. Frank E. Evans killed on June 3, 1969.

(b) FACILITATION OF INCLUSION OF NAMES.—The National Park Service, the National Capital Planning Commission, the Commission of Fine Arts, and other applicable authorities are encouraged to approve adjustments to the nomenclature and placement of names pursuant to subsection (a) to address any space limitations on the placement of additional names on the Vietnam Veterans Memorial Wall.

SA 547. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XV add the following:

Subtitle C—Response to Ebola Outbreak

SEC. 1531. TRANSFER AUTHORITY FOR EBOLA RESPONSE.

(a) IN GENERAL.—The Secretary of Defense may transfer amounts of authorizations made available to the Department of Defense for overseas contingency operations in this title for fiscal year 2020 to any other authorization for that fiscal year to support efforts of the United States Agency for International Development, the Centers for Disease Control and Prevention, and the overseas humanitarian disaster and civic aid program of the Department to address the Ebola outbreak in the Democratic Republic of Congo and surrounding countries.

(b) NOTIFICATION OF CONGRESS.—Not later than 15 days before the date on which a transfer under subsection (a) is carried out, the Secretary shall notify the appropriate committees of Congress of such transfer.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of House of Representatives.

SA 548. Mr. BURR (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ____—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2020

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Year 2020''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2020 the sum of $558,000,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2020 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2020.

SEC. 202. MODIFICATION OF AMOUNT OF CENTRAL INTELLIGENCE AGENCY VOLUNTARY SEPARATION PAY.

Section 2 of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 3519a(e)(2)) is amended—

(1) in subsection (e)(2)(B), by striking ''$25,000'' and inserting ''$40,000 (as adjusted from time to time under subsection (f))'';

(2) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(3) by inserting after subsection (e) the following:

''(c) ADJUSTMENTS.—

''(1) IN GENERAL.—On March 1 of each year, the Director shall provide a percentage increase (rounded in accordance with paragraph (2)) in the amount specified in subsection (e)(2)(B), equal to the percentage by which—

''(A) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the December 31 immediately preceding the date on which the increase is made, exceeds

''(B) the Consumer Price Index for the 12-month period preceding the 12-month period described in subparagraph (A).

''(2) ROUNDING.—A percentage increase under paragraph (1) shall be adjusted to the nearest one-tenth of one percent, and an amount determined under paragraph (1) shall be rounded to the nearest multiple of $1,000 (or, if midway between multiples of $1,000, to the next higher multiple of $1,000).''.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. IMPROVING THE ONBOARDING METHODOLOGY FOR CERTAIN INTELLIGENCE PERSONNEL.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence and the Committee on Armed Services of the Senate; and

(B) the Permanent Select Committee on Intelligence and the Committee on Armed Services of the House of Representatives.

(2) COVERED ELEMENTS OF THE INTELLIGENCE COMMUNITY.—The term ''covered elements of the intelligence community'' means the elements of the intelligence community that are within the following:

(A) The Department of Energy.

(B) The Department of Homeland Security.

(C) The Department of Justice.

(D) The Department of State.

(E) The Department of the Treasury.

(b) IN GENERAL.—The Secretary of Defense and the Director of National Intelligence shall, consistent with Department of Defense Instruction 1400.25, as in effect on the day before the date of the enactment of this Act—

(1) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report that outlines a common methodology for measuring onboarding in covered elements of the intelligence community, including human resources and security processes;

(2) not later than 1 year after the date of the enactment of this Act, issue metrics for assessing key phases in the onboarding described in paragraph (1) for which results will be reported by the date that is 90 days after the date of such issuance;

(3) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report on collaboration among covered elements of the intelligence community on their onboarding processes;

(4) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report on employment of automated mechanisms in covered elements of the intelligence community, including for tracking personnel as they pass through each phase of the onboarding process; and

(5) not later than December 31, 2020, distribute surveys to human resources offices and applicants about their experiences with the onboarding process in covered elements of the intelligence community.

SEC. 304. INTELLIGENCE COMMUNITY PUBLIC-PRIVATE TALENT EXCHANGE.

(a) POLICIES, PROCESSES, AND PROCEDURES REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Director of National Intelligence shall develop policies, processes, and procedures to facilitate the rotation of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community.

(b) DETAIL AUTHORITY.—Under policies developed by the Director pursuant to subsection (a), with the agreement of a private-sector organization, and with the consent of the employee, a head of an element of the intelligence community may arrange for the temporary detail of an employee of such element to such private-sector organization, or from such private-sector organization to such element under this section.

(c) AGREEMENTS.—

(1) IN GENERAL.—A head of an element of the intelligence community exercising the authority of the head under subsection (a) shall provide for a written agreement among the element of the intelligence community, the private-sector organization, and the employee concerned regarding the terms and conditions of the employee's detail under this section. The agreement—

(A) shall require that the employee of the element, upon completion of the detail, serve in the element, or elsewhere in the civil service if approved by the head of the element, for a period of at least equal to the length of the detail;

(B) shall provide that if the employee of the element fails to carry out the agreement, such employee shall be liable to the United States for payment of all non-salary and benefit expenses of the detail, unless that failure was for good and sufficient reason, as determined by the head of the element;

(C) shall contain language informing such employee of the prohibition on improperly sharing or using non-public information that such employee may be privy to or aware of related to element programming, budgeting, resourcing, acquisition, or procurement for the benefit or advantage of the private-sector organization; and

(D) shall contain language requiring the employee to acknowledge the obligations of the employee under section 1905 of title 18, United States Code (relating to trade secrets).

(2) AMOUNT OF LIABILITY.—An amount for which an employee is liable under paragraph (1) shall be treated as a debt due the United States.

(3) WAIVER.—The head of an element of the intelligence community may waive, in whole or in part, collection of a debt described in paragraph (2) based on a determination that the collection would be against equity and good conscience and not in the best interests of the United States, after taking into account any indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee.

(d) TERMINATION.—A detail under this section may, at any time and for any reason, be terminated by the head of the element of the intelligence community concerned or the private-sector organization concerned.

(e) DURATION.—

(1) IN GENERAL.—A detail under this section shall be for a period of not less than 3 months and not more than 2 years, renewable up to a total of 3 years.

(2) LONGER PERIODS.—A detail under this section may be for a period in excess of 2 years, but not more than 3 years, if the head of the element making the detail determines that such detail is necessary to meet critical mission or program requirements.

(3) LIMITATION.—No employee of an element of the intelligence community may be detailed under this section for more than a total of 5 years, inclusive of all such details.

(f) STATUS OF FEDERAL EMPLOYEES DETAILED TO PRIVATE-SECTOR ORGANIZATIONS.—

(1) IN GENERAL.—An employee of an element of the intelligence community who is detailed to a private-sector organization under this section shall be considered, during the period of detail, to be on a regular work assignment in the element for all purposes. The written agreement established under subsection (c)(1) shall address the specific terms and conditions related to the employee's continued status as a Federal employee.

(2) REQUIREMENTS.—In establishing a temporary detail of an employee of an element of the intelligence community to a private-sector organization, the head of the element shall—

(A) certify that the temporary detail of such employee shall not have an adverse or negative impact on mission attainment or organizational capabilities associated with the detail; and

(B) in the case of an element of the intelligence community in the Department of Defense, ensure that the normal duties and functions of such employees are not, as a result of and during the course of such temporary detail, performed or augmented by contractor personnel in violation of the provisions of section 2461 of title 10, United States Code.

(g) TERMS AND CONDITIONS FOR PRIVATE-SECTOR EMPLOYEES.—An employee of a private-sector organization who is detailed to an element of the intelligence community under this section—

(1) shall continue to receive pay and benefits from the private-sector organization from which such employee is detailed and shall not receive pay or benefits from the element, except as provided in paragraph (2);

(2) is deemed to be an employee of the element for the purposes of—

(A) chapters 73 and 81 of title 5, United States Code;

(B) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, United States Code;

(C) sections 1343, 1344, and 1349(b) of title 31, United States Code;

(D) chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act'') and any other Federal tort liability statute;

(E) the Ethics in Government Act of 1978 (5 U.S.C. App.); and

(F) chapter 21 of title 41, United States Code;

(3) may perform work that is considered inherently governmental in nature only when requested in writing by the head of the element;

(4) may not be used to circumvent any limitation or restriction on the size of the workforce of the element;

(5) shall be subject to the same requirements applicable to an employee performing the same functions and duties proposed for performance by the private sector employee; and

(6) in the case of an element of the intelligence community in the Department of Defense, may not be used to circumvent the provisions of section 2461 of title 10, United States Code.

(h) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO THE FEDERAL GOVERNMENT.—A private-sector organization may not charge an element of the intelligence community or any other agency of the Federal Government, as direct costs under a Federal contract, the costs of pay or benefits paid by the organization to an employee detailed to an element of the intelligence community under this section for the period of the detail and any subsequent renewal periods.

(i) ADDITIONAL ADMINISTRATIVE MATTERS.—In carrying out this section, the Director, pursuant to procedures developed under subsection (a)—

(1) shall, to the degree practicable, ensure that small business concerns are represented with respect to details authorized by this section;

(2) may, notwithstanding any other provision of law, establish criteria for elements of the intelligence community to use appropriated funds to reimburse small business concerns for the salaries and benefits of its employees during the periods when the small business concern agrees to detail its employees to the intelligence community under this section;

(3) shall take into consideration the question of how details under this section might best be used to help meet the needs of the intelligence community, including with respect to the training of employees;

(4) shall take into consideration areas of private-sector expertise that are critical to the intelligence community; and

(5) shall establish oversight mechanisms to determine whether the public-private exchange authorized by this section improves the efficiency and effectiveness of the intelligence community.

(j) DEFINITIONS.—In this section:

(1) DETAIL.—The term ''detail'' means, as appropriate in the context in which such term is used—

(A) the assignment or loan of an employee of an element of the intelligence community

to a private-sector organization without a change of position from the intelligence community element that employs the individual; or

(B) the assignment or loan of an employee of a private-sector organization to an element of the intelligence community without a change of position from the private-sector organization that employs the individual.

(2) PRIVATE-SECTOR ORGANIZATION.—The term ''private-sector organization'' means—

(A) a for-profit organization; or

(B) a not-for-profit organization.

(3) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given such term in section 3703(e)(2) of title 5, United States Code.

SEC. 305. EXPANSION OF SCOPE OF PROTECTIONS FOR IDENTITIES OF COVERT AGENTS.

Section 605(4) of the National Security Act of 1947 (50 U.S.C. 3126(4)) is amended—

(1) in subparagraph (A)—

(A) by striking clause (ii);

(B) in clause (i), by striking '', and'' and inserting ''; or''; and

(C) by striking ''agency—'' and all that follows through ''whose identity'' and inserting ''agency whose identity''; and

(2) in subparagraph (B)(i), by striking ''resides and acts outside the United States'' and inserting ''acts''.

SEC. 306. INCLUSION OF SECURITY RISKS IN PROGRAM MANAGEMENT PLANS REQUIRED FOR ACQUISITION OF MAJOR SYSTEMS IN NATIONAL INTELLIGENCE PROGRAM.

Section 102A(q)(1)(A) of the National Security Act of 1947 (50 U.S.C. 3024(q)(1)(A)) is amended by inserting ''security risks,'' after ''schedule,''.

SEC. 307. PAID PARENTAL LEAVE.

(a) PURPOSE.—The purpose of this section is to—

(1) help the intelligence community recruit and retain a dynamic, multi-talented, and diverse workforce capable of meeting the security goals of the United States; and

(2) establish best practices and processes for other elements of the Federal Government seeking to pursue similar policies.

(b) AUTHORIZATION OF PAID PARENTAL LEAVE FOR INTELLIGENCE COMMUNITY EMPLOYEES.—

(1) IN GENERAL.—Title III of the National Security Act of 1947 (50 U.S.C. 3071 et seq.) is amended by inserting after section 304 the following:

''SEC. 305. PAID PARENTAL LEAVE.

''(a) PAID PARENTAL LEAVE.—Notwithstanding any other provision of law, a civilian employee of an element of the intelligence community shall have available a total of 12 administrative workweeks of paid parental leave in the event of the birth of a son or daughter to the employee, or placement of a son or daughter with the employee for adoption or foster care, and in order to care for such son or daughter, to be used during the 12-month period beginning on the date of the birth or placement.

''(b) TREATMENT OF PARENTAL LEAVE REQUEST.—Notwithstanding any other provision of law—

''(1) an element of the intelligence community shall accommodate an employee's leave schedule request under subsection (a), including a request to use such leave intermittently or on a reduced leave schedule, to the extent that the requested leave schedule does not unduly disrupt agency operations; and

''(2) to the extent that an employee's requested leave schedule as described in paragraph (1) is based on medical necessity related to a serious health condition connected to the birth of a son or daughter, the employing element shall handle the scheduling consistent with the treatment of employees who are using leave under subparagraph (C) or (D) of section 6382(a)(1) of title 5, United States Code.

''(c) RULES RELATING TO PAID LEAVE.—Notwithstanding any other provision of law—

''(1) an employee may not be required to first use all or any portion of any unpaid leave available to the employee before being allowed to use the paid parental leave described in subsection (a); and

''(2) paid parental leave under subsection (a)—

''(A) shall be payable from any appropriation or fund available for salaries or expenses for positions within the employing element;

''(B) may not be considered to be annual or vacation leave for purposes of section 5551 or 5552 of title 5, United States Code, or for any other purpose;

''(C) if not used by the employee before the end of the 12-month period described in subsection (a) to which the leave relates, may not be available for any subsequent use and may not be converted into a cash payment;

''(D) may be granted only to the extent that the employee does not receive a total of more than 12 weeks of paid parental leave in any 12-month period beginning on the date of a birth or placement;

''(E) may not be granted—

''(i) in excess of a lifetime aggregate total of 30 administrative workweeks based on placements of a foster child for any individual employee; or

''(ii) in connection with temporary foster care placements expected to last less than 1 year;

''(F) may not be granted for a child being placed for foster care or adoption if such leave was previously granted to the same employee when the same child was placed with the employee for foster care in the past;

''(G) shall be used in increments of hours (or fractions thereof), with 12 administrative workweeks equal to 480 hours for employees with a regular full-time work schedule and converted to a proportional number of hours for employees with part-time, seasonal, or uncommon tours of duty; and

''(H) may not be used during off-season (nonpay status) periods for employees with seasonal work schedules.

''(d) IMPLEMENTATION PLAN.—Not later than 1 year after the date of enactment of this section, the Director of National Intelligence shall provide the congressional intelligence committees with an implementation plan that includes—

''(1) processes and procedures for implementing the paid parental leave policies under subsections (a) through (c);

''(2) an explanation of how the implementation of subsections (a) through (c) will be reconciled with policies of other elements of the Federal Government, including the impact on elements funded by the National Intelligence Program that are housed within agencies outside the intelligence community;

''(3) the projected impact of the implementation of subsections (a) through (c) on the workforce of the intelligence community, including take rates, retention, recruiting, and morale, broken down by each element of the intelligence community; and

''(4) all costs or operational expenses associated with the implementation of subsections (a) through (c).

''(e) DIRECTIVE.—Not later than 90 days after the Director of National Intelligence submits the implementation plan under subsection (d), the Director of National Intelligence shall issue a written directive to implement this section, which directive shall take effect on the date of issuance.

''(f) ANNUAL REPORT.—The Director of National Intelligence shall submit to the congressional intelligence committees an annual report that—

''(1) details the number of employees of each element of the intelligence community who applied for and took paid parental leave under subsection (a) during the year covered by the report; and

''(2) includes updates on major implementation challenges or costs associated with paid parental leave.

''(g) DEFINITION OF SON OR DAUGHTER.—For purposes of this section, the term 'son or daughter' has the meaning given the term in section 6381 of title 5, United States Code.''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 304 the following:

''Sec. 305. Paid parental leave.''.

(c) APPLICABILITY.—Section 305 of the National Security Act of 1947, as added by subsection (b), shall apply with respect to leave taken in connection with the birth or placement of a son or daughter that occurs on or after the date on which the Director of National Intelligence issues the written directive under subsection (e) of such section 305.

Subtitle B—Office of the Director of National Intelligence

SEC. 311. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES AND RIGHT TO APPEAL.

(a) EXCLUSIVITY OF PROCEDURES.—Section 801 of the National Security Act of 1947 (50 U.S.C. 3161) is amended by adding at the end the following:

''(c) EXCLUSIVITY.—Except as provided in subsection (b) and subject to sections 801A and 801B, the procedures established pursuant to subsection (a) shall be the exclusive procedures by which decisions about eligibility for access to classified information are governed.''.

(b) TRANSPARENCY.—Such section is further amended by adding at the end the following:

''(d) PUBLICATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the President shall—

''(A) publish in the Federal Register the procedures established pursuant to subsection (a); or

''(B) submit to Congress a certification that the procedures currently in effect that govern access to classified information as described in subsection (a)—

''(i) are published in the Federal Register; and

''(ii) comply with the requirements of subsection (a).

''(2) UPDATES.—Whenever the President makes a revision to a procedure established pursuant to subsection (a), the President shall publish such revision in the Federal Register not later than 30 days before the date on which the revision becomes effective.''.

(c) CONSISTENCY.—

(1) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended by inserting after section 801 the following:

''SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSIFIED INFORMATION.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) CLASSIFIED INFORMATION.—The term 'classified information' includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(b) IN GENERAL.—Each head of an agency that makes a determination regarding eligibility for access to classified information shall ensure that in making the determination, the head of the agency or any person acting on behalf of the agency—

''(1) does not violate any right or protection enshrined in the Constitution of the United States, including rights articulated in the First, Fifth, and Fourteenth Amendments;

''(2) does not discriminate for or against an individual on the basis of race, color, religion, sex, national origin, age, or handicap;

''(3) is not carrying out—

''(A) retaliation for political activities or beliefs; or

''(B) a coercion or reprisal described in section 2302(b)(3) of title 5, United States Code; and

''(4) does not violate section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 801 the following:

''Sec. 801A. Decisions relating to access to classified information.''.

(d) RIGHT TO APPEAL.—

(1) IN GENERAL.—Such title, as amended by subsection (c), is further amended by inserting after section 801A the following:

''SEC. 801B. RIGHT TO APPEAL.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) COVERED PERSON.—The term 'covered person' means a person, other than the President and Vice President, currently or formerly employed in, detailed to, assigned to, or issued an authorized conditional offer of employment for a position that requires access to classified information by an agency, including the following:

''(A) A member of the Armed Forces.

''(B) A civilian.

''(C) An expert or consultant with a contractual or personnel obligation to an agency.

''(D) Any other category of person who acts for or on behalf of an agency as determined by the head of the agency.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(4) NEED FOR ACCESS.—The term 'need for access' has such meaning as the President may define in the procedures established pursuant to section 801(a).

''(5) SECURITY EXECUTIVE AGENT.—The term 'Security Executive Agent' means the officer serving as the Security Executive Agent pursuant to section 803.

''(b) AGENCY REVIEW.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Year 2020, each head of an agency shall, consistent with the interest of national security, establish and publish in the Federal Register a process by which a covered person to whom eligibility for access to classified information was denied or revoked by the agency can appeal that denial or revocation within the agency.

''(2) ELEMENTS.—The process required by paragraph (1) shall include the following:

''(A) In the case of a covered person to whom eligibility for access to classified information is denied or revoked by an agency, the following:

''(i) The head of the agency shall provide the covered person with a written—

''(I) detailed explanation of the basis for the denial or revocation as the head of the agency determines is consistent with the interests of national security and as permitted by other applicable provisions of law; and

''(II) notice of the right of the covered person to a hearing and appeal under this subsection.

''(ii) Not later than 30 days after receiving a request from the covered person for copies of the documents that formed the basis of the agency's decision to revoke or deny, including the investigative file, the head of the agency shall provide to the covered person copies of such documents as—

''(I) the head of the agency determines is consistent with the interests of national security; and

''(II) permitted by other applicable provisions of law, including—

''(aa) section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act');

''(bb) section 552a of such title (commonly known as the 'Privacy Act of 1974'); and

''(cc) such other provisions of law relating to the protection of confidential sources and privacy of individuals.

''(iii)(I) The covered person shall have the opportunity to retain counsel or other representation at the covered person's expense.

''(II) Upon the request of the covered person, and a showing that the ability to review classified information is essential to the resolution of an appeal under this subsection, counsel or other representation retained under this clause shall be considered for access to classified information for the limited purposes of such appeal.

''(iv)(I) The head of the agency shall provide the covered person an opportunity, at a point in the process determined by the agency head—

''(aa) to appear personally before an adjudicative or other authority, other than the investigating entity, and to present to such authority relevant documents, materials, and information, including evidence that past problems relating to the denial or revocation have been overcome or sufficiently mitigated; and

''(bb) to call and cross-examine witnesses before such authority, unless the head of the agency determines that calling and cross-examining witnesses is not consistent with the interests of national security.

''(II) The head of the agency shall make, as part of the security record of the covered person, a written summary, transcript, or recording of any appearance under item (aa) of subclause (I) or calling or cross-examining of witnesses under item (bb) of such subclause.

''(v) On or before the date that is 30 days after the date on which the covered person receives copies of documents under clause (ii), the covered person may request a hearing of the decision to deny or revoke by filing a written appeal with the head of the agency.

''(B) A requirement that each review of a decision under this subsection is completed on average not later than 180 days after the date on which a hearing is requested under subparagraph (A)(v).

''(3) AGENCY REVIEW PANELS.—

''(A) IN GENERAL.—Each head of an agency shall establish a panel to hear and review appeals under this subsection.

''(B) MEMBERSHIP.—

''(i) COMPOSITION.—Each panel established by the head of an agency under subparagraph (A) shall be composed of at least three employees of the agency selected by the head, two of whom shall not be members of the security field.

''(ii) TERMS.—A term of service on a panel established by the head of an agency under subparagraph (A) shall not exceed 2 years.

''(C) DECISIONS.—

''(i) WRITTEN.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

''(ii) CONSISTENCY.—Each head of an agency that establishes a panel under subparagraph (A) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

''(iii) OVERTURN.—The head of an agency may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head personally exercises the authority granted by this clause to overturn such decision.

''(iv) FINALITY.—Each decision of a panel established under subparagraph (A) or overturned pursuant to clause (iii) of this subparagraph shall be final but subject to appeal and review under subsection (c).

''(D) ACCESS TO CLASSIFIED INFORMATION.—The head of an agency that establishes a panel under subparagraph (A) shall afford access to classified information to the members of the panel as the head determines—

''(i) necessary for the panel to hear and review an appeal under this subsection; and

''(ii) consistent with the interests of national security.

''(4) REPRESENTATION BY COUNSEL.—

''(A) IN GENERAL.—Each head of an agency shall ensure that, under this subsection, a covered person appealing a decision of the head's agency under this subsection has an opportunity to retain counsel or other representation at the covered person's expense.

''(B) ACCESS TO CLASSIFIED INFORMATION.—

''(i) IN GENERAL.—Upon the request of a covered person appealing a decision of an agency under this subsection and a showing that the ability to review classified information is essential to the resolution of the appeal under this subsection, the head of the agency shall sponsor an application by the counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

''(ii) EXTENT OF ACCESS.—Counsel or another representative who is cleared for access under this subparagraph may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

''(5) CORRECTIVE ACTION.—

''(A) IN GENERAL.—If, in the course of proceedings under this subsection, the head of an agency or a panel established by the head under paragraph (3) decides that a covered person's eligibility for access to classified information was improperly denied or revoked by the agency, the agency shall take corrective action to return the covered person, as nearly as practicable and reasonable, to the position such covered person would have held had the improper denial or revocation not occurred.

''(B) COMPENSATION.—Corrective action under subparagraph (A) may include compensation, in an amount not to exceed $300,000, for any loss of wages or benefits suffered, or expenses otherwise incurred, by reason of such improper denial or revocation.

''(6) PUBLICATION OF DECISIONS.—

''(A) IN GENERAL.—Each head of an agency shall publish each final decision on an appeal under this subsection.

''(B) REQUIREMENTS.—In order to ensure transparency, oversight by Congress, and

meaningful information for those who need to understand how the clearance process works, each publication under subparagraph (A) shall be—

''(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231);

''(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

''(iii) made available on a website that is searchable by members of the public.

''(c) HIGHER LEVEL REVIEW.—

''(1) PANEL.—

''(A) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Year 2020, the Security Executive Agent shall establish a panel to review decisions made on appeals pursuant to the processes established under subsection (b).

''(B) SCOPE OF REVIEW AND JURISDICTION.—After initial review to verify grounds for appeal, the panel established under subparagraph (A) shall review such decisions only—

''(i) as they relate to violations of section 801A(b); or

''(ii) to the extent to which an agency properly conducted a review of an appeal under subsection (b).

''(C) COMPOSITION.—The panel established pursuant to subparagraph (A) shall be composed of three individuals selected by the Security Executive Agent for purposes of the panel, of whom at least one shall be an attorney.

''(2) APPEALS AND TIMELINESS.—

''(A) APPEALS.—

''(i) INITIATION.—On or before the date that is 30 days after the date on which a covered person receives a written decision on an appeal under subsection (b), the covered person may initiate oversight of that decision by filing a written appeal with the Security Executive Agent.

''(ii) FILING.—A written appeal filed under clause (i) relating to a decision of an agency shall be filed in such form, in such manner, and containing such information as the Security Executive Agent may require, including—

''(I) a description of—

''(aa) any alleged violations of section 801A(b) relating to the denial or revocation of the covered person's eligibility for access to classified information; and

''(bb) any allegations of how the decision may have been the result of the agency failing to properly conduct a review under subsection (b); and

''(II) supporting materials and information for the allegations described under subclause (I).

''(B) TIMELINESS.—The Security Executive Agent shall ensure that, on average, review of each appeal filed under this subsection is completed not later than 180 days after the date on which the appeal is filed.

''(3) DECISIONS AND REMANDS.—

''(A) IN GENERAL.—If, in the course of reviewing under this subsection a decision of an agency under subsection (b), the panel established under paragraph (1) decides that there is sufficient evidence of a violation of section 801A(b) to merit a new hearing or decides that the decision of the agency was the result of an improperly conducted review under subsection (b), the panel shall vacate the decision made under subsection (b) and remand to the agency by which the covered person shall be eligible for a new appeal under subsection (b).

''(B) WRITTEN DECISIONS.—Each decision of the panel established under paragraph (1) shall be in writing and contain a justification of the decision.

''(C) CONSISTENCY.—The panel under paragraph (1) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

''(D) FINALITY.—

''(i) IN GENERAL.—Except as provided in clause (ii), each decision of the panel established under paragraph (1) shall be final.

''(ii) OVERTURN.—The Security Executive Agent may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the Security Executive Agent personally exercises the authority granted by this clause to overturn such decision.

''(E) NATURE OF REMANDS.—In remanding a decision under subparagraph (A), the panel established under paragraph (1) may not direct the outcome of any further appeal under subsection (b).

''(F) NOTICE OF DECISIONS.—For each decision of the panel established under paragraph (1) regarding a covered person, the Security Executive Agent shall provide the covered person with a written notice of the decision that includes a detailed description of the reasons for the decision, consistent with the interests of national security and applicable provisions of law.

''(4) REPRESENTATION BY COUNSEL.—

''(A) IN GENERAL.—The Security Executive Agent shall ensure that, under this subsection, a covered person appealing a decision under subsection (b) has an opportunity to retain counsel or other representation at the covered person's expense.

''(B) ACCESS TO CLASSIFIED INFORMATION.—

''(i) IN GENERAL.—Upon the request of the covered person and a showing that the ability to review classified information is essential to the resolution of an appeal under this subsection, the Security Executive Agent shall sponsor an application by the counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

''(ii) EXTENT OF ACCESS.—Counsel or another representative who is cleared for access under this subparagraph may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

''(5) ACCESS TO DOCUMENTS AND EMPLOYEES.—

''(A) AFFORDING ACCESS TO MEMBERS OF PANEL.—The Security Executive Agent shall afford access to classified information to the members of the panel established under paragraph (1)(A) as the Security Executive Agent determines—

''(i) necessary for the panel to review a decision described in such paragraph; and

''(ii) consistent with the interests of national security.

''(B) AGENCY COMPLIANCE WITH REQUESTS OF PANEL.—Each head of an agency shall comply with each request by the panel for a document and each request by the panel for access to employees of the agency necessary for the review of an appeal under this subsection, to the degree that doing so is, as determined by the head of the agency and permitted by applicable provisions of law, consistent with the interests of national security.

''(6) PUBLICATION OF DECISIONS.—

''(A) IN GENERAL.—For each final decision on an appeal under this subsection, the head of the agency with respect to which the appeal pertains and the Security Executive Agent shall each publish the decision, consistent with the interests of national security.

''(B) REQUIREMENTS.—In order to ensure transparency, oversight by Congress, and meaningful information for those who need to understand how the clearance process works, each publication under subparagraph (A) shall be—

''(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231);

''(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

''(iii) made available on a website that is searchable by members of the public.

''(d) PERIOD OF TIME FOR THE RIGHT TO APPEAL.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any covered person who has been the subject of a decision made by the head of an agency to deny or revoke eligibility for access to classified information shall retain all rights to appeal under this section until the conclusion of the appeal process under this section.

''(2) WAIVER OF RIGHTS.—

''(A) PERSONS.—Any covered person may voluntarily waive the covered person's right to appeal under this section and such waiver shall be conclusive.

''(B) AGENCIES.—The head of an agency may not require a covered person to waive the covered person's right to appeal under this section for any reason.

''(e) WAIVER OF AVAILABILITY OF PROCEDURES FOR NATIONAL SECURITY INTEREST.—

''(1) IN GENERAL.—If the head of an agency determines that a procedure established under this section cannot be made available to a covered person in an exceptional case without damaging a national security interest of the United States by revealing classified information, such procedure shall not be made available to such covered person.

''(2) FINALITY.—A determination under paragraph (1) shall be final and conclusive and may not be reviewed by any other official or by any court.

''(3) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (1) that a procedure established under this section cannot be made available to a covered person, the head shall, not later than 30 days after the date on which the head makes such determination, submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (1) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (1), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

''(f) DENIALS AND REVOCATIONS UNDER OTHER PROVISIONS OF LAW.—

''(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or affect the responsibility and power of the head of an agency to deny or revoke eligibility for access to classified information in the interest of national security.

''(2) DENIALS AND REVOCATION.—The power and responsibility to deny or revoke eligibility for access to classified information pursuant to any other provision of law or Executive order may be exercised only when the head of an agency determines that an applicable process established under this section cannot be invoked in a manner that is consistent with national security.

''(3) FINALITY.—A determination under paragraph (2) shall be final and conclusive and may not be reviewed by any other official or by any court.

''(4) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (2) that determination relating to a denial or revocation of eligibility for access to classified information could not be made pursuant to a process established under this section, the head shall, not later than 30 days after the date on which the head makes such determination under paragraph (2), submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (2) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (2), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

''(g) RELATIONSHIP TO SUITABILITY.—No person may use a determination of suitability under part 731 of title 5, Code of Federal Regulations, or successor regulation, for the purpose of denying a covered person the review proceedings of this section where there has been a denial or revocation of eligibility for access to classified information.

''(h) PRESERVATION OF ROLES AND RESPONSIBILITIES UNDER EXECUTIVE ORDER 10865 AND OF THE DEFENSE OFFICE OF HEARINGS AND APPEALS.—Nothing in this section shall be construed to diminish or otherwise affect the procedures in effect on the day before the date of the enactment of this Act for denial and revocation procedures provided to individuals by Executive Order 10865 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry), or successor order, including those administered through the Defense Office of Hearings and Appeals of the Department of Defense under Department of Defense Directive 5220.6, or successor directive.

''(i) RULE OF CONSTRUCTION RELATING TO CERTAIN OTHER PROVISIONS OF LAW.—This section and the processes and procedures established under this section shall not be construed to apply to paragraphs (6) and (7) of section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002), as amended by subsection (c), is further amended by inserting after the item relating to section 801A the following:

''Sec. 801B. Right to appeal.''.

SEC. 312. LIMITATION ON TRANSFER OF NATIONAL INTELLIGENCE UNIVERSITY.

(a) LIMITATION.—Neither the Secretary of Defense nor the Director of National Intelligence may commence any activity to transfer the National Intelligence University out of the Defense Intelligence Agency until the Secretary and the Director jointly certify each of the following:

(1) The National Intelligence University has positively adjudicated its warning from the Middle States Commission on Higher Education and had its regional accreditation fully restored.

(2) The National Intelligence University will serve as the exclusive means by which advanced intelligence education is provided to personnel of the Department of Defense.

(3) Military personnel will receive joint professional military education from a National Intelligence University location at a non-Department of Defense agency.

(4) The Department of Education will allow the Office of the Director of National Intelligence to grant advanced educational degrees.

(5) A governance model jointly led by the Director and the Secretary of Defense is in place for the National Intelligence University.

(b) COST ESTIMATES.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate; and

(C) the Committee on Armed Services of the House of Representatives.

(2) IN GENERAL.—Before commencing any activity to transfer the National Intelligence University out of the Defense Intelligence Agency, the Secretary of Defense and the Director of National Intelligence shall jointly submit to the appropriate committees of Congress an estimate of the direct and indirect costs of operating the National Intelligence University and the costs of transferring the National Intelligence University to another agency.

(3) CONTENTS.—The estimate submitted under paragraph (2) shall include all indirect costs, including with respect to human resources, security, facilities, and information technology.

SEC. 313. IMPROVING VISIBILITY INTO THE SECURITY CLEARANCE PROCESS.

(a) DEFINITION OF SECURITY EXECUTIVE AGENT.—In this section, the term ''Security Executive Agent'' means the officer serving as the Security Executive Agent pursuant to section 803 of the National Security Act of 1947, as added by section 605 of division B.

(b) POLICY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall issue a policy that requires the head of each Federal agency to create, not later than December 31, 2023, an electronic portal that can be used by human resources personnel and applicants for security clearances to view information about the status of an application for a security clearance and the average time required for each phase of the security clearance process.

SEC. 314. MAKING CERTAIN POLICIES AND EXECUTION PLANS RELATING TO PERSONNEL CLEARANCES AVAILABLE TO INDUSTRY PARTNERS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE INDUSTRY PARTNER.—The term ''appropriate industry partner'' means a contractor, licensee, or grantee (as defined in section 101(a) of Executive Order 12829 (50 U.S.C. 3161 note; relating to National Industrial Security Program), as in effect on the day before the date of the enactment of this Act) that is participating in the National Industrial Security Program established by such Executive Order.

(2) SECURITY EXECUTIVE AGENT.—The term ''Security Executive Agent'' means the officer serving as the Security Executive Agent pursuant to section 803 of the National Security Act of 1947, as added by section 605 of division B.

(b) SHARING OF POLICIES AND PLANS REQUIRED.—Each head of a Federal agency shall share policies and plans relating to security clearances with appropriate industry partners directly affected by such policies and plans in a manner consistent with the protection of national security as well as the goals and objectives of the National Industrial Security Program administered pursuant to Executive Order 12829 (50 U.S.C. 3161 note; relating to the National Industrial Security Program).

(c) DEVELOPMENT OF POLICIES AND PROCEDURES REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Director of the National Industrial Security Program shall jointly develop policies and procedures by which appropriate industry partners with proper security clearances and a need to know can have appropriate access to the policies and plans shared pursuant to subsection (b) that directly affect those industry partners.

Subtitle C—Inspector General of the Intelligence Community

SEC. 321. DEFINITIONS.

In this subtitle:

(1) WHISTLEBLOWER.—The term ''whistleblower'' means a person who makes a whistleblower disclosure.

(2) WHISTLEBLOWER DISCLOSURE.—The term ''whistleblower disclosure'' means a disclosure that is protected under section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) or section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)).

SEC. 322. INSPECTOR GENERAL EXTERNAL REVIEW PANEL.

(a) AUTHORITY TO CONVENE EXTERNAL REVIEW PANELS.—

(1) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 3231 et seq.) is amended by adding at the end the following new section:

''SEC. 1105. INSPECTOR GENERAL EXTERNAL REVIEW PANEL.

''(a) REQUEST FOR REVIEW.—An individual with a claim described in subsection (b) may submit to the Inspector General of the Intelligence Community a request for a review of such claim by an external review panel convened under subsection (c).

''(b) CLAIMS AND INDIVIDUALS DESCRIBED.—A claim described in this subsection is any—

''(1) claim by an individual—

''(A) that the individual has been subjected to a personnel action that is prohibited under section 1104; and

''(B) who has exhausted the applicable review process for the claim pursuant to enforcement of such section; or

''(2) claim by an individual—

''(A) that he or she has been subjected to a reprisal prohibited by paragraph (1) of section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)); and

''(B) who received a decision on an appeal regarding that claim under paragraph (4) of such section.

''(c) EXTERNAL REVIEW PANEL CONVENED.—

''(1) DISCRETION TO CONVENE.—Upon receipt of a request under subsection (a) regarding a claim, the Inspector General of the Intelligence Community may, at the discretion of

the Inspector General, convene an external review panel under this subsection to review the claim.

''(2) MEMBERSHIP.—

''(A) COMPOSITION.—An external review panel convened under this subsection shall be composed of three members as follows:

''(i) The Inspector General of the Intelligence Community.

''(ii) Except as provided in subparagraph (B), two members selected by the Inspector General as the Inspector General considers appropriate on a case-by-case basis from among inspectors general of the following:

''(I) The Department of Defense.

''(II) The Department of Energy.

''(III) The Department of Homeland Security.

''(IV) The Department of Justice.

''(V) The Department of State.

''(VI) The Department of the Treasury.

''(VII) The Central Intelligence Agency.

''(VIII) The Defense Intelligence Agency.

''(IX) The National Geospatial-Intelligence Agency.

''(X) The National Reconnaissance Office.

''(XI) The National Security Agency.

''(B) LIMITATION.—An inspector general of an agency may not be selected to sit on the panel under subparagraph (A)(ii) to review any matter relating to a decision made by such agency.

''(C) CHAIRPERSON.—

''(i) IN GENERAL.—Except as provided in clause (ii), the chairperson of any panel convened under this subsection shall be the Inspector General of the Intelligence Community.

''(ii) CONFLICTS OF INTEREST.—If the Inspector General of the Intelligence Community finds cause to recuse himself or herself from a panel convened under this subsection, the Inspector General of the Intelligence Community shall—

''(I) select a chairperson from inspectors general of the elements listed under subparagraph (A)(ii) whom the Inspector General of the Intelligence Community considers appropriate; and

''(II) notify the congressional intelligence committees of such selection.

''(3) PERIOD OF REVIEW.—Each external review panel convened under this subsection to review a claim shall complete review of the claim no later than 270 days after the date on which the Inspector General convenes the external review panel.

''(d) REMEDIES.—

''(1) PANEL RECOMMENDATIONS.—If an external review panel convened under subsection (c) determines, pursuant to a review of a claim submitted by an individual under subsection (a), that the individual was the subject of a personnel action prohibited under section 1104 or was subjected to a reprisal prohibited by section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)), the panel may recommend that the agency head take corrective action—

''(A) in the case of an employee or former employee—

''(i) to return the employee or former employee, as nearly as practicable and reasonable, to the position such employee or former employee would have held had the reprisal not occurred; or

''(ii) reconsider the employee's or former employee's eligibility for access to classified information consistent with national security; or

''(B) in any other case, such other action as the external review panel considers appropriate.

''(2) AGENCY ACTION.—

''(A) IN GENERAL.—Not later than 90 days after the date on which the head of an agency receives a recommendation from an external review panel under paragraph (1), the head shall—

''(i) give full consideration to such recommendation; and

''(ii) inform the panel and the Director of National Intelligence of what action the head has taken with respect to the recommendation.

''(B) FAILURE TO INFORM.—The Director shall notify the President of any failures to comply with subparagraph (A)(ii).

''(e) ANNUAL REPORTS.—

''(1) IN GENERAL.—Not less frequently than once each year, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees and the Director of National Intelligence a report on the activities under this section during the previous year.

''(2) CONTENTS.—Subject to such limitations as the Inspector General of the Intelligence Community considers necessary to protect the privacy of an individual who has made a claim described in subsection (b), each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

''(A) The determinations and recommendations made by the external review panels convened under this section.

''(B) The responses of the heads of agencies that received recommendations from the external review panels.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following new item:

''Sec. 1105. Inspector General external review panel.''.

(b) RECOMMENDATION ON ADDRESSING WHISTLEBLOWER APPEALS RELATING TO REPRISAL COMPLAINTS AGAINST INSPECTORS GENERAL.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a recommendation on how to ensure that—

(A) a whistleblower in the intelligence community who has a complaint against an inspector general in the intelligence community and who alleges a reprisal, has available the agency adjudication and appellate review provided under section 1104 of the National Security Act of 1947 (50 U.S.C. 3234); and

(B) any such whistleblower who has exhausted the applicable review process may request an external review panel and receive one, at the discretion of the Inspector General of the Intelligence Community.

(2) CONTENTS.—The recommendation submitted pursuant to paragraph (1) shall include the following:

(A) A discussion of whether and to what degree section 1105 of the National Security Act of 1947, as added by subsection (a)(1), provides appropriate authorities and mechanisms to provide an external review panel as described in paragraph (1) of this subsection and for the purposes described in such paragraph.

(B) Such recommendations for legislative or administrative action as the Inspector General may have with respect to providing an external review panel as described in paragraph (1) and for the purposes described in such paragraph.

SEC. 323. HARMONIZATION OF WHISTLEBLOWER PROCESSES AND PROCEDURES.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General Forum, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, regarding the harmonization of instructions, policies, and directives relating to processes, procedures, and timelines for claims and appeals relating to allegations of personnel actions prohibited under section 1104 of the National Security Act of 1947 or reprisals prohibited by section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)).

(b) TRANSPARENCY AND PROTECTION.—In developing recommendations under subsection (a), the Inspector General of the Intelligence Community shall make efforts to maximize transparency and protect whistleblowers.

SEC. 324. INTELLIGENCE COMMUNITY OVERSIGHT OF AGENCY WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in consultation with the Intelligence Community Inspectors General Forum, shall complete a feasibility study on establishing a hotline whereby all complaints of whistleblowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

(2) ELEMENTS.—The feasibility study conducted pursuant to paragraph (1) shall include the following:

(A) The anticipated number of annual whistleblower complaints received by all elements of the intelligence community.

(B) The additional resources required to implement the hotline, including personnel and technology.

(C) The resulting budgetary effects.

(D) Findings from the system established pursuant to subsection (b).

(b) OVERSIGHT SYSTEM REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall establish a system whereby the Inspector General is provided, in near real time, the following:

(1) All information relating to complaints by whistleblowers relating to the programs and activities under the jurisdiction of the Director of National Intelligence.

(2) Any inspector general actions relating to such complaints.

(c) PRIVACY PROTECTIONS.—

(1) POLICIES AND PROCEDURES REQUIRED.—Before establishing the system required by subsection (b), the Inspector General of the Intelligence Community shall establish policies and procedures to protect the privacy of whistleblowers and protect against further dissemination of whistleblower information without consent of the whistleblower.

(2) CONTROL OF DISTRIBUTION.—The system established under subsection (b) shall provide whistleblowers the option of prohibiting distribution of their complaints to the Inspector General of the Intelligence Community.

SEC. 325. REPORT ON CLEARED WHISTLEBLOWER ATTORNEYS.

(a) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on access to cleared attorneys by whistleblowers in the intelligence community.

(b) CONTENTS.—The report submitted pursuant to subsection (a) shall include the following:

(1) The number of whistleblowers in the intelligence community who sought to retain a cleared attorney and at what stage they sought such an attorney.

(2) For the 3-year period preceding the report, the following:

(A) The number of limited security agreements (LSAs).

(B) The scope and clearance levels of such limited security agreements.

(C) The number of whistleblowers represented by cleared counsel.

(3) Recommendations for legislative or administrative action to ensure that whistleblowers in the intelligence community have access to cleared attorneys, including improvements to the limited security agreement process and such other options as the Inspector General of the Intelligence Community considers appropriate.

(c) SURVEY.—The Inspector General of the Intelligence Community shall ensure that the report submitted under subsection (a) is based on—

(1) data from a survey of whistleblowers whose claims are reported to the Inspector General of the Intelligence Community by means of the oversight system established pursuant to section 324;

(2) information obtained from the inspectors general of the intelligence community; or

(3) information from such other sources as may be identified by the Inspector General of the Intelligence Community.

TITLE IV—REPORTS AND OTHER MATTERS

SEC. 401. STUDY ON FOREIGN EMPLOYMENT OF FORMER PERSONNEL OF INTELLIGENCE COMMUNITY.

(a) STUDY.—The Director of National Intelligence, in coordination with the Secretary of Defense and the Secretary of State, shall conduct a study of matters relating to the foreign employment of former personnel of the intelligence community.

(b) ELEMENTS.—The study conducted pursuant to subsection (a) shall address the following:

(1) Issues that pertain to former employees of the intelligence community working with, or in support of, foreign governments, and the nature and scope of those concerns.

(2) Such legislative or administrative action as may be necessary for both front-end screening and in-progress oversight by the Director of Defense Trade Controls of licenses issued by the Director for former employees of the intelligence community working for foreign governments.

(3) How increased requirements could be imposed for periodic compliance reporting when licenses are granted for companies or organizations that employ former personnel of the intelligence community to execute contracts with foreign governments.

(c) REPORT AND PLAN.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(C) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress—

(A) a report on the findings of the Director with respect to the study conducted pursuant to subsection (a); and

(B) a plan to carry out such administrative actions as the Director considers appropriate pursuant to the findings described in subparagraph (A).

SEC. 402. COMPREHENSIVE ECONOMIC ASSESSMENT OF INVESTMENT IN KEY UNITED STATES TECHNOLOGIES BY COMPANIES OR ORGANIZATIONS LINKED TO CHINA.

(a) ASSESSMENT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the National Counterintelligence and Security Center, the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, the Secretary of the Treasury, and the heads of such other Federal agencies as the Director of National Intelligence considers appropriate, shall submit to the congressional intelligence committees a comprehensive economic assessment of investment in key United States technologies, including emerging technologies, by companies or organizations linked to China, including the implications of these investments for the national security of the United States.

(b) FORM OF ASSESSMENT.—The assessment submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 403. ANALYSIS OF AND PERIODIC BRIEFINGS ON MAJOR INITIATIVES OF INTELLIGENCE COMMUNITY IN ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING.

(a) ANALYSIS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall, in coordination with the heads of such elements of the intelligence community as the Director considers appropriate—

(A) complete a comprehensive analysis of the major initiatives of the intelligence community in artificial intelligence and machine learning; and

(B) submit to the congressional intelligence committees a report on the findings of the Director with respect to the analysis conducted pursuant to subparagraph (A).

(2) ELEMENTS.—The analysis conducted under paragraph (1)(A) shall include analyses of how the initiatives described in such paragraph—

(A) correspond with the strategy of the intelligence community entitled ''Augmenting Intelligence Using Machines'';

(B) complement each other and avoid unnecessary duplication;

(C) are coordinated with the efforts of the Defense Department on artificial intelligence, including efforts at the Joint Artificial Intelligence Center (JAIC) and Project Maven; and

(D) leverage advances in artificial intelligence and machine learning in the private sector.

(b) PERIODIC BRIEFINGS.—Not later than 30 days after the date of the enactment of this Act, not less frequently than twice each year thereafter until the date that is 2 years after the date of the enactment of this Act, and not less frequently than once each year thereafter until the date that is 7 years after the date of the enactment of this Act, the Director and the Chief Information Officer of the Department of Defense shall jointly provide to the congressional intelligence committees and congressional defense committees (as defined in section 101 of title 10, United States Code) briefings with updates on activities relating to, and the progress of, their respective artificial intelligence and machine learning initiatives, particularly the Augmenting Intelligence Using Machines initiative and the Joint Artificial Intelligence Center.

SEC. 404. ENCOURAGING COOPERATIVE ACTIONS TO DETECT AND COUNTER FOREIGN INFLUENCE OPERATIONS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Russian Federation, through military intelligence units, also known as the ''GRU'', and Kremlin-linked troll organizations often referred to as the ''Internet Research Agency'', deploy information warfare operations against the United States, its allies and partners, with the goal of advancing the strategic interests of the Russian Federation.

(2) One line of effort deployed as part of these information warfare operations is the weaponization of social media platforms with the goals of intensifying societal tensions, undermining trust in governmental institutions within the United States, its allies and partners in the West, and generally sowing division, fear, and confusion.

(3) These information warfare operations are a threat to the national security of the United States and that of the allies and partners of the United States. As Director of National Intelligence Dan Coats stated, ''These actions are persistent, they are pervasive and they are meant to undermine America's democracy.''.

(4) These information warfare operations continue to evolve and increase in sophistication.

(5) Other foreign adversaries and hostile non-state actors will increasingly adopt similar tactics of deploying information warfare operations against the West.

(6) Technological advances, including artificial intelligence, will only make it more difficult in the future to detect fraudulent accounts, deceptive material posted on social media, and malign behavior on social media platforms.

(7) Because these information warfare operations are deployed within and across private social media platforms, the companies that own these platforms have a responsibility to detect and remove foreign adversary networks operating clandestinely on their platforms.

(8) The social media companies are inherently technologically sophisticated and adept at rapidly analyzing large amounts of data and developing software-based solutions to diverse and ever-changing challenges on their platforms, which makes them well-equipped to address the threat occurring on their platforms.

(9) Independent analyses confirmed Kremlin-linked threat networks, based on data provided by several social media companies to the Select Committee on Intelligence of the Senate, thereby demonstrating that it is possible to discern both broad patterns of cross-platform information warfare operations and specific fraudulent behavior on social media platforms.

(10) General Paul Nakasone, Director of the National Security Agency, emphasized the importance of these independent analyses to the planning and conduct of military cyber operations to frustrate Kremlin-linked information warfare operations against the 2018 mid-term elections. General Nakasone stated that the reports ''were very, very helpful in terms of being able to understand exactly what our adversary was trying to do to build dissent within our nation.''.

(11) Institutionalizing ongoing robust, independent, and vigorous analysis of data related to foreign threat networks within and across social media platforms will help counter ongoing information warfare operations against the United States, its allies, and its partners.

(12) Archiving and disclosing to the public the results of these analyses by the social media companies and trusted third-party experts in a transparent manner will serve to demonstrate that the social media companies are detecting and removing foreign malign activities from their platforms while protecting the privacy of the people of the

United States and will build public understanding of the scale and scope of these foreign threats to our democracy, since exposure is one of the most effective means to build resilience.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the social media companies should cooperate among themselves and with independent organizations and researchers on a sustained and regular basis to share and analyze data and indicators relevant to foreign information warfare operations within and across their platforms in order to detect and counter foreign information warfare operations that threaten the national security of the United States and its allies and partners;

(2) these analytic efforts should be organized in such a fashion as to meet the highest standards of ethics, confidentiality, and privacy protection of the people of the United States;

(3) these analytic efforts should be undertaken as soon as possible to facilitate countering ongoing Kremlin, Kremlin-linked, and other foreign information warfare operations and to aid in preparations for the United States presidential and congressional elections in 2020 and beyond;

(4) the structure and operations of social media companies make them well positioned to address foreign adversary threat networks within and across their platforms, and these efforts could be conducted without direct Government involvement, direction, or regulation; and

(5) if the social media industry fails to take sufficient action to address foreign adversary threat networks operating within or across their platforms, Congress would have to consider additional safeguards for ensuring that this threat is effectively mitigated.

(c) AUTHORITY TO FACILITATE ESTABLISHMENT OF SOCIAL MEDIA DATA ANALYSIS CENTER.—

(1) AUTHORITY.—The Director of National Intelligence, in coordination with the Secretary of Defense, may facilitate, by grant or contract or under an existing authority of the Director, the establishment of a Social Media Data Analysis Center with the functions described in paragraph (2) at an independent, nonprofit organization.

(2) FUNCTIONS.—The functions described in this paragraph are the following:

(A) Acting as a convening and sponsoring authority for cooperative social media data analysis of foreign threat networks involving social media companies and third-party experts, nongovernmental organizations, data journalists, federally funded research and development centers, and academic researchers.

(B) Facilitating analysis within and across the individual social media platforms for the purpose of detecting, exposing, and countering clandestine foreign influence operations and related unlawful activities that fund or subsidize such operations.

(C) Developing processes to share information from government entities on foreign influence operations with the individual social media companies to inform threat analysis, and working with the Office of the Director of National Intelligence as appropriate.

(D) Determining and making public criteria for identifying which companies, organizations, or researchers qualify for inclusion in the activities of the Center, and inviting entities that fit the criteria to join.

(E) Determining jointly with the social media companies what data and metadata related to indicators of foreign adversary threat networks from their platforms and business operations will be made available for access and analysis.

(F) Developing and making public the criteria and standards that must be met for companies, other organizations, and individual researchers to access and analyze data relating to foreign adversary threat networks within and across social media platforms and publish or otherwise use the results.

(G) Developing and making public the ethical standards for investigation of foreign threat networks and use of analytic results and for protection of the privacy of the customers and users of the social media platforms and of the proprietary information of the social media companies.

(H) Developing technical, contractual, and procedural controls to prevent misuse of data, including any necessary auditing procedures, compliance checks, and review mechanisms.

(I) Developing and making public criteria and conditions under which the Center shall share information with the appropriate Government agencies regarding threats to national security from, or violations of the law involving, foreign activities on social media platforms.

(J) Developing a searchable, public archive aggregating information related to foreign influence and disinformation operations to build a collective understanding of the threats and facilitate future examination consistent with privacy protections.

(d) REPORTING AND NOTIFICATIONS.—If the Director of National Intelligence chooses to use funds under subsection (c)(1) to facilitate the establishment of the Center, the Director of the Center shall—

(1) not later than March 1, 2020, submit to Congress a report on—

(A) the estimated funding needs of the Center for fiscal year 2021 and for subsequent years;

(B) such statutory protections from liability as the Director considers necessary for the Center, participating social media companies, and participating third-party analytical participants;

(C) such statutory penalties as the Director considers necessary to ensure against misuse of data by researchers; and

(D) such changes to the Center's mission to fully capture broader unlawful activities that intersect with, complement, or support information warfare tactics; and

(2) not less frequently than once each year, submit to the Director of National Intelligence, the Secretary of Defense, and the appropriate congressional committees a report—

(A) that assesses—

(i) degree of cooperation and commitment from the social media companies to the mission of the Center; and

(ii) effectiveness of the Center in detecting and removing clandestine foreign information warfare operations from social media platforms; and

(B) includes such recommendations for legislative or administrative action as the Center considers appropriate to carry out the functions of the Center.

(e) PERIODIC REPORTING TO THE PUBLIC.—The Director of the Center shall—

(1) once each quarter, make available to the public a report on key trends in foreign influence and disinformation operations, including any threats to campaigns and elections, to inform the public of the United States; and

(2) as the Director considers necessary, provide more timely assessments relating to ongoing disinformation campaigns.

(f) FUNDING.—Of the amounts appropriated or otherwise made available to the National Intelligence Program (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) in fiscal year 2020 and 2021, the Director of National Intelligence may use up to $30,000,000 to carry out this section.

(g) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on Foreign Relations of the Senate;

(4) the Committee on the Judiciary of the Senate;

(5) the Select Committee on Intelligence of the Senate;

(6) the Committee on Armed Services of the House of Representatives;

(7) the Committee on Homeland Security of the House of Representatives;

(8) the Committee on Foreign Affairs of the House of Representatives;

(9) the Committee on the Judiciary of the House of Representatives; and

(10) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 405. OVERSIGHT OF FOREIGN INFLUENCE IN ACADEMIA.

(a) DEFINITIONS.—In this section:

(1) COVERED INSTITUTION OF HIGHER EDUCATION.—The term ''covered institution of higher education'' means an institution described in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002) that receives Federal funds in any amount and for any purpose.

(2) SENSITIVE RESEARCH SUBJECT.—The term ''sensitive research subject'' means a subject of research that is carried out at a covered institution of higher education that receives funds that were appropriated for—

(A) the National Intelligence Program; or

(B) any Federal agency the Director of National Intelligence deems appropriate.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Director of National Intelligence, in consultation with such elements of the intelligence community as the Director considers appropriate and consistent with the privacy protections afforded to United States persons, shall submit to congressional intelligence committees a report on risks to sensitive research subjects posed by foreign entities in order to provide Congress and covered institutions of higher education with more complete information on these risks and to help ensure academic freedom.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) A list of sensitive research subjects that could affect national security.

(2) A list of foreign entities, including governments, corporations, nonprofit organizations and for-profit organizations, and any subsidiary or affiliate of such an entity, that the Director determines pose a counterintelligence, espionage (including economic espionage), or other national security threats with respect to sensitive research subjects.

(3) A list of any known or suspected attempts by foreign entities to exert pressure on covered institutions of higher education, including attempts to limit freedom of speech, propagate misinformation or disinformation, or to influence professors, researchers, or students.

(4) Recommendations for collaboration between covered institutions of higher education and the intelligence community to mitigate threats to sensitive research subjects associated with foreign influence in academia, including any necessary legislative or administrative action.

(d) CONGRESSIONAL NOTIFICATIONS REQUIRED.—Not later than 30 days after the date on which the Director identifies a change to either list described in paragraph

(1) or (2) of subsection (c), the Director shall notify the congressional intelligence committees of the change.

SEC. 406. DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON FIFTH-GENERATION WIRELESS NETWORK TECHNOLOGY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on—

(1) the threat to United States national security posed by the global and regional adoption of fifth-generation (5G) wireless network technology built by foreign companies; and

(2) the effect of possible efforts to mitigate the threat.

(b) CONTENTS.—The report required by subsection (a) shall include:

(1) The timeline and scale of global and regional adoption of foreign fifth-generation wireless network technology.

(2) The implications of such global and regional adoption on the cyber and espionage threat to the United States and United States interests as well as to United States cyber and collection capabilities.

(3) The effect of possible mitigation efforts, including:

(A) United States Government policy promoting the use of strong, end-to-end encryption for data transmitted over fifth-generation wireless networks.

(B) United States Government policy promoting or funding free, open-source implementation of fifth-generation wireless network technology.

(C) United States Government subsidies or incentives that could be used to promote the adoption of secure fifth-generation wireless network technology developed by companies of the United States or companies of allies of the United States.

(D) United States Government strategy to reduce foreign influence and political pressure in international standard-setting bodies.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form to the greatest extent practicable, but may include a classified appendix if necessary.

SEC. 407. ANNUAL REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES ON CYBERSECURITY AND SURVEILLANCE THREATS TO CONGRESS.

(a) ANNUAL REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Comptroller General of the United States shall submit to the congressional intelligence committees a report on cybersecurity and surveillance threats to Congress.

(b) STATISTICS.—Each report submitted under subsection (a) shall include statistics on cyber attacks and other incidents of espionage or surveillance targeted against Senators or the immediate families or staff of the Senators, in which the nonpublic communications and other private information of such targeted individuals were lost, stolen, or otherwise subject to unauthorized access by criminals or a foreign government.

(c) CONSULTATION.—In preparing a report to be submitted under subsection (a), the Comptroller General shall consult with the Director of National Intelligence, the Secretary of Homeland Security, and the Sergeant at Arms and Doorkeeper of the Senate.

SEC. 408. DIRECTOR OF NATIONAL INTELLIGENCE ASSESSMENTS OF FOREIGN INTERFERENCE IN ELECTIONS.

(a) ASSESSMENTS REQUIRED.—Not later than 45 days after the conclusion of a United States election, the Director of National Intelligence, in consultation with the heads of such other executive departments and agencies as the Director considers appropriate, shall—

(1) conduct an assessment of any information indicating that a foreign government, or any person acting as an agent of or on behalf of a foreign government, has acted with the intent or purpose of interfering in that election; and

(2) transmit the findings of the Director with respect to the assessment conducted under paragraph (1), along with such supporting information as the Director considers appropriate, to the following:

(A) The President.

(B) The Secretary of State.

(C) The Secretary of the Treasury.

(D) The Secretary of Defense.

(E) The Attorney General.

(F) The Secretary of Homeland Security.

(G) Congress.

(b) ELEMENTS.—An assessment conducted under subsection (a)(1), with respect to an act described in such subsection, shall identify, to the maximum extent ascertainable, the following:

(1) The nature of any foreign interference and any methods employed to execute the act.

(2) The persons involved.

(3) The foreign government or governments that authorized, directed, sponsored, or supported the act.

(c) PUBLICATION.—In a case in which the Director conducts an assessment under subsection (a)(1) with respect to an election, the Director shall, as soon as practicable after the date of the conclusion of such election and not later than 60 days after the date of such conclusion, make available to the public, to the greatest extent possible consistent with the protection of sources and methods, the findings transmitted under subsection (a)(2).

SEC. 409. STUDY ON FEASIBILITY AND ADVISABILITY OF ESTABLISHING GEOSPATIAL-INTELLIGENCE MUSEUM AND LEARNING CENTER.

(a) STUDY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Geospatial-Intelligence Agency shall complete a study on the feasibility and advisability of establishing a Geospatial-Intelligence Museum and learning center.

(b) ELEMENTS.—The study required by subsection (a) shall include the following:

(1) Identifying the costs, opportunities, and challenges of establishing the museum and learning center as described in such subsection.

(2) Developing recommendations concerning such establishment.

(3) Identifying and reviewing lessons learned from the establishment of the Cyber Center for Education and Innovation-Home of the National Cryptologic Museum under section 7781(a) of title 10, United States Code.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees and the congressional defense committees (as defined in section 101 of title 10, United States Code) a report on the findings of the Director with respect to the study completed under subsection (a).

SEC. 410. REPORT ON DEATH OF JAMAL KHASHOGGI.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on the death of Jamal Khashoggi, consistent with protecting sources and methods. Such report shall include identification of those who carried out, participated in, ordered, or were otherwise complicit in or responsible for the death of Jamal Khashoggi.

(b) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form.

DIVISION ___—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS 2018 AND 2019

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2019.—Funds are hereby authorized to be appropriated for fiscal year 2019 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

(b) FISCAL YEAR 2018.—Funds that were appropriated for fiscal year 2018 for the conduct of the intelligence and intelligence-related activities of the elements of the United States set forth in subsection (a) are hereby authorized.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2019 the sum of $522,424,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2019 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2019.

SEC. 202. COMPUTATION OF ANNUITIES FOR EMPLOYEES OF THE CENTRAL INTELLIGENCE AGENCY.

(a) COMPUTATION OF ANNUITIES.—

(1) IN GENERAL.—Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2031) is amended—

(A) in subsection (a)(3)(B), by striking the period at the end and inserting '', as determined by using the annual rate of basic pay that would be payable for full-time service in that position.'';

(B) in subsection (b)(1)(C)(i), by striking ''12-month'' and inserting ''2-year'';

(C) in subsection (f)(2), by striking ''one year'' and inserting ''two years'';

(D) in subsection (g)(2), by striking ''one year'' each place such term appears and inserting ''two years'';

(E) by redesignating subsections (h), (i), (j), (k), and (l) as subsections (i), (j), (k), (l), and (m), respectively; and

(F) by inserting after subsection (g) the following:

''(h) CONDITIONAL ELECTION OF INSURABLE INTEREST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT THE TIME OF RETIREMENT.—

''(1) AUTHORITY TO MAKE DESIGNATION.—Subject to the rights of former spouses under subsection (b) and section 222, at the time of retirement a married participant found by the Director to be in good health may elect to receive an annuity reduced in accordance with subsection (f)(1)(B) and designate in writing an individual having an insurable interest in the participant to receive an annuity under the system after the participant's death, except that any such election to provide an insurable interest survivor annuity to the participant's spouse shall only be effective if the participant's spouse waives the spousal right to a survivor annuity under this Act. The amount of the annuity shall be equal to 55 percent of the participant's reduced annuity.

''(2) REDUCTION IN PARTICIPANT'S ANNUITY.—The annuity payable to the participant making such election shall be reduced by 10 percent of an annuity computed under subsection (a) and by an additional 5 percent for each full 5 years the designated individual is younger than the participant. The total reduction under this subparagraph may not exceed 40 percent.

''(3) COMMENCEMENT OF SURVIVOR ANNUITY.—The annuity payable to the designated individual shall begin on the day after the retired participant dies and terminate on the last day of the month before the designated individual dies.

''(4) RECOMPUTATION OF PARTICIPANT'S ANNUITY ON DEATH OF DESIGNATED INDIVIDUAL.—An annuity that is reduced under this subsection shall, effective the first day of the month following the death of the designated individual, be recomputed and paid as if the annuity had not been so reduced.''.

(2) CONFORMING AMENDMENTS.—

(A) CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.—The Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.) is amended—

(i) in section 232(b)(1) (50 U.S.C. 2052(b)(1)), by striking ''221(h),'' and inserting ''221(i),''; and

(ii) in section 252(h)(4) (50 U.S.C. 2082(h)(4)), by striking ''221(k)'' and inserting ''221(l)''.

(B) CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Subsection (a) of section 14 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3514(a)) is amended by striking ''221(h)(2), 221(i), 221(l),'' and inserting ''221(i)(2), 221(j), 221(m),''.

(b) ANNUITIES FOR FORMER SPOUSES.—Subparagraph (B) of section 222(b)(5) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2032(b)(5)(B)) is amended by striking ''one year'' and inserting ''two years''.

(c) PRIOR SERVICE CREDIT.—Subparagraph (A) of section 252(b)(3) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2082(b)(3)(A)) is amended by striking ''October 1, 1990'' both places that term appears and inserting ''March 31, 1991''.

(d) REEMPLOYMENT COMPENSATION.—Section 273 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2113) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

''(b) PART-TIME REEMPLOYED ANNUITANTS.—The Director shall have the authority to reemploy an annuitant on a part-time basis in accordance with section 8344(l) of title 5, United States Code.''.

(e) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsection (a)(1)(A) and subsection (c) shall take effect as if enacted on October 28, 2009, and shall apply to computations or participants, respectively, as of such date.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. MODIFICATION OF SPECIAL PAY AUTHORITY FOR SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS POSITIONS AND ADDITION OF SPECIAL PAY AUTHORITY FOR CYBER POSITIONS.

Section 113B of the National Security Act of 1947 (50 U.S.C. 3049a) is amended—

(1) by amending subsection (a) to read as follows:

''(a) SPECIAL RATES OF PAY FOR POSITIONS REQUIRING EXPERTISE IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.—

''(1) IN GENERAL.—Notwithstanding part III of title 5, United States Code, the head of each element of the intelligence community may, for 1 or more categories of positions in such element that require expertise in science, technology, engineering, or mathematics—

''(A) establish higher minimum rates of pay; and

''(B) make corresponding increases in all rates of pay of the pay range for each grade or level, subject to subsection (b) or (c), as applicable.

''(2) TREATMENT.—The special rate supplements resulting from the establishment of higher rates under paragraph (1) shall be basic pay for the same or similar purposes as those specified in section 5305(j) of title 5, United States Code.'';

(2) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

(3) by inserting after subsection (a) the following:

''(b) SPECIAL RATES OF PAY FOR CYBER POSITIONS.—

''(1) IN GENERAL.—Notwithstanding subsection (c), the Director of the National Security Agency may establish a special rate of pay—

''(A) not to exceed the rate of basic pay payable for level II of the Executive Schedule under section 5313 of title 5, United States Code, if the Director certifies to the Under Secretary of Defense for Intelligence, in consultation with the Under Secretary of Defense for Personnel and Readiness, that the rate of pay is for positions that perform functions that execute the cyber mission of the Agency; or

''(B) not to exceed the rate of basic pay payable for the Vice President of the United States under section 104 of title 3, United States Code, if the Director certifies to the Secretary of Defense, by name, individuals that have advanced skills and competencies and that perform critical functions that execute the cyber mission of the Agency.

''(2) PAY LIMITATION.—Employees receiving a special rate under paragraph (1) shall be subject to an aggregate pay limitation that parallels the limitation established in section 5307 of title 5, United States Code, except that—

''(A) any allowance, differential, bonus, award, or other similar cash payment in addition to basic pay that is authorized under title 10, United States Code, (or any other applicable law in addition to title 5 of such Code, excluding the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.)) shall also be counted as part of aggregate compensation; and

''(B) aggregate compensation may not exceed the rate established for the Vice President of the United States under section 104 of title 3, United States Code.

''(3) LIMITATION ON NUMBER OF RECIPIENTS.—The number of individuals who receive basic pay established under paragraph (1)(B) may not exceed 100 at any time.

''(4) LIMITATION ON USE AS COMPARATIVE REFERENCE.—Notwithstanding any other provision of law, special rates of pay and the limitation established under paragraph (1)(B) may not be used as comparative references for the purpose of fixing the rates of basic pay or maximum pay limitations of qualified positions under section 1599f of title 10, United States Code, or section 226 of the Homeland Security Act of 2002 (6 U.S.C. 147).'';

(4) in subsection (c), as redesignated by paragraph (2), by striking ''A minimum'' and inserting ''Except as provided in subsection (b), a minimum'';

(5) in subsection (d), as redesignated by paragraph (2), by inserting ''or (b)'' after ''by subsection (a)''; and

(6) in subsection (g), as redesignated by paragraph (2)—

(A) in paragraph (1), by striking ''Not later than 90 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2017'' and inserting ''Not later than 90 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019''; and

(B) in paragraph (2)(A), by inserting ''or (b)'' after ''subsection (a)''.

SEC. 304. MODIFICATION OF APPOINTMENT OF CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103G(a) of the National Security Act of 1947 (50 U.S.C. 3032(a)) is amended by striking ''President'' and inserting ''Director''.

SEC. 305. DIRECTOR OF NATIONAL INTELLIGENCE REVIEW OF PLACEMENT OF POSITIONS WITHIN THE INTELLIGENCE COMMUNITY ON THE EXECUTIVE SCHEDULE.

(a) REVIEW.—The Director of National Intelligence, in coordination with the Director of the Office of Personnel Management, shall conduct a review of positions within the intelligence community regarding the placement of such positions on the Executive Schedule under subchapter II of chapter 53 of title 5, United States Code. In carrying out such review, the Director of National Intelligence, in coordination with the Director of the Office of Personnel Management, shall determine—

(1) the standards under which such review will be conducted;

(2) which positions should or should not be on the Executive Schedule; and

(3) for those positions that should be on the Executive Schedule, the level of the Executive Schedule at which such positions should be placed.

(b) REPORT.—Not later than 60 days after the date on which the review under subsection (a) is completed, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Reform of the House of Representatives an unredacted report describing the standards by which the review was conducted and the outcome of the review.

SEC. 306. SUPPLY CHAIN AND COUNTERINTELLIGENCE RISK MANAGEMENT TASK FORCE.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on Armed Services, the Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives.

(b) REQUIREMENT TO ESTABLISH.—The Director of National Intelligence shall establish a Supply Chain and Counterintelligence Risk Management Task Force to standardize information sharing between the intelligence community and the acquisition community of the United States Government with respect to the supply chain and counterintelligence risks.

(c) MEMBERS.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall be composed of—

(1) a representative of the Defense Security Service of the Department of Defense;

(2) a representative of the General Services Administration;

(3) a representative of the Office of Federal Procurement Policy of the Office of Management and Budget;

(4) a representative of the Department of Homeland Security;

(5) a representative of the Federal Bureau of Investigation;

(6) the Director of the National Counterintelligence and Security Center; and

(7) any other members the Director of National Intelligence determines appropriate.

(d) SECURITY CLEARANCES.—Each member of the Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall have a security clearance at the top secret level and be able to access sensitive compartmented information.

(e) ANNUAL REPORT.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall submit to the appropriate congressional committees an annual report that describes the activities of the Task Force during the previous year, including identification of the supply chain and counterintelligence risks shared with the acquisition community of the United States Government by the intelligence community.

SEC. 307. CONSIDERATION OF ADVERSARIAL TELECOMMUNICATIONS AND CYBERSECURITY INFRASTRUCTURE WHEN SHARING INTELLIGENCE WITH FOREIGN GOVERNMENTS AND ENTITIES.

Whenever the head of an element of the intelligence community enters into an intelligence sharing agreement with a foreign government or any other foreign entity, the head of the element shall consider the pervasiveness of telecommunications and cybersecurity infrastructure, equipment, and services provided by adversaries of the United States, particularly China and Russia, or entities of such adversaries in the country or region of the foreign government or other foreign entity entering into the agreement.

SEC. 308. CYBER PROTECTION SUPPORT FOR THE PERSONNEL OF THE INTELLIGENCE COMMUNITY IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) DEFINITIONS.—In this section:

(1) PERSONAL ACCOUNTS.—The term ''personal accounts'' means accounts for online and telecommunications services, including telephone, residential Internet access, email, text and multimedia messaging, cloud computing, social media, health care, and financial services, used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community.

(2) PERSONAL TECHNOLOGY DEVICES.—The term ''personal technology devices'' means technology devices used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community, including networks to which such devices connect.

(b) AUTHORITY TO PROVIDE CYBER PROTECTION SUPPORT.—

(1) IN GENERAL.—Subject to a determination by the Director of National Intelligence, the Director may provide cyber protection support for the personal technology devices and personal accounts of the personnel described in paragraph (2).

(2) AT-RISK PERSONNEL.—The personnel described in this paragraph are personnel of the intelligence community—

(A) who the Director determines to be highly vulnerable to cyber attacks and hostile information collection activities because of the positions occupied by such personnel in the intelligence community; and

(B) whose personal technology devices or personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(c) NATURE OF CYBER PROTECTION SUPPORT.—Subject to the availability of resources, the cyber protection support provided to personnel under subsection (b) may include training, advice, assistance, and other services relating to cyber attacks and hostile information collection activities.

(d) LIMITATION ON SUPPORT.—Nothing in this section shall be construed—

(1) to encourage personnel of the intelligence community to use personal technology devices for official business; or

(2) to authorize cyber protection support for senior intelligence community personnel using personal devices, networks, and personal accounts in an official capacity.

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the

Director shall submit to the congressional intelligence committees a report on the provision of cyber protection support under subsection (b). The report shall include—

(1) a description of the methodology used to make the determination under subsection (b)(2); and

(2) guidance for the use of cyber protection support and tracking of support requests for personnel receiving cyber protection support under subsection (b).

SEC. 309. MODIFICATION OF AUTHORITY RELATING TO MANAGEMENT OF SUPPLY-CHAIN RISK.

(a) MODIFICATION OF EFFECTIVE DATE.—Subsection (f) of section 309 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–87; 50 U.S.C. 3329 note) is amended by striking ''the date that is 180 days after''.

(b) REPEAL OF SUNSET.—Such section is amended by striking subsection (g).

(c) REPORTS.—Such section, as amended by subsection (b), is further amended—

(1) by redesignating subsection (f), as amended by subsection (a), as subsection (g); and

(2) by inserting after subsection (e) the following:

''(f) ANNUAL REPORTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), not later than 180 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019 and not less frequently than once each calendar year thereafter, the Director of National Intelligence shall, in consultation with each head of a covered agency, submit to the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), a report that details the determinations and notifications made under subsection (c) during the most recently completed calendar year.

''(2) INITIAL REPORT.—The first report submitted under paragraph (1) shall detail all the determinations and notifications made under subsection (c) before the date of the submittal of the report.''.

SEC. 310. LIMITATIONS ON DETERMINATIONS REGARDING CERTAIN SECURITY CLASSIFICATIONS.

(a) PROHIBITION.—An officer of an element of the intelligence community who has been nominated by the President for a position that requires the advice and consent of the Senate may not make a classification decision with respect to information related to such officer's nomination.

(b) CLASSIFICATION DETERMINATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), in a case in which an officer described in subsection (a) has been nominated as described in such subsection and classification authority rests with the officer or another officer who reports directly to such officer, a classification decision with respect to information relating to the officer shall be made by the Director of National Intelligence.

(2) NOMINATIONS OF DIRECTOR OF NATIONAL INTELLIGENCE.—In a case described in paragraph (1) in which the officer nominated is the Director of National Intelligence, the classification decision shall be made by the Principal Deputy Director of National Intelligence.

(c) REPORTS.—Whenever the Director or the Principal Deputy Director makes a decision under subsection (b), the Director or the Principal Deputy Director, as the case may be, shall submit to the congressional intelligence committees a report detailing the reasons for the decision.

SEC. 311. JOINT INTELLIGENCE COMMUNITY COUNCIL.

(a) MEETINGS.—Section 101A(d) of the National Security Act of 1947 (50 U.S.C. 3022(d)) is amended—

(1) by striking ''regular''; and

(2) by inserting ''as the Director considers appropriate'' after ''Council''.

(b) REPORT ON FUNCTION AND UTILITY OF THE JOINT INTELLIGENCE COMMUNITY COUNCIL.—

(1) IN GENERAL.—No later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Executive Office of the President and members of the Joint Intelligence Community Council, shall submit to the congressional intelligence committees a report on the function and utility of the Joint Intelligence Community Council.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) The number of physical or virtual meetings held by the Council per year since the Council's inception.

(B) A description of the effect and accomplishments of the Council.

(C) An explanation of the unique role of the Council relative to other entities, including with respect to the National Security Council and the Executive Committee of the intelligence community.

(D) Recommendations for the future role and operation of the Council.

(E) Such other matters relating to the function and utility of the Council as the Director considers appropriate.

(3) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 312. INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

(a) DEFINITIONS.—In this section:

(1) CORE SERVICE.—The term ''core service'' means a capability that is available to multiple elements of the intelligence community and required for consistent operation of the intelligence community information technology environment.

(2) INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.—The term ''intelligence community information technology environment'' means all of the information technology services across the intelligence community, including the data sharing and protection environment across multiple classification domains.

(b) ROLES AND RESPONSIBILITIES.—

(1) DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall be responsible for coordinating the performance by elements of the intelligence community of the intelligence community information technology environment, including each of the following:

(A) Ensuring compliance with all applicable environment rules and regulations of such environment.

(B) Ensuring measurable performance goals exist for such environment.

(C) Documenting standards and practices of such environment.

(D) Acting as an arbiter among elements of the intelligence community related to any disagreements arising out of the implementation of such environment.

(E) Delegating responsibilities to the elements of the intelligence community and carrying out such other responsibilities as are necessary for the effective implementation of such environment.

(2) CORE SERVICE PROVIDERS.—Providers of core services shall be responsible for—

(A) providing core services, in coordination with the Director of National Intelligence; and

(B) providing the Director with information requested and required to fulfill the responsibilities of the Director under paragraph (1).

(3) USE OF CORE SERVICES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each element of the intelligence community shall use core services when such services are available.

(B) EXCEPTION.—The Director of National Intelligence may provide for a written exception to the requirement under subparagraph (A) if the Director determines there is a compelling financial or mission need for such exception.

(c) MANAGEMENT ACCOUNTABILITY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall designate and maintain one or more accountable executives of the intelligence community information technology environment to be responsible for—

(1) management, financial control, and integration of such environment;

(2) overseeing the performance of each core service, including establishing measurable service requirements and schedules;

(3) to the degree feasible, ensuring testing of each core service of such environment, including testing by the intended users, to evaluate performance against measurable service requirements and to ensure the capability meets user requirements; and

(4) coordinate transition or restructuring efforts of such environment, including phase-out of legacy systems.

(d) SECURITY PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall develop and maintain a security plan for the intelligence community information technology environment.

(e) LONG-TERM ROADMAP.—Not later than 180 days after the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a long-term roadmap that shall include each of the following:

(1) A description of the minimum required and desired core service requirements, including—

(A) key performance parameters; and

(B) an assessment of current, measured performance.

(2) implementation milestones for the intelligence community information technology environment, including each of the following:

(A) A schedule for expected deliveries of core service capabilities during each of the following phases:

(i) Concept refinement and technology maturity demonstration.

(ii) Development, integration, and demonstration.

(iii) Production, deployment, and sustainment.

(iv) System retirement.

(B) Dependencies of such core service capabilities.

(C) Plans for the transition or restructuring necessary to incorporate core service capabilities.

(D) A description of any legacy systems and discontinued capabilities to be phased out.

(3) Such other matters as the Director determines appropriate.

(f) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a business plan that includes each of the following:

(1) A systematic approach to identify core service funding requests for the intelligence

community information technology environment within the proposed budget, including multiyear plans to implement the long-term roadmap required by subsection (e).

(2) A uniform approach by which each element of the intelligence community shall identify the cost of legacy information technology or alternative capabilities where services of the intelligence community information technology environment will also be available.

(3) A uniform effort by which each element of the intelligence community shall identify transition and restructuring costs for new, existing, and retiring services of the intelligence community information technology environment, as well as services of such environment that have changed designations as a core service.

(g) QUARTERLY PRESENTATIONS.—Beginning not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the congressional intelligence committees quarterly updates regarding ongoing implementation of the intelligence community information technology environment as compared to the requirements in the most recently submitted security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f).

(h) ADDITIONAL NOTIFICATIONS.—The Director of National Intelligence shall provide timely notification to the congressional intelligence committees regarding any policy changes related to or affecting the intelligence community information technology environment, new initiatives or strategies related to or impacting such environment, and changes or deficiencies in the execution of the security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f)

(i) SUNSET.—The section shall have no effect on or after September 30, 2024.

SEC. 313. REPORT ON DEVELOPMENT OF SECURE MOBILE VOICE SOLUTION FOR INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency and the Director of the National Security Agency, shall submit to the congressional intelligence committees a classified report on the feasibility, desirability, cost, and required schedule associated with the implementation of a secure mobile voice solution for the intelligence community.

(b) CONTENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) The benefits and disadvantages of a secure mobile voice solution.

(2) Whether the intelligence community could leverage commercially available technology for classified voice communications that operates on commercial mobile networks in a secure manner and identifying the accompanying security risks to such networks.

(3) A description of any policies or community guidance that would be necessary to govern the potential solution, such as a process for determining the appropriate use of a secure mobile telephone and any limitations associated with such use.

SEC. 314. POLICY ON MINIMUM INSIDER THREAT STANDARDS.

(a) POLICY REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall establish a policy for minimum insider threat standards that is consistent with the National Insider Threat Policy and Minimum Standards for Executive Branch Insider Threat Programs.

(b) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the head of each element of the intelligence community shall implement the policy established under subsection (a).

SEC. 315. SUBMISSION OF INTELLIGENCE COMMUNITY POLICIES.

(a) DEFINITIONS.—In this section:

(1) ELECTRONIC REPOSITORY.—The term ''electronic repository'' means the electronic distribution mechanism, in use as of the date of the enactment of this Act, or any successor electronic distribution mechanism, by which the Director of National Intelligence submits to the congressional intelligence committees information.

(2) POLICY.—The term ''policy'', with respect to the intelligence community, includes unclassified or classified—

(A) directives, policy guidance, and policy memoranda of the intelligence community;

(B) executive correspondence of the Director of National Intelligence; and

(C) any equivalent successor policy instruments.

(b) SUBMISSION OF POLICIES.—

(1) CURRENT POLICY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees using the electronic repository all nonpublicly available policies issued by the Director of National Intelligence for the intelligence community that are in effect as of the date of the submission.

(2) CONTINUOUS UPDATES.—Not later than 15 days after the date on which the Director of National Intelligence issues, modifies, or rescinds a policy of the intelligence community, the Director shall—

(A) notify the congressional intelligence committees of such addition, modification, or removal; and

(B) update the electronic repository with respect to such addition, modification, or removal.

SEC. 316. EXPANSION OF INTELLIGENCE COMMUNITY RECRUITMENT EFFORTS.

In order to further increase the diversity of the intelligence community workforce, not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with heads of elements of the Intelligence Community, shall create, implement, and submit to the congressional intelligence committees a written plan to ensure that rural and underrepresented regions are more fully and consistently represented in such elements' employment recruitment efforts. Upon receipt of the plan, the congressional committees shall have 60 days to submit comments to the Director of National Intelligence before such plan shall be implemented.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. AUTHORITY FOR PROTECTION OF CURRENT AND FORMER EMPLOYEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by striking ''such personnel of the Office of the Director of National Intelligence as the Director of National Intelligence may designate;'' and inserting ''current and former personnel of the Office of the Director of National Intelligence and their immediate families as the Director of National Intelligence may designate;''.

SEC. 402. DESIGNATION OF THE PROGRAM MANAGER-INFORMATION SHARING ENVIRONMENT.

(a) INFORMATION SHARING ENVIRONMENT.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

(1) in paragraph (1), by striking ''President'' and inserting ''Director of National Intelligence''; and

(2) in paragraph (2), by striking ''President'' both places that term appears and inserting ''Director of National Intelligence''.

(b) PROGRAM MANAGER.—Section 1016(f)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(f)(1)) is amended by striking ''The individual designated as the program manager shall serve as program manager until removed from service or replaced by the President (at the President's sole discretion).'' and inserting ''Beginning on the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019, each individual designated as the program manager shall be appointed by the Director of National Intelligence.''.

SEC. 403. TECHNICAL MODIFICATION TO THE EXECUTIVE SCHEDULE.

Section 5315 of title 5, United States Code, is amended by adding at the end the following:

''Director of the National Counterintelligence and Security Center.''.

SEC. 404. CHIEF FINANCIAL OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103I(a) of the National Security Act of 1947 (50 U.S.C. 3034(a)) is amended by adding at the end the following new sentence: ''The Chief Financial Officer shall report directly to the Director of National Intelligence.''.

SEC. 405. CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103G(a) of the National Security Act of 1947 (50 U.S.C. 3032(a)) is amended by adding at the end the following new sentence: ''The Chief Information Officer shall report directly to the Director of National Intelligence.''.

Subtitle B—Central Intelligence Agency

SEC. 411. CENTRAL INTELLIGENCE AGENCY SUBSISTENCE FOR PERSONNEL ASSIGNED TO AUSTERE LOCATIONS.

Subsection (a) of section 5 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506) is amended—

(1) in paragraph (1), by striking ''(50 U.S.C. 403–4a).,'' and inserting ''(50 U.S.C. 403–4a),'';

(2) in paragraph (6), by striking ''and'' at the end;

(3) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following new paragraph (8):

''(8) Upon the approval of the Director, provide, during any fiscal year, with or without reimbursement, subsistence to any personnel assigned to an overseas location designated by the Agency as an austere location.''.

SEC. 412. EXPANSION OF SECURITY PROTECTIVE SERVICE JURISDICTION OF THE CENTRAL INTELLIGENCE AGENCY.

Subsection (a) of section 15 of the Central Intelligence Act of 1949 (50 U.S.C. 3515(a)) is amended—

(1) in the subsection heading, by striking ''POLICEMEN'' and inserting ''POLICE OFFICERS''; and

(2) in paragraph (1)—

(A) in subparagraph (B), by striking ''500 feet;'' and inserting ''500 yards;''; and

(B) in subparagraph (D), by striking ''500 feet.'' and inserting ''500 yards.''.

SEC. 413. REPEAL OF FOREIGN LANGUAGE PROFICIENCY REQUIREMENT FOR CERTAIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGENCY.

(a) REPEAL OF FOREIGN LANGUAGE PROFICIENCY REQUIREMENT.—Section 104A of the National Security Act of 1947 (50 U.S.C. 3036) is amended by striking subsection (g).

(b) CONFORMING REPEAL OF REPORT REQUIREMENT.—Section 611 of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487) is amended by striking subsection (c).

Subtitle C—Office of Intelligence and Counterintelligence of Department of Energy

SEC. 421. CONSOLIDATION OF DEPARTMENT OF ENERGY OFFICES OF INTELLIGENCE AND COUNTERINTELLIGENCE.

(a) IN GENERAL.—Section 215 of the Department of Energy Organization Act (42 U.S.C. 7144b) is amended to read as follows:

''OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE

''SEC. 215. (a) DEFINITIONS.—In this section, the terms 'intelligence community' and 'National Intelligence Program' have the meanings given such terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(b) IN GENERAL.—There is in the Department an Office of Intelligence and Counterintelligence. Such office shall be under the National Intelligence Program.

''(c) DIRECTOR.—(1) The head of the Office shall be the Director of the Office of Intelligence and Counterintelligence, who shall be an employee in the Senior Executive Service, the Senior Intelligence Service, the Senior National Intelligence Service, or any other Service that the Secretary, in coordination with the Director of National Intelligence, considers appropriate. The Director of the Office shall report directly to the Secretary.

''(2) The Secretary shall select an individual to serve as the Director from among individuals who have substantial expertise in matters relating to the intelligence community, including foreign intelligence and counterintelligence.

''(d) DUTIES.—(1) Subject to the authority, direction, and control of the Secretary, the Director shall perform such duties and exercise such powers as the Secretary may prescribe.

''(2) The Director shall be responsible for establishing policy for intelligence and counterintelligence programs and activities at the Department.''.

(b) CONFORMING REPEAL.—Section 216 of the Department of Energy Organization Act (42 U.S.C. 7144c) is hereby repealed.

(c) CLERICAL AMENDMENT.—The table of contents at the beginning of the Department of Energy Organization Act is amended by striking the items relating to sections 215 and 216 and inserting the following new item:

''215. Office of Intelligence and Counterintelligence.''.

SEC. 422. REPEAL OF DEPARTMENT OF ENERGY INTELLIGENCE EXECUTIVE COMMITTEE AND BUDGET REPORTING REQUIREMENT.

Section 214 of the Department of Energy Organization Act (42 U.S.C. 7144a) is amended—

(1) by striking ''(a) DUTY OF SECRETARY.—''; and

(2) by striking subsections (b) and (c).

Subtitle D—Other Elements

SEC. 431. PLAN FOR DESIGNATION OF COUNTERINTELLIGENCE COMPONENT OF DEFENSE SECURITY SERVICE AS AN ELEMENT OF INTELLIGENCE COMMUNITY.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and Under Secretary of Defense for Intelligence, in coordination with the Director of the National Counterintelligence and Security Center, shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a plan to designate the counterintelligence component of the Defense Security Service of the Department of Defense as an element of the intelligence community by not later than January 1, 2019. Such plan shall—

(1) address the implications of such designation on the authorities, governance, personnel, resources, information technology, collection, analytic products, information sharing, and business processes of the Defense Security Service and the intelligence community; and

(2) not address the personnel security functions of the Defense Security Service.

SEC. 432. NOTICE NOT REQUIRED FOR PRIVATE ENTITIES.

Section 3553 of title 44, United States Code, is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following:

''(j) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Secretary to provide notice to any private entity before the Secretary issues a binding operational directive under subsection (b)(2).''.

SEC. 433. FRAMEWORK FOR ROLES, MISSIONS, AND FUNCTIONS OF DEFENSE INTELLIGENCE AGENCY.

(a) IN GENERAL.—The Director of National Intelligence and the Secretary of Defense shall jointly establish a framework to ensure the appropriate balance of resources for the roles, missions, and functions of the Defense Intelligence Agency in its capacity as an element of the intelligence community and as a combat support agency. The framework shall include supporting processes to provide for the consistent and regular reevaluation of the responsibilities and resources of the Defense Intelligence Agency to prevent imbalanced priorities, insufficient or misaligned resources, and the unauthorized expansion of mission parameters.

(b) MATTERS FOR INCLUSION.—The framework required under subsection (a) shall include each of the following:

(1) A lexicon providing for consistent definitions of relevant terms used by both the intelligence community and the Department of Defense, including each of the following:

(A) Defense intelligence enterprise.
(B) Enterprise manager.
(C) Executive agent.
(D) Function.
(E) Functional manager.
(F) Mission.
(G) Mission manager.
(H) Responsibility.
(I) Role.
(J) Service of common concern.

(2) An assessment of the necessity of maintaining separate designations for the intelligence community and the Department of Defense for intelligence functional or enterprise management constructs.

(3) A repeatable process for evaluating the addition, transfer, or elimination of defense intelligence missions, roles, and functions, currently performed or to be performed in the future by the Defense Intelligence Agency, which includes each of the following:

(A) A justification for the addition, transfer, or elimination of a mission, role, or function.

(B) The identification of which, if any, element of the Federal Government performs the considered mission, role, or function.

(C) In the case of any new mission, role, or function—

(i) an assessment of the most appropriate agency or element to perform such mission, role, or function, taking into account the resource profiles, scope of responsibilities, primary customers, and existing infrastructure necessary to support such mission, role, or function; and

(ii) a determination of the appropriate resource profile and an identification of the projected resources needed and the proposed source of such resources over the future-years defense program, to be provided in writing to any elements of the intelligence community or the Department of Defense affected by the assumption, transfer, or elimination of any mission, role, or function.

(D) In the case of any mission, role, or function proposed to be assumed, transferred, or eliminated, an assessment, which shall be completed jointly by the heads of each element affected by such assumption, transfer, or elimination, of the risks that would be assumed by the intelligence community and the Department if such mission, role, or function is assumed, transferred, or eliminated.

(E) A description of how determinations are made regarding the funding of programs and activities under the National Intelligence Program and the Military Intelligence Program, including—

(i) which programs or activities are funded under each such Program;

(ii) which programs or activities should be jointly funded under both such Programs and how determinations are made with respect to funding allocations for such programs and activities; and

(iii) the thresholds and process for changing a program or activity from being funded under one such Program to being funded under the other such Program.

SEC. 434. ESTABLISHMENT OF ADVISORY BOARD FOR NATIONAL RECONNAISSANCE OFFICE.

(a) ESTABLISHMENT.—Section 106A of the National Security Act of 1947 (50 U.S.C. 3041a) is amended by adding at the end the following new subsection:

''(d) ADVISORY BOARD.—

''(1) ESTABLISHMENT.—There is established in the National Reconnaissance Office an advisory board (in this section referred to as the 'Board').

''(2) DUTIES.—The Board shall—

''(A) study matters relating to the mission of the National Reconnaissance Office, including with respect to promoting innovation, competition, and resilience in space, overhead reconnaissance, acquisition, and other matters; and

''(B) advise and report directly to the Director with respect to such matters.

''(3) MEMBERS.—

''(A) NUMBER AND APPOINTMENT.—

''(i) IN GENERAL.—The Board shall be composed of 5 members appointed by the Director from among individuals with demonstrated academic, government, business, or other expertise relevant to the mission and functions of the National Reconnaissance Office.

''(ii) NOTIFICATION.—Not later than 30 days after the date on which the Director appoints a member to the Board, the Director shall notify the congressional intelligence committees and the congressional defense committees (as defined in section 101(a) of title 10, United States Code) of such appointment.

''(B) TERMS.—Each member shall be appointed for a term of 2 years. Except as provided by subparagraph (C), a member may not serve more than 3 terms.

''(C) VACANCY.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

''(D) CHAIR.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

''(E) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

''(F) EXECUTIVE SECRETARY.—The Director may appoint an executive secretary, who shall be an employee of the National Reconnaissance Office, to support the Board.

''(4) MEETINGS.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

''(5) REPORTS.—Not later than March 31 of each year, the Board shall submit to the Director and to the congressional intelligence committees a report on the activities and significant findings of the Board during the preceding year.

''(6) NONAPPLICABILITY OF CERTAIN REQUIREMENTS.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

''(7) TERMINATION.—The Board shall terminate on the date that is 3 years after the date of the first meeting of the Board.''.

(b) INITIAL APPOINTMENTS.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Reconnaissance Office shall appoint the initial 5 members to the advisory board under subsection (d) of section 106A of the National Security Act of 1947 (50 U.S.C. 3041a), as added by subsection (a).

SEC. 435. COLLOCATION OF CERTAIN DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT FIELD LOCATIONS.

(a) IDENTIFICATION OF OPPORTUNITIES FOR COLLOCATION.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall identify, in consultation with the Commissioner of U.S. Customs and Border Protection, the Administrator of the Transportation Security Administration, the Director of U.S. Immigration and Customs Enforcement, and the heads of such other elements of the Department of Homeland Security as the Under Secretary considers appropriate, opportunities for collocation of officers of the Office of Intelligence and Analysis in the field outside of the greater Washington, District of Columbia, area in order to support operational units from U.S. Customs and Border Protection, the Transportation Security Administration, U.S. Immigration and Customs Enforcement, and other elements of the Department of Homeland Security.

(b) PLAN FOR COLLOCATION.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary shall submit to the congressional intelligence committees a report that includes a plan for collocation as described in subsection (a).

TITLE V—ELECTION MATTERS

SEC. 501. REPORT ON CYBER ATTACKS BY FOREIGN GOVERNMENTS AGAINST UNITED STATES ELECTION INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Homeland Security of the House of Representatives;

(D) the Committee on Foreign Relations of the Senate; and

(E) the Committee on Foreign Affairs of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(3) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall submit to congressional leadership and the appropriate congressional committees a report on cyber attacks and attempted cyber attacks by foreign governments on United States election infrastructure in States and localities in connection with the 2016 Presidential election in the United States and such cyber attacks or attempted cyber attacks as the Under Secretary anticipates against such infrastructure. Such report shall identify the States and localities affected and shall include cyber attacks and attempted cyber attacks against voter registration databases, voting machines, voting-related computer networks, and the networks of Secretaries of State and other election officials of the various States.

(c) FORM.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 502. REVIEW OF INTELLIGENCE COMMUNITY'S POSTURE TO COLLECT AGAINST AND ANALYZE RUSSIAN EFFORTS TO INFLUENCE THE PRESIDENTIAL ELECTION.

(a) REVIEW REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) complete an after action review of the posture of the intelligence community to collect against and analyze efforts of the Government of Russia to interfere in the 2016 Presidential election in the United States; and

(2) submit to the congressional intelligence committees a report on the findings of the Director with respect to such review.

(b) ELEMENTS.—The review required by subsection (a) shall include, with respect to the posture and efforts described in paragraph (1) of such subsection, the following:

(1) An assessment of whether the resources of the intelligence community were properly aligned to detect and respond to the efforts described in subsection (a)(1).

(2) An assessment of the information sharing that occurred within elements of the intelligence community.

(3) An assessment of the information sharing that occurred between elements of the intelligence community.

(4) An assessment of applicable authorities necessary to collect on any such efforts and any deficiencies in those authorities.

(5) A review of the use of open source material to inform analysis and warning of such efforts.

(6) A review of the use of alternative and predictive analysis.

(c) FORM OF REPORT.—The report required by subsection (a)(2) shall be submitted to the congressional intelligence committees in a classified form.

SEC. 503. ASSESSMENT OF FOREIGN INTELLIGENCE THREATS TO FEDERAL ELECTIONS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(3) SECURITY VULNERABILITY.—The term ''security vulnerability'' has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(b) IN GENERAL.—The Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the heads of other relevant elements of the intelligence community, shall—

(1) commence not later than 1 year before any regularly scheduled Federal election occurring after December 31, 2018, and complete not later than 180 days before such election, an assessment of security vulnerabilities of State election systems; and

(2) not later than 180 days before any regularly scheduled Federal election occurring after December 31, 2018, submit a report on such security vulnerabilities and an assessment of foreign intelligence threats to the election to—

(A) congressional leadership; and

(B) the appropriate congressional committees.

(c) UPDATE.—Not later than 90 days before any regularly scheduled Federal election occurring after December 31, 2018, the Director of National Intelligence shall—

(1) update the assessment of foreign intelligence threats to that election; and

(2) submit the updated assessment to—

(A) congressional leadership; and

(B) the appropriate congressional committees.

SEC. 504. STRATEGY FOR COUNTERING RUSSIAN CYBER THREATS TO UNITED STATES ELECTIONS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(4) The Committee on Foreign Relations of the Senate.

(5) The Committee on Foreign Affairs of the House of Representatives.

(b) REQUIREMENT FOR A STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, the Secretary of State, the Secretary of Defense, and the Secretary of the Treasury,

shall develop a whole-of-government strategy for countering the threat of Russian cyber attacks and attempted cyber attacks against electoral systems and processes in the United States, including Federal, State, and local election systems, voter registration databases, voting tabulation equipment, and equipment and processes for the secure transmission of election results.

(c) ELEMENTS OF THE STRATEGY.—The strategy required by subsection (b) shall include the following elements:

(1) A whole-of-government approach to protecting United States electoral systems and processes that includes the agencies and departments indicated in subsection (b) as well as any other agencies and departments of the United States, as determined appropriate by the Director of National Intelligence and the Secretary of Homeland Security.

(2) Input solicited from Secretaries of State of the various States and the chief election officials of the States.

(3) Technical security measures, including auditable paper trails for voting machines, securing wireless and Internet connections, and other technical safeguards.

(4) Detection of cyber threats, including attacks and attempted attacks by Russian government or nongovernment cyber threat actors.

(5) Improvements in the identification and attribution of Russian government or nongovernment cyber threat actors.

(6) Deterrence, including actions and measures that could or should be undertaken against or communicated to the Government of Russia or other entities to deter attacks against, or interference with, United States election systems and processes.

(7) Improvements in Federal Government communications with State and local election officials.

(8) Public education and communication efforts.

(9) Benchmarks and milestones to enable the measurement of concrete steps taken and progress made in the implementation of the strategy.

(d) CONGRESSIONAL BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Homeland Security shall jointly brief the appropriate congressional committees on the strategy developed under subsection (b).

SEC. 505. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLUENCE CAMPAIGNS DIRECTED AT FOREIGN ELECTIONS AND REFERENDA.

(a) RUSSIAN INFLUENCE CAMPAIGN DEFINED.—In this section, the term ''Russian influence campaign'' means any effort, covert or overt, and by any means, attributable to the Russian Federation directed at an election, referendum, or similar process in a country other than the Russian Federation or the United States.

(b) ASSESSMENT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—

(1) a summary of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, are being conducted, or likely will be conducted, as appropriate, and the specific goal of each such campaign;

(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;

(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and

(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).

(c) FORM.—The report required by subsection (b) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.

SEC. 506. FOREIGN COUNTERINTELLIGENCE AND CYBERSECURITY THREATS TO FEDERAL ELECTION CAMPAIGNS.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—As provided in paragraph (2), for each Federal election, the Director of National Intelligence, in coordination with the Under Secretary of Homeland Security for Intelligence and Analysis and the Director of the Federal Bureau of Investigation, shall make publicly available on an Internet website an advisory report on foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices. Each such report shall include, consistent with the protection of sources and methods, each of the following:

(A) A description of foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices.

(B) A summary of best practices that election campaigns for Federal offices can employ in seeking to counter such threats.

(C) An identification of any publicly available resources, including United States Government resources, for countering such threats.

(2) SCHEDULE FOR SUBMITTAL.—A report under this subsection shall be made available as follows:

(A) In the case of a report regarding an election held for the office of Senator or Member of the House of Representatives during 2018, not later than the date that is 60 days after the date of the enactment of this Act.

(B) In the case of a report regarding an election for a Federal office during any subsequent year, not later than the date that is 1 year before the date of the election.

(3) INFORMATION TO BE INCLUDED.—A report under this subsection shall reflect the most current information available to the Director of National Intelligence regarding foreign counterintelligence and cybersecurity threats.

(b) TREATMENT OF CAMPAIGNS SUBJECT TO HEIGHTENED THREATS.—If the Director of the Federal Bureau of Investigation and the Under Secretary of Homeland Security for Intelligence and Analysis jointly determine that an election campaign for Federal office is subject to a heightened foreign counterintelligence or cybersecurity threat, the Director and the Under Secretary, consistent with the protection of sources and methods, may make available additional information to the appropriate representatives of such campaign.

SEC. 507. INFORMATION SHARING WITH STATE ELECTION OFFICIALS.

(a) STATE DEFINED.—In this section, the term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(b) SECURITY CLEARANCES.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall support the Under Secretary of Homeland Security for Intelligence and Analysis, and any other official of the Department of Homeland Security designated by the Secretary of Homeland Security, in sponsoring a security clearance up to the top secret level for each eligible chief election official of a State or the District of Columbia, and additional eligible designees of such election official as appropriate, at the time that such election official assumes such position.

(2) INTERIM CLEARANCES.—Consistent with applicable policies and directives, the Director of National Intelligence may issue interim clearances, for a period to be determined by the Director, to a chief election official as described in paragraph (1) and up to 1 designee of such official under such paragraph.

(c) INFORMATION SHARING.—

(1) IN GENERAL.—The Director of National Intelligence shall assist the Under Secretary of Homeland Security for Intelligence and Analysis and the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department (as specified in section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H))) with sharing any appropriate classified information related to threats to election systems and to the integrity of the election process with chief election officials and such designees who have received a security clearance under subsection (b).

(2) COORDINATION.—The Under Secretary of Homeland Security for Intelligence and Analysis shall coordinate with the Director of National Intelligence and the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department (as specified in section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H))) to facilitate the sharing of information to the affected Secretaries of State or States.

SEC. 508. NOTIFICATION OF SIGNIFICANT FOREIGN CYBER INTRUSIONS AND ACTIVE MEASURES CAMPAIGNS DIRECTED AT ELECTIONS FOR FEDERAL OFFICES.

(a) DEFINITIONS.—In this section:

(1) ACTIVE MEASURES CAMPAIGN.—The term ''active measures campaign'' means a foreign semi-covert or covert intelligence operation.

(2) CANDIDATE, ELECTION, AND POLITICAL PARTY.—The terms ''candidate'', ''election'', and ''political party'' have the meanings given those terms in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(3) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(4) CYBER INTRUSION.—The term ''cyber intrusion'' means an electronic occurrence that actually or imminently jeopardizes, without lawful authority, electronic election infrastructure, or the integrity, confidentiality, or availability of information within such infrastructure.

(5) ELECTRONIC ELECTION INFRASTRUCTURE.—The term ''electronic election infrastructure'' means an electronic information system of any of the following that is related to an election for Federal office:

(A) The Federal Government.

(B) A State or local government.

(C) A political party.

(D) The election campaign of a candidate.

(6) FEDERAL OFFICE.—The term ''Federal office'' has the meaning given that term in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(7) HIGH CONFIDENCE.—The term ''high confidence'', with respect to a determination, means that the determination is based on high-quality information from multiple sources.

(8) MODERATE CONFIDENCE.—The term ''moderate confidence'', with respect to a determination, means that a determination is credibly sourced and plausible but not of sufficient quality or corroborated sufficiently to warrant a higher level of confidence.

(9) OTHER APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''other appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(b) DETERMINATIONS OF SIGNIFICANT FOREIGN CYBER INTRUSIONS AND ACTIVE MEASURES CAMPAIGNS.—The Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security shall jointly carry out subsection (c) if such Directors and the Secretary jointly determine—

(1) that on or after the date of the enactment of this Act, a significant foreign cyber intrusion or active measures campaign intended to influence an upcoming election for any Federal office has occurred or is occurring; and

(2) with moderate or high confidence, that such intrusion or campaign can be attributed to a foreign state or to a foreign nonstate person, group, or other entity.

(c) BRIEFING.—

(1) IN GENERAL.—Not later than 14 days after making a determination under subsection (b), the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security shall jointly provide a briefing to the congressional leadership, the congressional intelligence committees and, consistent with the protection of sources and methods, the other appropriate congressional committees. The briefing shall be classified and address, at a minimum, the following:

(A) A description of the significant foreign cyber intrusion or active measures campaign, as the case may be, covered by the determination.

(B) An identification of the foreign state or foreign nonstate person, group, or other entity, to which such intrusion or campaign has been attributed.

(C) The desirability and feasibility of the public release of information about the cyber intrusion or active measures campaign.

(D) Any other information such Directors and the Secretary jointly determine appropriate.

(2) ELECTRONIC ELECTION INFRASTRUCTURE BRIEFINGS.—With respect to a significant foreign cyber intrusion covered by a determination under subsection (b), the Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Director of the Federal Bureau of Investigation, shall offer to the owner or operator of any electronic election infrastructure directly affected by such intrusion, a briefing on such intrusion, including steps that may be taken to mitigate such intrusion. Such briefing may be classified and made available only to individuals with appropriate security clearances.

(3) PROTECTION OF SOURCES AND METHODS.—This subsection shall be carried out in a manner that is consistent with the protection of sources and methods.

SEC. 509. DESIGNATION OF COUNTERINTELLIGENCE OFFICER TO LEAD ELECTION SECURITY MATTERS.

(a) IN GENERAL.—The Director of National Intelligence shall designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate counterintelligence matters relating to election security.

(b) ADDITIONAL RESPONSIBILITIES.—The person designated under subsection (a) shall also lead, manage, and coordinate counterintelligence matters relating to risks posed by interference from foreign powers (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)) to the following:

(1) The Federal Government election security supply chain.

(2) Election voting systems and software.

(3) Voter registration databases.

(4) Critical infrastructure related to elections.

(5) Such other Government goods and services as the Director of National Intelligence considers appropriate.

TITLE VI—SECURITY CLEARANCES

SEC. 601. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Armed Services of the House of Representatives;

(F) the Committee on Appropriations of the House of Representatives;

(G) the Committee on Homeland Security of the House of Representatives; and

(H) the Committee on Oversight and Reform of the House of Representatives.

(2) APPROPRIATE INDUSTRY PARTNERS.—The term ''appropriate industry partner'' means a contractor, licensee, or grantee (as defined in section 101(a) of Executive Order 12829 (50 U.S.C. 3161 note; relating to National Industrial Security Program)) that is participating in the National Industrial Security Program established by such Executive Order.

(3) CONTINUOUS VETTING.—The term ''continuous vetting'' has the meaning given such term in Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information).

(4) COUNCIL.—The term ''Council'' means the Security, Suitability, and Credentialing Performance Accountability Council established pursuant to such Executive Order, or any successor entity.

(5) SECURITY EXECUTIVE AGENT.—The term ''Security Executive Agent'' means the officer serving as the Security Executive Agent pursuant to section 803 of the National Security Act of 1947, as added by section 605.

(6) SUITABILITY AND CREDENTIALING EXECUTIVE AGENT.—The term ''Suitability and Credentialing Executive Agent'' means the Director of the Office of Personnel Management acting as the Suitability and Credentialing Executive Agent in accordance with Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information), or any successor entity.

SEC. 602. REPORTS AND PLANS RELATING TO SECURITY CLEARANCES AND BACKGROUND INVESTIGATIONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) ensuring the trustworthiness and security of the workforce, facilities, and information of the Federal Government is of the highest priority to national security and public safety;

(2) the President and Congress should prioritize the modernization of the personnel security framework to improve its efficiency, effectiveness, and accountability;

(3) the current system for security clearance, suitability and fitness for employment, and credentialing lacks efficiencies and capabilities to meet the current threat environment, recruit and retain a trusted workforce, and capitalize on modern technologies; and

(4) changes to policies or processes to improve this system should be vetted through the Council to ensure standardization, portability, and reciprocity in security clearances across the Federal Government.

(b) ACCOUNTABILITY PLANS AND REPORTS.—

(1) PLANS.—Not later than 90 days after the date of the enactment of this Act, the Council shall submit to the appropriate congressional committees and make available to appropriate industry partners the following:

(A) A plan, with milestones, to reduce the background investigation inventory to 200,000, or an otherwise sustainable steady-level, by the end of year 2020. Such plan shall include notes of any required changes in investigative and adjudicative standards or resources.

(B) A plan to consolidate the conduct of background investigations associated with the processing for security clearances in the most effective and efficient manner between the National Background Investigation Bureau and the Defense Security Service, or a successor organization. Such plan shall address required funding, personnel, contracts, information technology, field office structure, policy, governance, schedule, transition costs, and effects on stakeholders.

(2) REPORT ON THE FUTURE OF PERSONNEL SECURITY.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report on the future of personnel security to reflect changes in threats, the workforce, and technology.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) A risk framework for granting and renewing access to classified information.

(ii) A discussion of the use of technologies to prevent, detect, and monitor threats.

(iii) A discussion of efforts to address reciprocity and portability.

(iv) A discussion of the characteristics of effective insider threat programs.

(v) An analysis of how to integrate data from continuous evaluation, insider threat programs, and human resources data.

(vi) Recommendations on interagency governance.

(3) PLAN FOR IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a plan to implement the report's framework and recommendations submitted under paragraph (2)(A).

(4) CONGRESSIONAL NOTIFICATIONS.—Not less frequently than quarterly, the Security Executive Agent shall make available to the public a report regarding the status of the disposition of requests received from departments and agencies of the Federal Government for a change to, or approval under, the Federal investigative standards, the national adjudicative guidelines, continuous evaluation, or other national policy regarding personnel security.

SEC. 603. IMPROVING THE PROCESS FOR SECURITY CLEARANCES.

(a) REVIEWS.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that includes the following:

(1) A review of whether the information requested on the Questionnaire for National Security Positions (Standard Form 86) and by the Federal Investigative Standards prescribed by the Office of Personnel Management and the Office of the Director of National Intelligence appropriately supports the adjudicative guidelines under Security Executive Agent Directive 4 (known as the ''National Security Adjudicative Guidelines''). Such review shall include identification of whether any such information currently collected is unnecessary to support the adjudicative guidelines.

(2) An assessment of whether such Questionnaire, Standards, and guidelines should be revised to account for the prospect of a holder of a security clearance becoming an insider threat.

(3) Recommendations to improve the background investigation process by—

(A) simplifying the Questionnaire for National Security Positions (Standard Form 86) and increasing customer support to applicants completing such Questionnaire;

(B) using remote techniques and centralized locations to support or replace field investigation work;

(C) using secure and reliable digitization of information obtained during the clearance process;

(D) building the capacity of the background investigation labor sector; and

(E) replacing periodic reinvestigations with continuous evaluation techniques in all appropriate circumstances.

(b) POLICY, STRATEGY, AND IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent shall, in coordination with the members of the Council, establish the following:

(1) A policy and implementation plan for the issuance of interim security clearances.

(2) A policy and implementation plan to ensure contractors are treated consistently in the security clearance process across agencies and departments of the United States as compared to employees of such agencies and departments. Such policy shall address—

(A) prioritization of processing security clearances based on the mission the contractors will be performing;

(B) standardization in the forms that agencies issue to initiate the process for a security clearance;

(C) digitization of background investigation-related forms;

(D) use of the polygraph;

(E) the application of the adjudicative guidelines under Security Executive Agent Directive 4 (known as the ''National Security Adjudicative Guidelines'');

(F) reciprocal recognition of clearances across agencies and departments of the United States, regardless of status of periodic reinvestigation;

(G) tracking of clearance files as individuals move from employment with an agency or department of the United States to employment in the private sector;

(H) collection of timelines for movement of contractors across agencies and departments;

(I) reporting on security incidents and job performance, consistent with section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), that may affect the ability to hold a security clearance;

(J) any recommended changes to the Federal Acquisition Regulations (FAR) necessary to ensure that information affecting contractor clearances or suitability is appropriately and expeditiously shared between and among agencies and contractors; and

(K) portability of contractor security clearances between or among contracts at the same agency and between or among contracts at different agencies that require the same level of clearance.

(3) A strategy and implementation plan that—

(A) provides for periodic reinvestigations as part of a security clearance determination only on an as-needed, risk-based basis;

(B) includes actions to assess the extent to which automated records checks and other continuous evaluation methods may be used to expedite or focus reinvestigations; and

(C) provides an exception for certain populations if the Security Executive Agent—

(i) determines such populations require reinvestigations at regular intervals; and

(ii) provides written justification to the appropriate congressional committees for any such determination.

(4) A policy and implementation plan for agencies and departments of the United States, as a part of the security clearance process, to accept automated records checks generated pursuant to a security clearance applicant's employment with a prior employer.

(5) A policy for the use of certain background materials on individuals collected by the private sector for background investigation purposes.

(6) Uniform standards for agency continuous evaluation programs to ensure quality and reciprocity in accepting enrollment in a continuous vetting program as a substitute for a periodic investigation for continued access to classified information.

SEC. 604. GOALS FOR PROMPTNESS OF DETERMINATIONS REGARDING SECURITY CLEARANCES.

(a) RECIPROCITY DEFINED.—In this section, the term ''reciprocity'' means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) IN GENERAL.—The Council shall reform the security clearance process with the objective that, by December 31, 2021, 90 percent of all determinations, other than determinations regarding populations identified under section 603(b)(3)(C), regarding—

(1) security clearances—

(A) at the secret level are issued in 30 days or fewer; and

(B) at the top secret level are issued in 90 days or fewer; and

(2) reciprocity of security clearances at the same level are recognized in 2 weeks or fewer.

(c) CERTAIN REINVESTIGATIONS.—The Council shall reform the security clearance process with the goal that by December 31, 2021, reinvestigation on a set periodicity is not required for more than 10 percent of the population that holds a security clearance.

(d) EQUIVALENT METRICS.—

(1) IN GENERAL.—If the Council develops a set of performance metrics that it certifies to the appropriate congressional committees should achieve substantially equivalent outcomes as those outlined in subsections (b) and (c), the Council may use those metrics for purposes of compliance within this provision.

(2) NOTICE.—If the Council uses the authority provided by paragraph (1) to use metrics as described in such paragraph, the Council shall, not later than 30 days after communicating such metrics to departments and agencies, notify the appropriate congressional committees that it is using such authority.

(e) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Council shall submit to the appropriate congressional committees and make available to appropriate industry partners a plan to carry out this section. Such plan shall include recommended interim milestones for the goals set forth in subsections (b) and (c) for 2019, 2020, and 2021.

SEC. 605. SECURITY EXECUTIVE AGENT.

(a) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended—

(1) by redesignating sections 803 and 804 as sections 804 and 805, respectively; and

(2) by inserting after section 802 the following:

''SEC. 803. SECURITY EXECUTIVE AGENT.

''(a) IN GENERAL.—The Director of National Intelligence, or such other officer of the United States as the President may designate, shall serve as the Security Executive Agent for all departments and agencies of the United States.

''(b) DUTIES.—The duties of the Security Executive Agent are as follows:

''(1) To direct the oversight of investigations, reinvestigations, adjudications, and, as applicable, polygraphs for eligibility for access to classified information or eligibility to hold a sensitive position made by any Federal agency.

''(2) To review the national security background investigation and adjudication programs of Federal agencies to determine whether such programs are being implemented in accordance with this section.

''(3) To develop and issue uniform and consistent policies and procedures to ensure the effective, efficient, timely, and secure completion of investigations, polygraphs, and adjudications relating to determinations of eligibility for access to classified information or eligibility to hold a sensitive position.

''(4) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to conduct investigations of persons who are proposed for access to classified information or for eligibility to hold a sensitive position to ascertain whether such persons satisfy the criteria for obtaining and retaining access to classified information or eligibility to hold a sensitive position, as applicable.

''(5) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to determine eligibility for access to classified information or eligibility to hold a sensitive position in accordance with Executive Order 12968 (50 U.S.C. 3161 note; relating to access to classified information).

''(6) To ensure reciprocal recognition of eligibility for access to classified information or eligibility to hold a sensitive position among Federal agencies, including acting as the final authority to arbitrate and resolve disputes among such agencies involving the reciprocity of investigations and adjudications of eligibility.

''(7) To execute all other duties assigned to the Security Executive Agent by law.

''(c) AUTHORITIES.—The Security Executive Agent shall—

''(1) issue guidelines and instructions to the heads of Federal agencies to ensure appropriate uniformity, centralization, efficiency, effectiveness, timeliness, and security in processes relating to determinations by such agencies of eligibility for access to classified information or eligibility to hold a sensitive position, including such matters as investigations, polygraphs, adjudications, and reciprocity;

''(2) have the authority to grant exceptions to, or waivers of, national security investigative requirements, including issuing implementing or clarifying guidance, as necessary;

''(3) have the authority to assign, in whole or in part, to the head of any Federal agency (solely or jointly) any of the duties of the Security Executive Agent described in subsection (b) or the authorities described in paragraphs (1) and (2), provided that the exercise of such assigned duties or authorities is subject to the oversight of the Security Executive Agent, including such terms and conditions (including approval by the Security Executive Agent) as the Security Executive Agent determines appropriate; and

''(4) define and set standards for continuous evaluation for continued access to classified information and for eligibility to hold a sensitive position.''.

(b) REPORT ON RECOMMENDATIONS FOR REVISING AUTHORITIES.—Not later than 30 days after the date on which the Chairman of the Council submits to the appropriate congressional committees the report required by section 602(b)(2)(A), the Chairman shall submit to the appropriate congressional committees such recommendations as the Chairman may have for revising the authorities of the Security Executive Agent.

(c) CONFORMING AMENDMENT.—Section 103H(j)(4)(A) of such Act (50 U.S.C. 3033(j)(4)(A)) is amended by striking ''in section 804'' and inserting ''in section 805''.

(d) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of such Act (50 U.S.C. 3002) is amended by striking the items relating to sections 803 and 804 and inserting the following:

''Sec. 803. Security Executive Agent.
''Sec. 804. Exceptions.
''Sec. 805. Definitions.''.

SEC. 606. REPORT ON UNIFIED, SIMPLIFIED, GOVERNMENTWIDE STANDARDS FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent, in coordination with the other members of the Council, shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a report regarding the advisability and the risks, benefits, and costs to the Government and to industry of consolidating to not more than 3 tiers for positions of trust and security clearances.

SEC. 607. REPORT ON CLEARANCE IN PERSON CONCEPT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that to reflect the greater mobility of the modern workforce, alternative methodologies merit analysis to allow greater flexibility for individuals moving in and out of positions that require access to classified information, while still preserving security.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that describes the requirements, feasibility, and advisability of implementing a clearance in person concept described in subsection (c).

(c) CLEARANCE IN PERSON CONCEPT.—The clearance in person concept—

(1) permits an individual who once held a security clearance to maintain his or her eligibility for access to classified information, networks, and facilities for up to 3 years after the individual's eligibility for access to classified information would otherwise lapse; and

(2) recognizes, unless otherwise directed by the Security Executive Agent, an individual's security clearance and background investigation as current, regardless of employment status, contingent on enrollment in a continuous vetting program.

(d) CONTENTS.—The report required under subsection (b) shall address—

(1) requirements for an individual to voluntarily remain in a continuous evaluation program validated by the Security Executive Agent even if the individual is not in a position requiring access to classified information;

(2) appropriate safeguards for privacy;

(3) advantages to government and industry;

(4) the costs and savings associated with implementation;

(5) the risks of such implementation, including security and counterintelligence risks;

(6) an appropriate funding model; and

(7) fairness to small companies and independent contractors.

SEC. 608. BUDGET REQUEST DOCUMENTATION ON FUNDING FOR BACKGROUND INVESTIGATIONS.

(a) IN GENERAL.—As part of the fiscal year 2020 budget request submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the President shall include exhibits that identify the resources expended by each agency during the prior fiscal year for processing background investigations and continuous evaluation programs, disaggregated by tier and whether the individual was a Government employee or contractor.

(b) CONTENTS.—Each exhibit submitted under subsection (a) shall include details on—

(1) the costs of background investigations or reinvestigations;

(2) the costs associated with background investigations for Government or contract personnel;

(3) costs associated with continuous evaluation initiatives monitoring for each person for whom a background investigation or reinvestigation was conducted, other than costs associated with adjudication;

(4) the average per person cost for each type of background investigation; and

(5) a summary of transfers and reprogrammings that were executed in the previous year to support the processing of security clearances.

SEC. 609. REPORTS ON RECIPROCITY FOR SECURITY CLEARANCES INSIDE OF DEPARTMENTS AND AGENCIES.

(a) RECIPROCALLY RECOGNIZED DEFINED.—In this section, the term ''reciprocally recognized'' means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) REPORTS TO SECURITY EXECUTIVE AGENT.—The head of each Federal department or agency shall submit an annual report to the Security Executive Agent that—

(1) identifies the number of individuals whose security clearances take more than 2 weeks to be reciprocally recognized after such individuals move to another part of such department or agency; and

(2) breaks out the information described in paragraph (1) by type of clearance and the reasons for any delays.

(c) ANNUAL REPORT.—Not less frequently than once each year, the Security Executive Agent shall submit to the appropriate congressional committees and make available to industry partners an annual report that summarizes the information received pursuant to subsection (b) during the period covered by such report.

SEC. 610. INTELLIGENCE COMMUNITY REPORTS ON SECURITY CLEARANCES.

Section 506H of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A)(ii), by adding ''and'' at the end;

(B) in subparagraph (B)(ii), by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (C);

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

''(b) INTELLIGENCE COMMUNITY REPORTS.—(1)(A) Not later than March 1 of each year, the Director of National Intelligence shall submit a report to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Oversight and Reform of the House of Representatives regarding the security clearances processed by each element of the intelligence community during the preceding fiscal year.

''(B) The Director shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives such portions of the report submitted under subparagraph (A) as the Director determines address elements of the intelligence community that are within the Department of Defense.

''(C) Each report submitted under this paragraph shall separately identify security clearances processed for Federal employees and contractor employees sponsored by each such element.

''(2) Each report submitted under paragraph (1)(A) shall include, for each element of the intelligence community for the fiscal year covered by the report, the following:

''(A) The total number of initial security clearance background investigations sponsored for new applicants.

''(B) The total number of security clearance periodic reinvestigations sponsored for existing employees.

''(C) The total number of initial security clearance background investigations for new applicants that were adjudicated with notice of a determination provided to the prospective applicant, including—

''(i) the total number of such adjudications that were adjudicated favorably and granted access to classified information; and

''(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

''(D) The total number of security clearance periodic background investigations that were adjudicated with notice of a determination provided to the existing employee, including—

''(i) the total number of such adjudications that were adjudicated favorably; and

''(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

''(E) The total number of pending security clearance background investigations, including initial applicant investigations and periodic reinvestigations, that were not adjudicated as of the last day of such year and that remained pending, categorized as follows:

''(i) For 180 days or shorter.

''(ii) For longer than 180 days, but shorter than 12 months.

''(iii) For 12 months or longer, but shorter than 18 months.

''(iv) For 18 months or longer, but shorter than 24 months.

''(v) For 24 months or longer.

''(F) For any security clearance determinations completed or pending during the year preceding the year for which the report is submitted that have taken longer than 12 months to complete—

''(i) an explanation of the causes for the delays incurred during the period covered by the report; and

''(ii) the number of such delays involving a polygraph requirement.

''(G) The percentage of security clearance investigations, including initial and periodic reinvestigations, that resulted in a denial or revocation of a security clearance.

''(H) The percentage of security clearance investigations that resulted in incomplete information.

''(I) The percentage of security clearance investigations that did not result in enough information to make a decision on potentially adverse information.

''(3) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.''; and

(4) in subsection (c), as redesignated, by striking ''subsection (a)(1)'' and inserting ''subsections (a)(1) and (b)''.

SEC. 611. PERIODIC REPORT ON POSITIONS IN THE INTELLIGENCE COMMUNITY THAT CAN BE CONDUCTED WITHOUT ACCESS TO CLASSIFIED INFORMATION, NETWORKS, OR FACILITIES.

Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report that reviews the intelligence community for which positions can be conducted without access to classified information, networks, or facilities, or may only require a security clearance at the secret level.

SEC. 612. INFORMATION SHARING PROGRAM FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall establish and implement a program to share between and among agencies of the Federal Government and industry partners of the Federal Government relevant background information regarding individuals applying for and currently occupying national security positions and positions of trust, in order to ensure the Federal Government maintains a trusted workforce.

(2) DESIGNATION.—The program established under paragraph (1) shall be known as the ''Trusted Information Provider Program'' (in this section referred to as the ''Program'').

(b) PRIVACY SAFEGUARDS.—The Security Executive Agent and the Suitability and Credentialing Executive Agent shall ensure that the Program includes such safeguards for privacy as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate.

(c) PROVISION OF INFORMATION TO THE FEDERAL GOVERNMENT.—The Program shall include requirements that enable investigative service providers and agencies of the Federal Government to leverage certain pre-employment information gathered during the employment or military recruiting process, and other relevant security or human resources information obtained during employment with or for the Federal Government, that satisfy Federal investigative standards, while safeguarding personnel privacy.

(d) INFORMATION AND RECORDS.—The information and records considered under the Program shall include the following:

(1) Date and place of birth.

(2) Citizenship or immigration and naturalization information.

(3) Education records.

(4) Employment records.

(5) Employment or social references.

(6) Military service records.

(7) State and local law enforcement checks.

(8) Criminal history checks.

(9) Financial records or information.

(10) Foreign travel, relatives, or associations.

(11) Social media checks.

(12) Such other information or records as may be relevant to obtaining or maintaining national security, suitability, fitness, or credentialing eligibility.

(e) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a plan for the implementation of the Program.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) Mechanisms that address privacy, national security, suitability or fitness, credentialing, and human resources or military recruitment processes.

(B) Such recommendations for legislative or administrative action as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate to carry out or improve the Program.

(f) PLAN FOR PILOT PROGRAM ON TWO-WAY INFORMATION SHARING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a plan for the implementation of a pilot program to assess the feasibility and advisability of expanding the Program to include the sharing of information held by the Federal Government related to contract personnel with the security office of the employers of those contractor personnel.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) Mechanisms that address privacy, national security, suitability or fitness, credentialing, and human resources or military recruitment processes.

(B) Such recommendations for legislative or administrative action as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate to carry out or improve the pilot program.

(g) REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a review of the plans submitted under subsections (e)(1) and (f)(1) and utility and effectiveness of the programs described in such plans.

SEC. 613. REPORT ON PROTECTIONS FOR CONFIDENTIALITY OF WHISTLEBLOWER-RELATED COMMUNICATIONS.

Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent shall, in coordination with the Inspector General of the Intelligence Community, submit to the appropriate congressional committees a report detailing the controls employed by the intelligence community to ensure that continuous vetting programs, including those involving user activity monitoring, protect the confidentiality of whistleblower-related communications.

TITLE VII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers

SEC. 701. LIMITATION RELATING TO ESTABLISHMENT OR SUPPORT OF CYBERSECURITY UNIT WITH THE RUSSIAN FEDERATION.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(3) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(b) LIMITATION.—

(1) IN GENERAL.—No amount may be expended by the Federal Government, other than the Department of Defense, to enter into or implement any bilateral agreement between the United States and the Russian Federation regarding cybersecurity, including the establishment or support of any cybersecurity unit, unless, at least 30 days prior to the conclusion of any such agreement, the Director of National Intelligence submits to the appropriate congressional committees a report on such agreement that includes the elements required by subsection (c).

(2) DEPARTMENT OF DEFENSE AGREEMENTS.—Any agreement between the Department of Defense and the Russian Federation regarding cybersecurity shall be conducted in accordance with section 1232 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), as amended by section 1231 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(c) ELEMENTS.—If the Director submits a report under subsection (b) with respect to an agreement, such report shall include a description of each of the following:

(1) The purpose of the agreement.

(2) The nature of any intelligence to be shared pursuant to the agreement.

(3) The expected value to national security resulting from the implementation of the agreement.

(4) Such counterintelligence concerns associated with the agreement as the Director may have and such measures as the Director expects to be taken to mitigate such concerns.

(d) RULE OF CONSTRUCTION.—This section shall not be construed to affect any existing authority of the Director of National Intelligence, the Director of the Central Intelligence Agency, or another head of an element of the intelligence community, to share or receive foreign intelligence on a case-by-case basis.

SEC. 702. REPORT ON RETURNING RUSSIAN COMPOUNDS.

(a) COVERED COMPOUNDS DEFINED.—In this section, the term ''covered compounds'' means the real property in New York, the real property in Maryland, and the real property in San Francisco, California, that were

under the control of the Government of Russia in 2016 and were removed from such control in response to various transgressions by the Government of Russia, including the interference by the Government of Russia in the 2016 election in the United States.

(b) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives (only with respect to the unclassified report), a report on the intelligence risks of returning the covered compounds to Russian control.

(c) FORM OF REPORT.—The report required by this section shall be submitted in classified and unclassified forms.

SEC. 703. ASSESSMENT OF THREAT FINANCE RELATING TO RUSSIA.

(a) THREAT FINANCE DEFINED.—In this section, the term ''threat finance'' means—

(1) the financing of cyber operations, global influence campaigns, intelligence service activities, proliferation, terrorism, or transnational crime and drug organizations;

(2) the methods and entities used to spend, store, move, raise, conceal, or launder money or value, on behalf of threat actors;

(3) sanctions evasion; and

(4) other forms of threat finance activity domestically or internationally, as defined by the President.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Assistant Secretary of the Treasury for Intelligence and Analysis, shall submit to the congressional intelligence committees a report containing an assessment of Russian threat finance. The assessment shall be based on intelligence from all sources, including from the Office of Terrorism and Financial Intelligence of the Department of the Treasury.

(c) ELEMENTS.—The report required by subsection (b) shall include each of the following:

(1) A summary of leading examples from the 3-year period preceding the date of the submittal of the report of threat finance activities conducted by, for the benefit of, or at the behest of—

(A) officials of the Government of Russia;

(B) persons subject to sanctions under any provision of law imposing sanctions with respect to Russia;

(C) Russian nationals subject to sanctions under any other provision of law; or

(D) Russian oligarchs or organized criminals.

(2) An assessment with respect to any trends or patterns in threat finance activities relating to Russia, including common methods of conducting such activities and global nodes of money laundering used by Russian threat actors described in paragraph (1) and associated entities.

(3) An assessment of any connections between Russian individuals involved in money laundering and the Government of Russia.

(4) A summary of engagement and coordination with international partners on threat finance relating to Russia, especially in Europe, including examples of such engagement and coordination.

(5) An identification of any resource and collection gaps.

(6) An identification of—

(A) entry points of money laundering by Russian and associated entities into the United States;

(B) any vulnerabilities within the United States legal and financial system, including specific sectors, which have been or could be exploited in connection with Russian threat finance activities; and

(C) the counterintelligence threat posed by Russian money laundering and other forms of threat finance, as well as the threat to the United States financial system and United States efforts to enforce sanctions and combat organized crime.

(7) Any other matters the Director determines appropriate.

(d) FORM OF REPORT.—The report required under subsection (b) may be submitted in classified form.

SEC. 704. NOTIFICATION OF AN ACTIVE MEASURES CAMPAIGN.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(C) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(b) REQUIREMENT FOR NOTIFICATION.—The Director of National Intelligence, in cooperation with the Director of the Federal Bureau of Investigation and the head of any other relevant agency, shall notify the congressional leadership and the Chairman and Vice Chairman or Ranking Member of each of the appropriate congressional committees, and of other relevant committees of jurisdiction, each time the Director of National Intelligence determines there is credible information that a foreign power has, is, or will attempt to employ a covert influence or active measures campaign with regard to the modernization, employment, doctrine, or force posture of the nuclear deterrent or missile defense.

(c) CONTENT OF NOTIFICATION.—Each notification required by subsection (b) shall include information concerning actions taken by the United States to expose or halt an attempt referred to in subsection (b).

SEC. 705. NOTIFICATION OF TRAVEL BY ACCREDITED DIPLOMATIC AND CONSULAR PERSONNEL OF THE RUSSIAN FEDERATION IN THE UNITED STATES.

In carrying out the advance notification requirements set out in section 502 of the Intelligence Authorization Act for Fiscal Year 2017 (division N of Public Law 115–31; 131 Stat. 825; 22 U.S.C. 254a note), the Secretary of State shall—

(1) ensure that the Russian Federation provides notification to the Secretary of State at least 2 business days in advance of all travel that is subject to such requirements by accredited diplomatic and consular personnel of the Russian Federation in the United States, and take necessary action to secure full compliance by Russian personnel and address any noncompliance; and

(2) provide notice of travel described in paragraph (1) to the Director of National Intelligence and the Director of the Federal Bureau of Investigation within 1 hour of receiving notice of such travel.

SEC. 706. REPORT ON OUTREACH STRATEGY ADDRESSING THREATS FROM UNITED STATES ADVERSARIES TO THE UNITED STATES TECHNOLOGY SECTOR.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) the Committee on Armed Services, Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report detailing outreach by the intelligence community and the Defense Intelligence Enterprise to United States industrial, commercial, scientific, technical, and academic communities on matters relating to the efforts of adversaries of the United States to acquire critical United States technology, intellectual property, and research and development information.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) A review of the current outreach efforts of the intelligence community and the Defense Intelligence Enterprise described in subsection (b), including the type of information conveyed in the outreach.

(2) A determination of the appropriate element of the intelligence community to lead such outreach efforts.

(3) An assessment of potential methods for improving the effectiveness of such outreach, including an assessment of the following:

(A) Those critical technologies, infrastructure, or related supply chains that are at risk from the efforts of adversaries described in subsection (b).

(B) The necessity and advisability of granting security clearances to company or community leadership, when necessary and appropriate, to allow for tailored classified briefings on specific targeted threats.

(C) The advisability of partnering with entities of the Federal Government that are not elements of the intelligence community and relevant regulatory and industry groups described in subsection (b), to convey key messages across sectors targeted by United States adversaries.

(D) Strategies to assist affected elements of the communities described in subparagraph (C) in mitigating, deterring, and protecting against the broad range of threats from the efforts of adversaries described in subsection (b), with focus on producing information that enables private entities to justify business decisions related to national security concerns.

(E) The advisability of the establishment of a United States Government-wide task force to coordinate outreach and activities to combat the threats from efforts of adversaries described in subsection (b).

(F) Such other matters as the Director of National Intelligence may consider necessary.

(d) CONSULTATION ENCOURAGED.—In preparing the report required by subsection (b), the Director is encouraged to consult with other government agencies, think tanks, academia, representatives of the financial industry, or such other entities as the Director considers appropriate.

(e) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex as necessary.

SEC. 707. REPORT ON IRANIAN SUPPORT OF PROXY FORCES IN SYRIA AND LEBANON.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) ARMS OR RELATED MATERIAL.—The term ''arms or related material'' means—

(A) nuclear, biological, chemical, or radiological weapons or materials or components of such weapons;

(B) ballistic or cruise missile weapons or materials or components of such weapons;

(C) destabilizing numbers and types of advanced conventional weapons;

(D) defense articles or defense services, as those terms are defined in paragraphs (3) and (4), respectively, of section 47 of the Arms Export Control Act (22 U.S.C. 2794);

(E) defense information, as that term is defined in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403); or

(F) items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on Iranian support of proxy forces in Syria and Lebanon and the threat posed to Israel, other United States regional allies, and other specified interests of the United States as a result of such support.

(c) MATTERS FOR INCLUSION.—The report required under subsection (b) shall include information relating to the following matters with respect to both the strategic and tactical implications for the United States and its allies:

(1) A description of arms or related materiel transferred by Iran to Hizballah since March 2011, including the number of such arms or related materiel and whether such transfer was by land, sea, or air, as well as financial and additional technological capabilities transferred by Iran to Hizballah.

(2) A description of Iranian and Iranian-controlled personnel, including Hizballah, Shiite militias, and Iran's Revolutionary Guard Corps forces, operating within Syria, including the number and geographic distribution of such personnel operating within 30 kilometers of the Israeli borders with Syria and Lebanon.

(3) An assessment of Hizballah's operational lessons learned based on its recent experiences in Syria.

(4) A description of any rocket-producing facilities in Lebanon for nonstate actors, including whether such facilities were assessed to be built at the direction of Hizballah leadership, Iranian leadership, or in consultation between Iranian leadership and Hizballah leadership.

(5) An analysis of the foreign and domestic supply chains that significantly facilitate, support, or otherwise aid Hizballah's acquisition or development of missile production facilities, including the geographic distribution of such foreign and domestic supply chains.

(6) An assessment of the provision of goods, services, or technology transferred by Iran or its affiliates to Hizballah to indigenously manufacture or otherwise produce missiles.

(7) An identification of foreign persons that are based on credible information, facilitating the transfer of significant financial support or arms or related materiel to Hizballah.

(8) A description of the threat posed to Israel and other United States allies in the Middle East by the transfer of arms or related material or other support offered to Hizballah and other proxies from Iran.

(d) FORM OF REPORT.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 708. ANNUAL REPORT ON IRANIAN EXPENDITURES SUPPORTING FOREIGN MILITARY AND TERRORIST ACTIVITIES.

(a) ANNUAL REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Director of National Intelligence shall submit to Congress a report describing Iranian expenditures in the previous calendar year on military and terrorist activities outside the country, including each of the following:

(1) The amount spent in such calendar year on activities by the Islamic Revolutionary Guard Corps, including activities providing support for—

(A) Hizballah;

(B) Houthi rebels in Yemen;

(C) Hamas;

(D) proxy forces in Iraq and Syria; or

(E) any other entity or country the Director determines to be relevant.

(2) The amount spent in such calendar year for ballistic missile research and testing or other activities that the Director determines are destabilizing to the Middle East region.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 709. EXPANSION OF SCOPE OF COMMITTEE TO COUNTER ACTIVE MEASURES AND REPORT ON ESTABLISHMENT OF FOREIGN MALIGN INFLUENCE CENTER.

(a) SCOPE OF COMMITTEE TO COUNTER ACTIVE MEASURES.—

(1) IN GENERAL.—Section 501 of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31; 50 U.S.C. 3001 note) is amended—

(A) in subsections (a) through (h)—

(i) by inserting '', the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or other nation state'' after ''Russian Federation'' each place it appears; and

(ii) by inserting '', China, Iran, North Korea, or other nation state'' after ''Russia'' each place it appears; and

(B) in the section heading, by inserting '', **THE PEOPLE'S REPUBLIC OF CHINA, THE ISLAMIC REPUBLIC OF IRAN, THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA, OR OTHER NATION STATE**'' after ''**RUSSIAN FEDERATION**''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 501 and inserting the following new item:

''Sec. 501. Committee to counter active measures by the Russian Federation, the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, and other nation states to exert covert influence over peoples and governments.''.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with such elements of the intelligence community as the Director considers relevant, shall submit to the congressional intelligence committees a report on the feasibility and advisability of establishing a center, to be known as the ''Foreign Malign Influence Response Center'', that—

(A) is comprised of analysts from all appropriate elements of the intelligence community, including elements with related diplomatic and law enforcement functions;

(B) has access to all intelligence and other reporting acquired by the United States Government on foreign efforts to influence, through overt and covert malign activities, United States political processes and elections;

(C) provides comprehensive assessment, and indications and warning, of such activities; and

(D) provides for enhanced dissemination of such assessment to United States policy makers.

(2) CONTENTS.—The Report required by paragraph (1) shall include the following:

(A) A discussion of the desirability of the establishment of such center and any barriers to such establishment.

(B) Such recommendations and other matters as the Director considers appropriate.

Subtitle B—Reports

SEC. 711. TECHNICAL CORRECTION TO INSPECTOR GENERAL STUDY.

Section 11001(d) of title 5, United States Code, is amended—

(1) in the subsection heading, by striking ''AUDIT'' and inserting ''REVIEW'';

(2) in paragraph (1), by striking ''audit'' and inserting ''review''; and

(3) in paragraph (2), by striking ''audit'' and inserting ''review''.

SEC. 712. REPORTS ON AUTHORITIES OF THE CHIEF INTELLIGENCE OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(2) HOMELAND SECURITY INTELLIGENCE ENTERPRISE.—The term ''Homeland Security Intelligence Enterprise'' has the meaning given such term in Department of Homeland Security Instruction Number 264–01–001, or successor authority.

(b) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Under Secretary of Homeland Security for Intelligence and Analysis, shall submit to the appropriate committees of Congress a report on the authorities of the Under Secretary.

(c) ELEMENTS.—The report required by subsection (b) shall include each of the following:

(1) An analysis of whether the Under Secretary has the legal and policy authority necessary to organize and lead the Homeland Security Intelligence Enterprise, with respect to intelligence, and, if not, a description of—

(A) the obstacles to exercising the authorities of the Chief Intelligence Officer of the Department and the Homeland Security Intelligence Council, of which the Chief Intelligence Officer is the chair; and

(B) the legal and policy changes necessary to effectively coordinate, organize, and lead intelligence activities of the Department of Homeland Security.

(2) A description of the actions that the Secretary has taken to address the inability of the Under Secretary to require components of the Department, other than the Office of Intelligence and Analysis of the Department to—

(A) coordinate intelligence programs; and

(B) integrate and standardize intelligence products produced by such other components.

SEC. 713. REPORT ON CYBER EXCHANGE PROGRAM.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the potential establishment of a fully voluntary exchange program between elements of the intelligence community and private technology companies under which—

(1) an employee of an element of the intelligence community with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to a private technology company that has elected to receive the detailee; and

(2) an employee of a private technology company with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to an element of the intelligence community that has elected to receive the detailee.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) An assessment of the feasibility of establishing the exchange program described in such subsection.

(2) Identification of any challenges in establishing the exchange program.

(3) An evaluation of the benefits to the intelligence community that would result from the exchange program.

SEC. 714. REVIEW OF INTELLIGENCE COMMUNITY WHISTLEBLOWER MATTERS.

(a) REVIEW OF WHISTLEBLOWER MATTERS.—The Inspector General of the Intelligence Community, in consultation with the inspectors general for the Central Intelligence Agency, the National Security Agency, the National Geospatial-Intelligence Agency, the Defense Intelligence Agency, and the National Reconnaissance Office, shall conduct a review of the authorities, policies, investigatory standards, and other practices and procedures relating to intelligence community whistleblower matters, with respect to such inspectors general.

(b) OBJECTIVE OF REVIEW.—The objective of the review required under subsection (a) is to identify any discrepancies, inconsistencies, or other issues, which frustrate the timely and effective reporting of intelligence community whistleblower matters to appropriate inspectors general and to the congressional intelligence committees, and the fair and expeditious investigation and resolution of such matters.

(c) CONDUCT OF REVIEW.—The Inspector General of the Intelligence Community shall take such measures as the Inspector General determines necessary in order to ensure that the review required by subsection (a) is conducted in an independent and objective fashion.

(d) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a written report containing the results of the review required under subsection (a), along with recommendations to improve the timely and effective reporting of intelligence community whistleblower matters to inspectors general and to the congressional intelligence committees and the fair and expeditious investigation and resolution of such matters.

SEC. 715. REPORT ON ROLE OF DIRECTOR OF NATIONAL INTELLIGENCE WITH RESPECT TO CERTAIN FOREIGN INVESTMENTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community determined appropriate by the Director, shall submit to the congressional intelligence committees a report on the role of the Director in preparing analytic materials in connection with the evaluation by the Federal Government of national security risks associated with potential foreign investments into the United States.

(b) ELEMENTS.—The report under subsection (a) shall include—

(1) a description of the current process for the provision of the analytic materials described in subsection (a);

(2) an identification of the most significant benefits and drawbacks of such process with respect to the role of the Director, including the sufficiency of resources and personnel to prepare such materials; and

(3) recommendations to improve such process.

SEC. 716. REPORT ON SURVEILLANCE BY FOREIGN GOVERNMENTS AGAINST UNITED STATES TELECOMMUNICATIONS NETWORKS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security, submit to the appropriate congressional committees a report describing—

(1) any attempts known to the intelligence community by foreign governments to exploit cybersecurity vulnerabilities in United States telecommunications networks (including Signaling System No. 7) to target for surveillance United States persons, including employees of the Federal Government; and

(2) any actions, as of the date of the enactment of this Act, taken by the intelligence community to protect agencies and personnel of the United States Government from surveillance conducted by foreign governments.

SEC. 717. BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.

(a) INTELLIGENCE COMMUNITY INTERAGENCY WORKING GROUP.—

(1) REQUIREMENT TO ESTABLISH.—The Director of National Intelligence shall establish an intelligence community interagency working group to prepare the biennial reports required by subsection (b).

(2) CHAIRPERSON.—The Director of National Intelligence shall serve as the chairperson of such interagency working group.

(3) MEMBERSHIP.—Such interagency working group shall be composed of representatives of each element of the intelligence community that the Director of National Intelligence determines appropriate.

(b) BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 2 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report on foreign investment risks prepared by the interagency working group established under subsection (a).

(2) ELEMENTS.—Each report required by paragraph (1) shall include identification, analysis, and explanation of the following:

(A) Any current or projected major threats to the national security of the United States with respect to foreign investment.

(B) Any strategy used by a foreign country that such interagency working group has identified to be a country of special concern to use foreign investment to target the acquisition of critical technologies, critical materials, or critical infrastructure.

(C) Any economic espionage efforts directed at the United States by a foreign country, particularly such a country of special concern.

SEC. 718. MODIFICATION OF CERTAIN REPORTING REQUIREMENT ON TRAVEL OF FOREIGN DIPLOMATS.

Section 502(d)(2) of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31) is amended by striking ''the number'' and inserting ''a best estimate''.

SEC. 719. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 3231 et seq.) is amended by adding at the end the following new section:

''SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

''(a) DEFINITIONS.—In this section:

''(1) COVERED OFFICIAL.—The term 'covered official' means—

''(A) the heads of each element of the intelligence community; and

''(B) the inspectors general with oversight responsibility for an element of the intelligence community.

''(2) INVESTIGATION.—The term 'investigation' means any inquiry, whether formal or informal, into the existence of an unauthorized public disclosure of classified information.

''(3) UNAUTHORIZED DISCLOSURE OF CLASSIFIED INFORMATION.—The term 'unauthorized disclosure of classified information' means any unauthorized disclosure of classified information to any recipient.

''(4) UNAUTHORIZED PUBLIC DISCLOSURE OF CLASSIFIED INFORMATION.—The term 'unauthorized public disclosure of classified information' means the unauthorized disclosure of classified information to a journalist or media organization.

''(b) INTELLIGENCE COMMUNITY REPORTING.—

''(1) IN GENERAL.—Not less frequently than once every 6 months, each covered official shall submit to the congressional intelligence committees a report on investigations of unauthorized public disclosures of classified information.

''(2) ELEMENTS.—Each report submitted under paragraph (1) shall include, with respect to the preceding 6-month period, the following:

''(A) The number of investigations opened by the covered official regarding an unauthorized public disclosure of classified information.

''(B) The number of investigations completed by the covered official regarding an unauthorized public disclosure of classified information.

''(C) Of the number of such completed investigations identified under subparagraph (B), the number referred to the Attorney General for criminal investigation.

''(c) DEPARTMENT OF JUSTICE REPORTING.—

''(1) IN GENERAL.—Not less frequently than once every 6 months, the Assistant Attorney General for National Security of the Department of Justice, in consultation with the Director of the Federal Bureau of Investigation, shall submit to the congressional intelligence committees, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives a report on the status of each referral made to the Department of Justice from any element of the intelligence community regarding an unauthorized disclosure of classified information made during the most recent 365-day period or any referral that has not yet been closed, regardless of the date the referral was made.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for each referral covered by the report, at a minimum, the following:

''(A) The date the referral was received.

''(B) A statement indicating whether the alleged unauthorized disclosure described in the referral was substantiated by the Department of Justice.

''(C) A statement indicating the highest level of classification of the information that was revealed in the unauthorized disclosure.

''(D) A statement indicating whether an open criminal investigation related to the referral is active.

''(E) A statement indicating whether any criminal charges have been filed related to the referral.

''(F) A statement indicating whether the Department of Justice has been able to attribute the unauthorized disclosure to a particular entity or individual.

''(d) FORM OF REPORTS.—Each report submitted under this section shall be submitted in unclassified form, but may have a classified annex.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 1104 the following new item:

''Sec. 1105. Semiannual reports on investigations of unauthorized disclosures of classified information.''.

SEC. 720. CONGRESSIONAL NOTIFICATION OF DESIGNATION OF COVERED INTELLIGENCE OFFICER AS PERSONA NON GRATA.

(a) COVERED INTELLIGENCE OFFICER DEFINED.—In this section, the term ''covered intelligence officer'' means—

(1) a United States intelligence officer serving in a post in a foreign country; or

(2) a known or suspected foreign intelligence officer serving in a United States post.

(b) REQUIREMENT FOR REPORTS.—Not later than 72 hours after a covered intelligence officer is designated as a persona non grata, the Director of National Intelligence, in consultation with the Secretary of State, shall submit to the congressional intelligence committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification of that designation. Each such notification shall include—

(1) the date of the designation;

(2) the basis for the designation; and

(3) a justification for the expulsion.

SEC. 721. REPORTS ON INTELLIGENCE COMMUNITY PARTICIPATION IN VULNERABILITIES EQUITIES PROCESS OF FEDERAL GOVERNMENT.

(a) DEFINITIONS.—In this section:

(1) VULNERABILITIES EQUITIES POLICY AND PROCESS DOCUMENT.—The term ''Vulnerabilities Equities Policy and Process document'' means the executive branch document entitled ''Vulnerabilities Equities Policy and Process'' dated November 15, 2017.

(2) VULNERABILITIES EQUITIES PROCESS.—The term ''Vulnerabilities Equities Process'' means the interagency review of vulnerabilities, pursuant to the Vulnerabilities Equities Policy and Process document or any successor document.

(3) VULNERABILITY.—The term ''vulnerability'' means a weakness in an information system or its components (for example, system security procedures, hardware design, and internal controls) that could be exploited or could affect confidentiality, integrity, or availability of information.

(b) REPORTS ON PROCESS AND CRITERIA UNDER VULNERABILITIES EQUITIES POLICY AND PROCESS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a written report describing—

(A) with respect to each element of the intelligence community—

(i) the title of the official or officials responsible for determining whether, pursuant to criteria contained in the Vulnerabilities Equities Policy and Process document or any successor document, a vulnerability must be submitted for review under the Vulnerabilities Equities Process; and

(ii) the process used by such element to make such determination; and

(B) the roles or responsibilities of that element during a review of a vulnerability submitted to the Vulnerabilities Equities Process.

(2) CHANGES TO PROCESS OR CRITERIA.—Not later than 30 days after any significant change is made to the process and criteria used by any element of the intelligence community for determining whether to submit a vulnerability for review under the Vulnerabilities Equities Process, such element shall submit to the congressional intelligence committees a report describing such change.

(3) FORM OF REPORTS.—Each report submitted under this subsection shall be submitted in unclassified form, but may include a classified annex.

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Not less frequently than once each calendar year, the Director of National Intelligence shall submit to the congressional intelligence committees a classified report containing, with respect to the previous year—

(A) the number of vulnerabilities submitted for review under the Vulnerabilities Equities Process;

(B) the number of vulnerabilities described in subparagraph (A) disclosed to each vendor responsible for correcting the vulnerability, or to the public, pursuant to the Vulnerabilities Equities Process; and

(C) the aggregate number, by category, of the vulnerabilities excluded from review under the Vulnerabilities Equities Process, as described in paragraph 5.4 of the Vulnerabilities Equities Policy and Process document.

(2) UNCLASSIFIED INFORMATION.—Each report submitted under paragraph (1) shall include an unclassified appendix that contains—

(A) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process; and

(B) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process known to have been patched.

(3) NON-DUPLICATION.—The Director of National Intelligence may forgo submission of an annual report required under this subsection for a calendar year, if the Director notifies the intelligence committees in writing that, with respect to the same calendar year, an annual report required by paragraph 4.3 of the Vulnerabilities Equities Policy and Process document already has been submitted to Congress, and such annual report contains the information that would otherwise be required to be included in an annual report under this subsection.

SEC. 722. INSPECTORS GENERAL REPORTS ON CLASSIFICATION.

(a) REPORTS REQUIRED.—Not later than October 1, 2019, each Inspector General listed in subsection (b) shall submit to the congressional intelligence committees a report that includes, with respect to the department or agency of the Inspector General, analyses of the following:

(1) The accuracy of the application of classification and handling markers on a representative sample of finished reports, including such reports that are compartmented.

(2) Compliance with declassification procedures.

(3) The effectiveness of processes for identifying topics of public or historical importance that merit prioritization for a declassification review.

(b) INSPECTORS GENERAL LISTED.—The Inspectors General listed in this subsection are as follows:

(1) The Inspector General of the Intelligence Community.

(2) The Inspector General of the Central Intelligence Agency.

(3) The Inspector General of the National Security Agency.

(4) The Inspector General of the Defense Intelligence Agency.

(5) The Inspector General of the National Reconnaissance Office.

(6) The Inspector General of the National Geospatial-Intelligence Agency.

SEC. 723. REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS AND BRIEFING ON EMERGING INFECTIOUS DISEASE AND PANDEMICS.

(a) REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS.—

(1) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the implications of water insecurity on the national security interest of the United States, including consideration of social, economic, agricultural, and environmental factors.

(2) ASSESSMENT SCOPE AND FOCUS.—Each report submitted under paragraph (1) shall include an assessment of water insecurity described in such subsection with a global scope, but focus on areas of the world—

(A) of strategic, economic, or humanitarian interest to the United States—

(i) that are, as of the date of the report, at the greatest risk of instability, conflict, human insecurity, or mass displacement; or

(ii) where challenges relating to water insecurity are likely to emerge and become significant during the 5-year or the 20-year period beginning on the date of the report; and

(B) where challenges relating to water insecurity are likely to imperil the national security interests of the United States or allies of the United States.

(3) CONSULTATION.—In researching a report required by paragraph (1), the Director shall consult with—

(A) such stakeholders within the intelligence community, the Department of Defense, and the Department of State as the Director considers appropriate; and

(B) such additional Federal agencies and persons in the private sector as the Director considers appropriate.

(4) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) BRIEFING ON EMERGING INFECTIOUS DISEASE AND PANDEMICS.—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives; and

(C) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

(2) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the appropriate congressional committees a briefing on the anticipated geopolitical effects of emerging infectious disease (including deliberate, accidental, and naturally occurring infectious disease threats) and pandemics, and their implications on the national security of the United States.

(3) CONTENT.—The briefing under paragraph (2) shall include an assessment of—

(A) the economic, social, political, and security risks, costs, and impacts of emerging infectious diseases on the United States and the international political and economic system;

(B) the economic, social, political, and security risks, costs, and impacts of a major transnational pandemic on the United States and the international political and economic system; and

(C) contributing trends and factors to the matters assessed under subparagraphs (A) and (B).

(4) EXAMINATION OF RESPONSE CAPACITY.—In examining the risks, costs, and impacts of emerging infectious disease and a possible transnational pandemic under paragraph (3), the Director of National Intelligence shall also examine in the briefing under paragraph (2) the response capacity within affected countries and the international system. In considering response capacity, the Director shall include—

(A) the ability of affected nations to effectively detect and manage emerging infectious diseases and a possible transnational pandemic;

(B) the role and capacity of international organizations and nongovernmental organizations to respond to emerging infectious disease and a possible pandemic, and their ability to coordinate with affected and donor nations; and

(C) the effectiveness of current international frameworks, agreements, and health systems to respond to emerging infectious diseases and a possible transnational pandemic.

(5) FORM.—The briefing under paragraph (2) may be classified.

SEC. 724. ANNUAL REPORT ON MEMORANDA OF UNDERSTANDING BETWEEN ELEMENTS OF INTELLIGENCE COMMUNITY AND OTHER ENTITIES OF THE UNITED STATES GOVERNMENT REGARDING SIGNIFICANT OPERATIONAL ACTIVITIES OR POLICY.

Section 311 of the Intelligence Authorization Act for Fiscal Year 2017 (50 U.S.C. 3313) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, United States Code, each head of an element of the intelligence community shall submit to the congressional intelligence committees a report that lists each memorandum of understanding or other agreement regarding significant operational activities or policy entered into during the most recently completed fiscal year between or among such element and any other entity of the United States Government.

''(b) PROVISION OF DOCUMENTS.—Each head of an element of an intelligence community who receives a request from the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives for a copy of a memorandum of understanding or other document listed in a report submitted by the head under subsection (a) shall submit to such committee the requested copy as soon as practicable after receiving such request.''.

SEC. 725. STUDY ON THE FEASIBILITY OF ENCRYPTING UNCLASSIFIED WIRELINE AND WIRELESS TELEPHONE CALLS.

(a) STUDY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a study on the feasibility of encrypting unclassified wireline and wireless telephone calls between personnel in the intelligence community.

(b) REPORT.—Not later than 90 days after the date on which the Director completes the study required by subsection (a), the Director shall submit to the congressional intelligence committees a report on the Director's findings with respect to such study.

SEC. 726. MODIFICATION OF REQUIREMENT FOR ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES.

(a) EXPANSION OF PERIOD OF REPORT.—Subsection (a) of section 114 of the National Security Act of 1947 (50 U.S.C. 3050) is amended by inserting ''and the preceding 5 fiscal years'' after ''fiscal year''.

(b) CLARIFICATION ON DISAGGREGATION OF DATA.—Subsection (b) of such section is amended, in the matter before paragraph (1), by striking ''disaggregated data by category of covered person from each element of the intelligence community'' and inserting ''data, disaggregated by category of covered person and by element of the intelligence community,''.

SEC. 727. REPORTS ON INTELLIGENCE COMMUNITY LOAN REPAYMENT AND RELATED PROGRAMS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) there should be established, through the issuing of an Intelligence Community Directive or otherwise, an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, for employees of the intelligence community;

(2) creating such a program would enhance the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions;

(3) such a program, including with respect to eligibility requirements, should be designed so as to maximize the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions; and

(4) to the extent possible, such a program should be uniform throughout the intelligence community and publicly promoted by each element of the intelligence community to both current employees of the element as well as to prospective employees of the element.

(b) REPORT ON POTENTIAL INTELLIGENCE COMMUNITY-WIDE PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in cooperation with the heads of the elements of the intelligence community and the heads of any other appropriate department or agency of the Federal Government, shall submit to the congressional intelligence committees a report on potentially establishing and carrying out an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, as described in subsection (a).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of the financial resources that the elements of the intelligence community would require to establish and initially carry out the program specified in paragraph (1).

(B) A description of the practical steps to establish and carry out such a program.

(C) The identification of any legislative action the Director determines necessary to establish and carry out such a program.

(c) ANNUAL REPORTS ON ESTABLISHED PROGRAMS.—

(1) COVERED PROGRAMS DEFINED.—In this subsection, the term ''covered programs'' means any loan repayment program, loan forgiveness program, financial counseling program, or similar program, established pursuant to title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) or any other provision of law that may be administered or used by an element of the intelligence community.

(2) ANNUAL REPORTS REQUIRED.—Not less frequently than once each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the covered programs. Each such report shall include, with respect to the period covered by the report, the following:

(A) The number of personnel from each element of the intelligence community who used each covered program.

(B) The total amount of funds each element expended for each such program.

(C) A description of the efforts made by each element to promote each covered program pursuant to both the personnel of the element of the intelligence community and to prospective personnel.

SEC. 728. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) CORRECTING LONG-STANDING MATERIAL WEAKNESSES.—Section 368 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 110–259; 50 U.S.C. 3051 note) is hereby repealed.

(b) INTERAGENCY THREAT ASSESSMENT AND COORDINATION GROUP.—Section 210D of the Homeland Security Act of 2002 (6 U.S.C. 124k) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) through (i) as subsections (c) through (h), respectively; and

(3) in subsection (c), as so redesignated—

(A) in paragraph (8), by striking ''; and'' and inserting a period; and

(B) by striking paragraph (9).

(c) INSPECTOR GENERAL REPORT.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking subsection (g); and

(2) by redesignating subsections (h) and (i) as subsections (g) and (h), respectively.

SEC. 729. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REPORT ON SENIOR EXECUTIVES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) SENIOR EXECUTIVE SERVICE POSITION DEFINED.—In this section, the term ''Senior Executive Service position'' has the meaning given that term in section 3132(a)(2) of title 5, United States Code, and includes any position above the GS–15, step 10, level of the General Schedule under section 5332 of such title.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on the number of Senior Executive Service positions in the Office of the Director of National Intelligence.

(c) MATTERS INCLUDED.—The report under subsection (b) shall include the following:

(1) The number of required Senior Executive Service positions for the Office of the Director of National Intelligence.

(2) Whether such requirements are reasonably based on the mission of the Office.

(3) A discussion of how the number of the Senior Executive Service positions in the Office compare to the number of senior positions at comparable organizations.

(d) COOPERATION.—The Director of National Intelligence shall provide to the Inspector General of the Intelligence Community any information requested by the Inspector General of the Intelligence Community that is necessary to carry out this section by not later than 14 calendar days after the date on which the Inspector General of the Intelligence Community makes such request.

SEC. 730. BRIEFING ON FEDERAL BUREAU OF INVESTIGATION OFFERING PERMANENT RESIDENCE TO SOURCES AND COOPERATORS.

Not later than 30 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall provide to the congressional intelligence committees a briefing on the ability of the Federal Bureau of Investigation to offer, as an inducement to assisting the Bureau, permanent residence within the United States to foreign individuals who are sources or cooperators in counterintelligence or other national security-related investigations. The briefing shall address the following:

(1) The extent to which the Bureau may make such offers, whether independently or in conjunction with other agencies and departments of the United States Government, including a discussion of the authorities provided by section 101(a)(15)(S) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(S)), section 7 of the Central Intelligence Agency Act (50 U.S.C. 3508), and any other provision of law under which the Bureau may make such offers.

(2) An overview of the policies and operational practices of the Bureau with respect to making such offers.

(3) The sufficiency of such policies and practices with respect to inducing individuals to cooperate with, serve as sources for such investigations, or both.

(4) Whether the Director recommends any legislative actions to improve such policies and practices, particularly with respect to the counterintelligence efforts of the Bureau.

SEC. 731. INTELLIGENCE ASSESSMENT OF NORTH KOREA REVENUE SOURCES.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Assistant Secretary of State for Intelligence and Research and the Assistant Secretary of the Treasury for Intelligence and Analysis, shall produce an intelligence assessment of the revenue sources of the North Korean regime. Such assessment shall include revenue from the following sources:

(1) Trade in coal, iron, and iron ore.

(2) The provision of fishing rights to North Korean territorial waters.

(3) Trade in gold, titanium ore, vanadium ore, copper, silver, nickel, zinc, or rare earth minerals, and other stores of value.

(4) Trade in textiles.

(5) Sales of conventional defense articles and services.

(6) Sales of controlled goods, ballistic missiles, and other associated items.

(7) Other types of manufacturing for export, as the Director of National Intelligence considers appropriate.

(8) The exportation of workers from North Korea in a manner intended to generate significant revenue, directly or indirectly, for use by the government of North Korea.

(9) The provision of nonhumanitarian goods (such as food, medicine, and medical devices) and services by other countries.

(10) The provision of services, including banking and other support, including by entities located in the Russian Federation, China, and Iran.

(11) Online commercial activities of the Government of North Korea, including online gambling.

(12) Criminal activities, including cyber-enabled crime and counterfeit goods.

(b) ELEMENTS.—The assessment required under subsection (a) shall include an identification of each of the following:

(1) The sources of North Korea's funding.

(2) Financial and non-financial networks, including supply chain management, transportation, and facilitation, through which North Korea accesses the United States and international financial systems and repatriates and exports capital, goods, and services; and

(3) the global financial institutions, money services business, and payment systems that assist North Korea with financial transactions.

(c) SUBMITTAL TO CONGRESS.—Upon completion of the assessment required under subsection (a), the Director of National Intelligence shall submit to the congressional intelligence committees a copy of such assessment.

SEC. 732. REPORT ON POSSIBLE EXPLOITATION OF VIRTUAL CURRENCIES BY TERRORIST ACTORS.

(a) SHORT TITLE.—This section may be cited as the ''Stop Terrorist Use of Virtual Currencies Act''.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of the Treasury, shall submit to Congress a report on the possible exploitation of virtual currencies by terrorist actors. Such report shall include the following elements:

(1) An assessment of the means and methods by which international terrorist organizations and State sponsors of terrorism use virtual currencies.

(2) An assessment of the use by terrorist organizations and State sponsors of terrorism of virtual currencies compared to the use by such organizations and States of other forms of financing to support operations, including an assessment of the collection posture of the intelligence community on the use of virtual currencies by such organizations and States.

(3) A description of any existing legal impediments that inhibit or prevent the intelligence community from collecting information on or helping prevent the use of virtual currencies by international terrorist organizations and State sponsors of terrorism and an identification of any gaps in existing law that could be exploited for illicit funding by such organizations and States.

(c) FORM OF REPORT.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

Subtitle C—Other Matters

SEC. 741. PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 710(b) of the Public Interest Declassification Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note) is amended by striking ''December 31, 2018'' and inserting ''December 31, 2028''.

SEC. 742. SECURING ENERGY INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Energy and Natural Resources of the Senate; and

(C) the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives.

(2) COVERED ENTITY.—The term ''covered entity'' means an entity identified pursuant to section 9(a) of Executive Order 13636 of February 12, 2013 (78 Fed. Reg. 11742), relating to identification of critical infrastructure where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

(3) EXPLOIT.—The term ''exploit'' means a software tool designed to take advantage of a security vulnerability.

(4) INDUSTRIAL CONTROL SYSTEM.—The term ''industrial control system'' means an operational technology used to measure, control, or manage industrial functions, and includes supervisory control and data acquisition systems, distributed control systems, and programmable logic or embedded controllers.

(5) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(6) PROGRAM.—The term ''Program'' means the pilot program established under subsection (b).

(7) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of Energy.

(8) SECURITY VULNERABILITY.—The term ''security vulnerability'' means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

(b) PILOT PROGRAM FOR SECURING ENERGY INFRASTRUCTURE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a 2-year control systems implementation pilot program within the National Laboratories for the purposes of—

(1) partnering with covered entities in the energy sector (including critical component manufacturers in the supply chain) that voluntarily participate in the Program to identify new classes of security vulnerabilities of the covered entities; and

(2) evaluating technology and standards, in partnership with covered entities, to isolate and defend industrial control systems of covered entities from security vulnerabilities and exploits in the most critical systems of the covered entities, including—

(A) analog and nondigital control systems;

(B) purpose-built control systems; and
(C) physical controls.
(c) WORKING GROUP TO EVALUATE PROGRAM STANDARDS AND DEVELOP STRATEGY.—
(1) ESTABLISHMENT.—The Secretary shall establish a working group—
(A) to evaluate the technology and standards used in the Program under subsection (b)(2); and
(B) to develop a national cyber-informed engineering strategy to isolate and defend covered entities from security vulnerabilities and exploits in the most critical systems of the covered entities.
(2) MEMBERSHIP.—The working group established under paragraph (1) shall be composed of not fewer than 10 members, to be appointed by the Secretary, at least 1 member of which shall represent each of the following:
(A) The Department of Energy.
(B) The energy industry, including electric utilities and manufacturers recommended by the Energy Sector coordinating councils.
(C)(i) The Department of Homeland Security; or
(ii) the Industrial Control Systems Cyber Emergency Response Team.
(D) The North American Electric Reliability Corporation.
(E) The Nuclear Regulatory Commission.
(F)(i) The Office of the Director of National Intelligence; or
(ii) the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).
(G)(i) The Department of Defense; or
(ii) the Assistant Secretary of Defense for Homeland Security and America's Security Affairs.
(H) A State or regional energy agency.
(I) A national research body or academic institution.
(J) The National Laboratories.
(d) REPORTS ON THE PROGRAM.—
(1) INTERIM REPORT.—Not later than 180 days after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees an interim report that—
(A) describes the results of the Program;
(B) includes an analysis of the feasibility of each method studied under the Program; and
(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1).
(2) FINAL REPORT.—Not later than 2 years after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees a final report that—
(A) describes the results of the Program;
(B) includes an analysis of the feasibility of each method studied under the Program; and
(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1).
(e) EXEMPTION FROM DISCLOSURE.—Information shared by or with the Federal Government or a State, Tribal, or local government under this section—
(1) shall be deemed to be voluntarily shared information;
(2) shall be exempt from disclosure under section 552 of title 5, United States Code, or any provision of any State, Tribal, or local freedom of information law, open government law, open meetings law, open records law, sunshine law, or similar law requiring the disclosure of information or records; and
(3) shall be withheld from the public, without discretion, under section 552(b)(3) of title 5, United States Code, and any provision of any State, Tribal, or local law requiring the disclosure of information or records.
(f) PROTECTION FROM LIABILITY.—
(1) IN GENERAL.—A cause of action against a covered entity for engaging in the voluntary activities authorized under subsection (b)—
(A) shall not lie or be maintained in any court; and
(B) shall be promptly dismissed by the applicable court.
(2) VOLUNTARY ACTIVITIES.—Nothing in this section subjects any covered entity to liability for not engaging in the voluntary activities authorized under subsection (b).
(g) NO NEW REGULATORY AUTHORITY FOR FEDERAL AGENCIES.—Nothing in this section authorizes the Secretary or the head of any other department or agency of the Federal Government to issue new regulations.
(h) AUTHORIZATION OF APPROPRIATIONS.—
(1) PILOT PROGRAM.—There is authorized to be appropriated $10,000,000 to carry out subsection (b).
(2) WORKING GROUP AND REPORT.—There is authorized to be appropriated $1,500,000 to carry out subsections (c) and (d).
(3) AVAILABILITY.—Amounts made available under paragraphs (1) and (2) shall remain available until expended.

SEC. 743. BUG BOUNTY PROGRAMS.

(a) DEFINITIONS.—In this section:
(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—
(A) the congressional intelligence committees;
(B) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and
(C) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.
(2) BUG BOUNTY PROGRAM.—The term ''bug bounty program'' means a program under which an approved computer security specialist or security researcher is temporarily authorized to identify and report vulnerabilities within the information system of an agency or department of the United States in exchange for compensation.
(3) INFORMATION SYSTEM.—The term ''information system'' has the meaning given that term in section 3502 of title 44, United States Code.
(b) BUG BOUNTY PROGRAM PLAN.—
(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to appropriate committees of Congress a strategic plan for appropriate agencies and departments of the United States to implement bug bounty programs.
(2) CONTENTS.—The plan required by paragraph (1) shall include—
(A) an assessment of—
(i) the ''Hack the Pentagon'' pilot program carried out by the Department of Defense in 2016 and subsequent bug bounty programs in identifying and reporting vulnerabilities within the information systems of the Department of Defense; and
(ii) private sector bug bounty programs, including such programs implemented by leading technology companies in the United States; and
(B) recommendations on the feasibility of initiating bug bounty programs at appropriate agencies and departments of the United States.

SEC. 744. MODIFICATION OF AUTHORITIES RELATING TO THE NATIONAL INTELLIGENCE UNIVERSITY.

(a) CIVILIAN FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.—
(1) IN GENERAL.—Section 1595(c) of title 10, United States Code, is amended by adding at the end the following:
''(5) The National Intelligence University.''.
(2) COMPENSATION PLAN.—The Secretary of Defense shall provide each person employed as a full-time professor, instructor, or lecturer at the National Intelligence University on the date of the enactment of this Act an opportunity to elect to be paid under the compensation plan in effect on the day before the date of the enactment of this Act (with no reduction in pay) or under the authority of section 1595 of title 10, United States Code, as amended by paragraph (1).
(b) ACCEPTANCE OF FACULTY RESEARCH GRANTS.—Section 2161 of such title is amended by adding at the end the following:
''(d) ACCEPTANCE OF FACULTY RESEARCH GRANTS.—The Secretary of Defense may authorize the President of the National Intelligence University to accept qualifying research grants in the same manner and to the same degree as the President of the National Defense University under section 2165(e) of this title.''.
(c) PILOT PROGRAM ON ADMISSION OF PRIVATE SECTOR CIVILIANS TO RECEIVE INSTRUCTION.—
(1) PILOT PROGRAM REQUIRED.—
(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall commence carrying out a pilot program to assess the feasability and advisability of permitting eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Intelligence University.
(B) DURATION.—The Secretary shall carry out the pilot program during the 3-year period beginning on the date of the commencement of the pilot program.
(C) EXISTING PROGRAM.—The Secretary shall carry out the pilot program in a manner that is consistent with section 2167 of title 10, United States Code.
(D) NUMBER OF PARTICIPANTS.—No more than the equivalent of 35 full-time student positions may be filled at any one time by private sector employees enrolled under the pilot program.
(E) DIPLOMAS AND DEGREES.—Upon successful completion of the course of instruction in which enrolled, any such private sector employee may be awarded an appropriate diploma or degree under section 2161 of title 10, United States Code.
(2) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—
(A) IN GENERAL.—For purposes of this subsection, an eligible private sector employee is an individual employed by a private firm that is engaged in providing to the Department of Defense, the intelligence community, or other Government departments or agencies significant and substantial intelligence or defense-related systems, products, or services or whose work product is relevant to national security policy or strategy.
(B) LIMITATION.—Under this subsection, a private sector employee admitted for instruction at the National Intelligence University remains eligible for such instruction only so long as that person remains employed by the same firm, holds appropriate security clearances, and complies with any other applicable security protocols.
(3) ANNUAL CERTIFICATION BY SECRETARY OF DEFENSE.—Under the pilot program, private sector employees may receive instruction at the National Intelligence University during any academic year only if, before the start of that academic year, the Secretary of Defense determines, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing instruction to private sector employees under this section during that year will further the national security interests of the United States.

(4) PILOT PROGRAM REQUIREMENTS.—The Secretary of Defense shall ensure that—

(A) the curriculum in which private sector employees may be enrolled under the pilot program is not readily available through other schools and concentrates on national security-relevant issues; and

(B) the course offerings at the National Intelligence University are determined by the needs of the Department of Defense and the intelligence community.

(5) TUITION.—The President of the National Intelligence University shall charge students enrolled under the pilot program a rate that—

(A) is at least the rate charged for employees of the United States outside the Department of Defense, less infrastructure costs; and

(B) considers the value to the school and course of the private sector student.

(6) STANDARDS OF CONDUCT.—While receiving instruction at the National Intelligence University, students enrolled under the pilot program, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the university.

(7) USE OF FUNDS.—

(A) IN GENERAL.—Amounts received by the National Intelligence University for instruction of students enrolled under the pilot program shall be retained by the university to defray the costs of such instruction.

(B) RECORDS.—The source, and the disposition, of such funds shall be specifically identified in records of the university.

(8) REPORTS.—

(A) ANNUAL REPORTS.—Each academic year in which the pilot program is carried out, the Secretary shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the number of eligible private sector employees participating in the pilot program.

(B) FINAL REPORT.—Not later than 90 days after the date of the conclusion of the pilot program, the Secretary shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the findings of the Secretary with respect to the pilot program. Such report shall include—

(i) the findings of the Secretary with respect to the feasability and advisability of permitting eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Intelligence University; and

(ii) a recommendation as to whether the pilot program should be extended.

SEC. 745. TECHNICAL AND CLERICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

(a) TABLE OF CONTENTS.—The table of contents at the beginning of the National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

(1) by inserting after the item relating to section 2 the following new item:

''Sec. 3. Definitions.'';

(2) by striking the item relating to section 107;

(3) by striking the item relating to section 113B and inserting the following new item:

''Sec. 113B. Special pay authority for science, technology, engineering, or mathematics positions.'';

(4) by striking the items relating to sections 202, 203, 204, 208, 209, 210, 211, 212, 213, and 214; and

(5) by inserting after the item relating to section 311 the following new item:

''Sec. 312. Repealing and saving provisions.''.

(b) OTHER TECHNICAL CORRECTIONS.—Such Act is further amended—

(1) in section 102A—

(A) in subparagraph (G) of paragraph (1) of subsection (g), by moving the margins of such subparagraph 2 ems to the left; and

(B) in paragraph (3) of subsection (v), by moving the margins of such paragraph 2 ems to the left;

(2) in section 106—

(A) by inserting ''SEC. 106'' before ''(a)''; and

(B) in subparagraph (I) of paragraph (2) of subsection (b), by moving the margins of such subparagraph 2 ems to the left;

(3) by striking section 107;

(4) in section 108(c), by striking ''in both a classified and an unclassified form'' and inserting ''to Congress in classified form, but may include an unclassified summary'';

(5) in section 112(c)(1), by striking ''section 103(c)(7)'' and inserting ''section 102A(i)'';

(6) by amending section 201 to read as follows:

''SEC. 201. DEPARTMENT OF DEFENSE.

''Except to the extent inconsistent with the provisions of this Act or other provisions of law, the provisions of title 5, United States Code, shall be applicable to the Department of Defense.'';

(7) in section 205, by redesignating subsections (b) and (c) as subsections (a) and (b), respectively;

(8) in section 206, by striking ''(a)'';

(9) in section 207, by striking ''(c)'';

(10) in section 308(a), by striking ''this Act'' and inserting ''sections 2, 101, 102, 103, and 303 of this Act'';

(11) by redesignating section 411 as section 312;

(12) in section 503—

(A) in paragraph (5) of subsection (c)—

(i) by moving the margins of such paragraph 2 ems to the left; and

(ii) by moving the margins of subparagraph (B) of such paragraph 2 ems to the left; and

(B) in paragraph (2) of subsection (d), by moving the margins of such paragraph 2 ems to the left; and

(13) in subparagraph (B) of paragraph (3) of subsection (a) of section 504, by moving the margins of such subparagraph 2 ems to the right.

SEC. 746. TECHNICAL AMENDMENTS RELATED TO THE DEPARTMENT OF ENERGY.

(a) NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.—Section 3233(b) of the National Nuclear Security Administration Act (50 U.S.C. 2423(b)) is amended—

(1) by striking ''Administration'' and inserting ''Department''; and

(2) by inserting ''Intelligence and'' after ''the Office of''.

(b) ATOMIC ENERGY DEFENSE ACT.—Section 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 2674(b)(2)) is amended by inserting ''Intelligence and'' after ''The Director of''.

(c) NATIONAL SECURITY ACT OF 1947.—Paragraph (2) of section 106(b) of the National Security Act of 1947 (50 U.S.C. 3041(b)(2)) is amended—

(1) in subparagraph (E), by inserting ''and Counterintelligence'' after ''Office of Intelligence'';

(2) by striking subparagraph (F);

(3) by redesignating subparagraphs (G), (H), and (I) as subparagraphs (F), (G), and (H), respectively; and

(4) in subparagraph (H), as so redesignated, by realigning the margin of such subparagraph 2 ems to the left.

SEC. 747. SENSE OF CONGRESS ON NOTIFICATION OF CERTAIN DISCLOSURES OF CLASSIFIED INFORMATION.

(a) DEFINITIONS.—In this section:

(1) ADVERSARY FOREIGN GOVERNMENT.—The term ''adversary foreign government'' means the government of any of the following foreign countries:

(A) North Korea.

(B) Iran.

(C) China.

(D) Russia.

(E) Cuba.

(2) COVERED CLASSIFIED INFORMATION.—The term ''covered classified information'' means classified information that was—

(A) collected by an element of the intelligence community; or

(B) provided by the intelligence service or military of a foreign country to an element of the intelligence community.

(3) ESTABLISHED INTELLIGENCE CHANNELS.—The term ''established intelligence channels'' means methods to exchange intelligence to coordinate foreign intelligence relationships, as established pursuant to law by the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Security Agency, or other head of an element of the intelligence community.

(4) INDIVIDUAL IN THE EXECUTIVE BRANCH.—The term ''individual in the executive branch'' means any officer or employee of the executive branch, including individuals—

(A) occupying a position specified in article II of the Constitution;

(B) appointed to a position by an individual described in subparagraph (A); or

(C) serving in the civil service or the Senior Executive Service (or similar service for senior executives of particular departments or agencies).

(b) FINDINGS.—Congress finds that section 502 of the National Security Act of 1947 (50 U.S.C. 3092) requires elements of the intelligence community to keep the congressional intelligence committees ''fully and currently informed'' about all ''intelligence activities'' of the United States, and to ''furnish to the congressional intelligence committees any information or material concerning intelligence activities * * * which is requested by either of the congressional intelligence committees in order to carry out its authorized responsibilities.''.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) section 502 of the National Security Act of 1947 (50 U.S.C. 3092), together with other intelligence community authorities, obligates an element of the intelligence community to submit to the congressional intelligence committees written notification, by not later than 7 days after becoming aware, that an individual in the executive branch has disclosed covered classified information to an official of an adversary foreign government using methods other than established intelligence channels; and

(2) each such notification should include—

(A) the date and place of the disclosure of classified information covered by the notification;

(B) a description of such classified information;

(C) identification of the individual who made such disclosure and the individual to whom such disclosure was made; and

(D) a summary of the circumstances of such disclosure.

SEC. 748. SENSE OF CONGRESS ON CONSIDERATION OF ESPIONAGE ACTIVITIES WHEN CONSIDERING WHETHER OR NOT TO PROVIDE VISAS TO FOREIGN INDIVIDUALS TO BE ACCREDITED TO A UNITED NATIONS MISSION IN THE UNITED STATES.

It is the sense of the Congress that the Secretary of State, in considering whether or not to provide a visa to a foreign individual to be accredited to a United Nations mission in the United States, should consider—

(1) known and suspected intelligence activities, espionage activities, including activities constituting precursors to espionage, carried out by the individual against the United States, foreign allies of the United States, or foreign partners of the United States; and

(2) the status of an individual as a known or suspected intelligence officer for a foreign adversary.

SEC. 749. SENSE OF CONGRESS ON WIKILEAKS.

It is the sense of Congress that WikiLeaks and the senior leadership of WikiLeaks resemble a nonstate hostile intelligence service often abetted by state actors and should be treated as such a service by the United States.

SA 549. Mr. CORNYN (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1262. UNITED STATES-INDIA DEFENSE COOPERATION IN THE WESTERN INDIAN OCEAN.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the relevant congressional committees a report on defense cooperation between the United States and India in the Western Indian Ocean.

(2) MATTERS TO BE INCLUDED.—The report required by paragraph (1) shall include the following:

(A) A description of military activities of the United States and India, separately, in the Western Indian Ocean.

(B) A description of military cooperation activities between the United States and India in the areas of humanitarian assistance, counter terrorism, counter piracy, maritime security, and other areas as the Secretary determines appropriate.

(C) A description of how the relevant geographic combatant commands coordinate their activities with the Indian military in the Western Indian Ocean.

(D) A description of the mechanisms in place to ensure the relevant geographic combatant commands maximize defense cooperation with India in the Western Indian Ocean.

(E) Areas of future opportunity to increase military engagement with India in the Western Indian Ocean.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) MILITARY COOPERATION AGREEMENTS; CONDUCT OF REGULAR JOINT MILITARY TRAINING AND OPERATIONS.—The Secretary of Defense is authorized to enter into military cooperation agreements and to conduct regular joint military training and operations with India in the Western Indian Ocean on behalf of the United States Government, and after consultation with the Secretary of State.

(c) MECHANISMS TO MAXIMIZE DEFENSE COOPERATION.—The Secretary of Defense shall ensure that the relevant geographic combatant commands have proper mechanisms in place to maximize defense cooperation with India in the Western Indian Ocean.

(d) DEFINITIONS.—In this section:

(1) RELEVANT CONGRESSIONAL COMMITTEES.—The term ''relevant congressional committees'' means—

(A) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

(2) RELEVANT GEOGRAPHIC COMBATANT COMMANDS.—The term ''relevant geographic combatant commands'' means the United States Indo-Pacific Command, United States Central Command, and United States Africa Command.

(3) WESTERN INDIAN OCEAN.—The term ''Western Indian Ocean'' means the area in the Indian Ocean extending from the west coast of India to the east coast of Africa.

SA 550. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title III, add the following:

SEC. 333. AUTHORIZATION OF BED DOWN OF CERTAIN AIRCRAFT AT TYNDALL AIR FORCE BASE.

(a) BED DOWN.—The Secretary of the Air Force may bed down three F-35 squadrons and an MQ-9 Wing at Tyndall Air Force Base.

(b) USE OF INNOVATIVE METHODS AND MATERIALS.—In carrying out the bed down under subsection (a), the Secretary of the Air Force may use innovative construction methods, materials, designs, and technologies in order to achieve efficiencies, cost savings, resiliency, and capability, which may include the following:

(1) Innovative and resistant basing that is highly resilient to weather, natural disaster, and climate change.

(2) Open architecture design to evolve with the national defense strategy.

(3) Efficient ergonomic enterprise for members of the Air Force in the 21st century.

(c) REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report on a detailed master plan of the Secretary for executing all actions, including funding requirements set forth by fiscal year, to fully recover from Hurricane Michael and to support the bed down described in subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) Details of the environmental impact analysis schedule as required pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) Planning and design.

(C) Anticipated construction schedule set forth by fiscal year.

(D) Planned delivery dates of aircraft set forth by fiscal year.

SA 551. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. PROHIBITION ON RELIEF RELATING TO PATENT INFRINGEMENT.

(a) DEFINITION.—In this section, the term ''covered entity''—

(1) means an entity that—

(A) is owned by, controlled by, affiliated with, or acting at the direction of an entity that is organized under the laws of, or otherwise subject to the jurisdiction of, a country, the government of which is on the priority watch list established by the United States Trade Representative pursuant to section 182(a) of the Trade Act of 1974 (19 U.S.C. 2242(a)); and

(B) has engaged in an action that is prohibited under—

(i) section 1(a) of Executive Order 13873 (84 Fed. Reg. 22689; relating to securing the information and communications technology and services supply chain); or

(ii) any regulations issued in response to the Executive Order described in clause (i); and

(2) includes any subsidiary, affiliate, employee, or representative of, and any related party with respect to, an entity described in paragraph (1), without regard to the location or jurisdiction of incorporation of that subsidiary, affiliate, employee, representative, or party, as applicable.

(b) PROHIBITION.—Notwithstanding any other provision of law or regulation, no covered entity may—

(1) bring or maintain an action for infringement of a patent under title 35, United States Code;

(2) file a complaint with the United States International Trade Commission for an investigation under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337); or

(3) otherwise obtain any relief under the laws of the United States, including for damages, injunctive relief, or other redress, with respect to a patent issued by the United States Patent and Trademark Office.

SA 552. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. _____. DEFENSE MICROELECTRONICS AGENCY.

(a) ESTABLISHMENT.—There is established in the Department of Defense a Defense Microelectronics Agency—

(1) to provide executive leadership to formally meet the microelectronics requirements of all elements of the Department; and

(2) to provide an assured, trusted source for integrated circuits, ranging from obsolete and legacy components to state-of-the-practice and state-of-the-art microelectronics for the Department.

(b) FUNCTIONS.—The functions of the Defense Microelectronics Agency are as follows:

(1) Establishing a public private partnership to initiate a Government owned, contractor operated (GOCO) facility for the manufacture of microelectronics for the Department in order to provide the supply

chain security, dependability, and expediency required to cost effectively address national defense needs of the United States. Such partnership shall enable access to state-of-the-art technology in an environment that can accommodate top-secret activities.

(2) Creating an annual, moving estimate of 5- and 10-year future microelectronics needs of the Department, including processes and design methods.

(3) Collecting and organizing known and projected technology requirements of the Department relating to microelectronics.

(4) Enhancing, shaping, and directing Department microelectronics science and technology budgets and programs in research, development, test, and evaluation to assure the requirements collected and organized under paragraph (3) are met.

(5) Tracking and analyzing microelectronics industry capabilities, including trusted technology and production capabilities.

(6) Performing outreach and industry coordination on all matters relating to the functions under this subsection via external advisory groups and industry associations.

(7) Arranging trusted foundry capacity as needed at all tier levels and defining their funding models.

(8) Issuing Departmentwide directions, policies, and procurement regulations relating to microelectronics.

(9) Overseeing the acquisition of all microelectronics within the Department of Defense including subsystems within procurement programs.

(c) REQUIREMENTS.—

(1) ESTABLISHING AND PUBLISHING DEPARTMENT POLICIES.—(A) The Defense Microelectronics Agency shall establish and publish policies for the Department on the criticality of access to advanced integrated circuit technologies and the need for microelectronics science and technology and research and development funding.

(B)(i) The Defense Microelectronics Agency shall define and provide guidance on a subset of microelectronics components that require special considerations for trustworthiness.

(ii) The guidance required by clause (i) shall include direction as to when the Department must assure commercial-off-the-shelf component trustworthiness.

(2) REVIEW OF FUNDING LEVELS.—The Defense Microelectronics Agency shall review and determine if microelectronics science and technology and research and development funding levels of the Department are consistent with new priorities.

(3) FORMAL APPROACH TO INTERAGENCY AND INTERDEPARTMENTAL WORKING GROUPS.—(A) The Defense Microelectronics Agency shall institutionalize a formal approach to interagency and interdepartmental working groups, including Department of Defense, Department of Energy, and the intelligence community, in order to examine threats to and means of verifying trustworthiness of microelectronic components.

(B) Such groups shall continually evaluate the state of the art of techniques such as tamper-proof design, life testing, reverse engineering and chip and package testing for their practicality for Department of Defense use.

(C) Such working groups shall focus on techniques for assuring trustworthiness of embedded processors and memories in array and system-on-a-chip components.

(4) COMPONENTS REQUIRING HIGHEST DEGREE OF TRUSTWORTHINESS.—(A) The Defense Microelectronics Agency shall establish criteria and process guidelines for Department of Defense programs and Department prime contractors on how to identify or classify components requiring the highest degree of trustworthiness.

(B) The Defense Microelectronics Agency shall develop procedures and techniques to evaluate the need for trustworthiness of each microelectronic component in Department systems.

(d) TRANSFER OF FUNCTIONS.—

(1) DEFENSE MICROELECTRONICS ACTIVITY.—All functions and resources of the Defense Microelectronics Activity are hereby functions and resources of the Defense Microelectronics Agency.

(2) RESEARCH, DEVELOP, TESTING, AND ENGINEERING.—All research, development, testing, and engineering functions of the Department relating to microelectronics or semiconductors and all funding appropriated or otherwise made available to the Department for such functions are hereby functions and funding appropriated or otherwise made available for the Defense Microelectronics Agency.

SA 553. Mr. RUBIO (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SECTION _____. CONSIDERATION OF IMPACT OF HURRICANE MICHAEL IN MODIFICATION OF CONSTRUCTION CONTRACTS FOR OFFSHORE PATROL CUTTERS.

Notwithstanding any other provision of law, the Commandant of the Coast Guard may consider the impact of Hurricane Michael in modifying, without consideration, a contract relating to the construction of one or more Offshore Patrol Cutters if the Commandant determines that the consideration of such impacts is in the national security interests of the United States.

SA 554. Mr. RUBIO (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 10____. EXTENSION OF MORATORIUM ON OIL AND GAS LEASING IN CERTAIN AREAS OF GULF OF MEXICO.

Section 104(a) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended in the matter preceding paragraph (1) by striking ''June 30, 2022'' and inserting ''June 30, 2027''.

SA 555. Mr. RUBIO (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SOUTH FLORIDA HARMFUL ALGAL BLOOMS AND HYPOXIA ASSESSMENT AND ACTION PLAN.

(a) IN GENERAL.—The Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (Public Law 105–383; 33 U.S.C. 4001 et seq.) is amended—

(1) by redesignating sections 605 through 609 as sections 606 through 610, respectively; and

(2) by inserting after section 604 the following:

''SEC. 605. SOUTH FLORIDA HARMFUL ALGAL BLOOMS AND HYPOXIA.

''(a) SOUTH FLORIDA.—In this section, the term 'South Florida' has the same meaning given the term 'South Florida ecosystem' in section 601(a)(5) of the Water Resources Development Act of 2000 (Public Law 106–541).

''(b) INTEGRATED ASSESSMENT.—Not later than 540 days after the date of enactment of the South Florida Clean Coastal Waters Act of 2019, the Task Force, in accordance with the authority under section 603, shall complete and submit to Congress and the President an integrated assessment that examines the causes, consequences, and potential approaches to reduce harmful algal blooms and hypoxia in South Florida, and the status of, and gaps within, current harmful algal bloom and hypoxia research, monitoring, management, prevention, response, and control activities that directly affect the region by—

''(1) Federal agencies;

''(2) State agencies;

''(3) regional research consortia;

''(4) academia;

''(5) private industry; and

''(6) nongovernmental organizations.

''(c) ACTION PLAN.—

''(1) IN GENERAL.—Not later than 2 years after the date of the enactment of the South Florida Clean Coastal Waters Act of 2019, the Task Force shall develop and submit to Congress a plan, based on the integrated assessment under subsection (b), for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida.

''(2) CONTENTS.—The plan submitted under paragraph (1) shall—

''(A) address the monitoring needs identified in the integrated assessment under subsection (b);

''(B) develop a timeline and budgetary requirements for deployment of future assets;

''(C) identify requirements for the development and verification of South Florida harmful algal bloom and hypoxia models, including—

''(i) all assumptions built into the models; and

''(ii) data quality methods used to ensure the best available data are utilized; and

''(D) propose a plan to implement a remote monitoring network and early warning system for alerting local communities in the region to harmful algal bloom risks that may impact human health.

''(3) REQUIREMENTS.—In developing the action plan, the Task Force shall—

''(A) coordinate and consult with the State of Florida, and affected local and tribal governments;

''(B) consult with representatives from regional academic, agricultural, industry, and other stakeholder groups;

''(C) ensure that the plan complements and does not duplicate activities conducted by other Federal or State agencies, including the South Florida Ecosystem Restoration Task Force;

''(D) identify critical research for reducing, mitigating, and controlling harmful algal bloom events and their effects;

''(E) evaluate cost-effective, incentive-based partnership approaches;

''(F) ensure that the plan is technically sound and cost-effective;

''(G) utilize existing research, assessments, reports, and program activities;

''(H) publish a summary of the proposed plan in the Federal Register at least 180 days prior to submitting the completed plan to Congress; and

''(I) after submitting the completed plan to Congress, provide biennial progress reports on the activities toward achieving the objectives of the plan.''.

(b) CLERICAL AMENDMENT AND CORRECTION.—The table of contents in section 2 of the Coast Guard Authorization Act of 1998 (Public Law 105–383) is amended by striking the items relating to title VI and inserting the following new items:

'TITLE VI—HARMFUL ALGAL BLOOMS AND HYPOXIA

''Sec. 601. Short title.
''Sec. 602. Findings.
''Sec. 603. Assessments.
''Sec. 603A. National Harmful Algal Bloom and Hypoxia Program.
''Sec. 603B. Comprehensive research plan and action strategy.
''Sec. 604. Northern Gulf of Mexico hypoxia.
''Sec. 605. South Florida harmful algal blooms and hypoxia.
''Sec. 606. Great Lakes hypoxia and harmful algal blooms.
''Sec. 607. Effect on other Federal authority.
''Sec. 608. Definitions.
''Sec. 609. Authorization of appropriations.''.

SA 556. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1086. CREDITABLE SERVICE FOR FEDERAL RETIREMENT FOR UNITED STATES CITIZENS EMPLOYED BY AIR AMERICA AND ASSOCIATED ENTITIES.

(a) AMENDMENTS.—

(1) IN GENERAL.—Section 8332(b) of title 5, United States Code, is amended—

(A) in paragraph (16), by striking ''and'' at the end;

(B) in paragraph (17), by striking the period at the end and inserting ''; and'';

(C) by inserting after paragraph (17) the following:

''(18) any period of service performed not later than 1977, while a citizen of the United States, in the employ of Air America, Inc., or any entity associated with, predecessor to, or subsidiary to Air America, Inc., including Air Asia Company Limited, CAT Incorporated, Civil Air Transport Company Limited, and the Pacific Division of Southern Air Transport, during the period during which Air America, Inc., or the other entity was owned and controlled by the United States Government.''; and

(D) by adding at the end the following: ''For purposes of this subchapter, service of the type described in paragraph (18) of this subsection shall be considered to have been service as an employee.''.

(2) EXEMPTION FROM DEPOSIT REQUIREMENT.—Section 8334(g) of title 5, United States Code, is amended—

(A) in paragraph (5), by striking ''or'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(7) any service for which credit is allowed under section 8332(b)(18) of this title.''.

(b) APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by subsection (a) shall apply with respect to an annuity commencing on or after the effective date of this section.

(2) PROVISIONS RELATING TO CURRENT ANNUITANTS.—

(A) RECOMPUTATION.—An individual who is entitled to an annuity for the month in which this section becomes effective may, upon application submitted to the Office of Personnel Management not later than 2 years after the effective date of this section, have the amount of the annuity recomputed as if the amendments made by subsection (a) had been in effect throughout all periods of service on the basis of which the annuity is or may be based.

(B) EFFECT OF RECOMPUTATION.—A recomputation under subparagraph (A) shall be effective as of the commencement date of the annuity, and any additional amounts becoming payable for periods before the first month for which the recomputation is reflected in the regular monthly annuity payments to the individual shall be payable to the individual in the form of a lump-sum payment.

(3) PROVISIONS RELATING TO INDIVIDUALS ELIGIBLE FOR (BUT NOT CURRENTLY RECEIVING) AN ANNUITY.—

(A) IN GENERAL.—An individual not described in paragraph (2) who becomes eligible for an annuity or an increased annuity as a result of the enactment of this section may elect to have the rights of the individual under subchapter III of chapter 83 of title 5, United States Code, determined as if the amendments made by subsection (a) had been in effect throughout all periods of service on the basis of which the annuity is or would be based by submitting an appropriate application to the Office of Personnel Management not later than 2 years after the later of—

(i) the effective date of this section; or

(ii) the date on which the individual separates from service.

(B) COMMENCEMENT DATE, ETC.—

(i) IN GENERAL.—Any entitlement to an annuity or an increased annuity resulting from an application submitted under subparagraph (A) shall be effective as of the commencement date of the annuity (subject to clause (ii), if applicable), and any amounts becoming payable for periods before the first month for which regular monthly annuity payments begin to be made in accordance with the amendments made by this section shall be payable to the individual in the form of a lump-sum payment.

(ii) RETROACTIVITY.—Any determination of the amount, or of the commencement date, of any annuity, all the requirements for entitlement to which (including separation, but disregarding any application requirement) would have been satisfied before the effective date of this section if this section had been in effect (but would not then otherwise have been satisfied absent this section) shall be made as if an application for the annuity had been submitted as of the earliest date that would have been allowable, after the individual's separation from service, if the amendments made by subsection (a) had been in effect throughout the periods of service described in subparagraph (A).

(4) RIGHT TO FILE ON BEHALF OF A DECEDENT.—

(A) IN GENERAL.—The regulations prescribed under subsection (d)(1) shall provide, consistent with the order of precedence set forth in section 8342(c) of title 5, United States Code, that a survivor of an individual who performed service described in section 8332(b)(18) of that title (as added by subsection (a) of this section)—

(i) may submit an application on behalf of the decedent and receive any lump-sum payment that would otherwise have been payable to the decedent under paragraph (2) or (3) of this subsection; and

(ii) shall submit an application described in subparagraph (A) not later than the later of—

(I) 2 years after the effective date of this section; or

(II) 1 year after the date of the decedent's death.

(c) FUNDING.—

(1) LUMP-SUM PAYMENTS.—A lump-sum payment under subsection (b) shall be payable out of the Civil Service Retirement and Disability Fund.

(2) UNFUNDED LIABILITY.—Any increase in the unfunded liability of the Civil Service Retirement System attributable to the enactment of this section shall be financed in accordance with section 8348(f) of title 5, United States Code.

(d) REGULATIONS AND SPECIAL RULE.—

(1) IN GENERAL.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out this section.

(B) CONTENTS.—In prescribing regulations under subparagraph (A), the Director of the Office of Personnel Management shall apply rules similar to the rules established under section 201 of the Federal Employees' Retirement System Act of 1986 (Public Law 99–335; 100 Stat. 588) with respect to any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (a) of this section) that was subject to title II of the Social Security Act (42 U.S.C. 401 et seq.).

(2) SPECIAL RULE.—For the purposes of an application for any benefit that is computed or recomputed taking into account any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (a) of this section), section 8345(i)(2) of that title shall be applied by deeming the reference to the date of the ''other event which gives rise to title to the benefit'' to refer to the effective date of this section, if later than the date of the event that would otherwise apply.

(e) DEFINITIONS.—For purposes of this section—

(1) the term ''annuity'', as used in paragraphs (2) and (3) of subsection (b), includes a survivor annuity; and

(2) the terms ''survivor'', ''survivor annuitant'', and ''unfunded liability'' have the meanings given those terms in section 8331 of title 5, United States Code.

(f) EFFECTIVE DATE.—This section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this section.

SA 557. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 147. LIGHT ATTACK AIRCRAFT.

(a) PROCUREMENT AUTHORITY FOR COMBAT AIR ADVISOR SUPPORT.—The Commander of the United States Special Operations Command shall have procurement authority for Light Attack Aircraft for Combat Air Advisor (CAA) mission support.

(b) AUTHORITY TO USE OR TRANSFER FUNDS MADE AVAILABLE FOR LIGHT ATTACK AIRCRAFT EXPERIMENTS.—The Secretary of the Air Force shall use or transfer amounts authorized to be appropriated by this Act and otherwise available for Light Attack Aircraft (LAA) experiments to procure the required quantity of aircraft for—

(1) Air Combat Command's Air Ground Operations School (AGOS); and

(2) Air Force Special Operations Command for Combat Air Advisor (CAA) mission support in accordance with subsection (a).

SA 558. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title III, add the following:

SEC. 333. FORCE PROTECTION AND PHYSICAL SECURITY RESPONSIBILITY FOR NON-CANTONMENT FACILITIES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) identify non-cantonment facilities of the Department of Defense that require force protection and physical security;

(2) establish force protection and physical security responsibility for non-cantonment facilities of the Department in the vicinity of existing installations of the Department that do not fall under the joint base model of the Department; and

(3) require that the Secretary of the military department concerned provide funding for adequate force protection and physical security measures at non-cantonment facilities to ensure the safety and security of personnel and property not residing in the main cantonment area.

(b) POLICY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish and publish in the Federal Register and on an Internet website of the Department of Defense a policy for carrying out the requirements under subsection (a).

(c) REVIEW OF MEASURES AND POLICY.—In the event of heightened threat conditions and world events, the Secretary of Defense shall review the policy under subsection (b) and the measures undertaken under that policy as the Secretary considers appropriate.

SA 559. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1086. LIMITATION OF AUTHORITY WITH RESPECT TO PREMIUM CIGARS.

(a) EXCEPTION FOR TRADITIONAL LARGE AND PREMIUM CIGARS.—Section 901(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387a(c)) is amended—

(1) in paragraph (2), in the heading, by inserting ''FOR CERTAIN TOBACCO LEAF'' after ''AUTHORITY''; and

(2) by adding at the end the following:

''(3) LIMITATION OF AUTHORITY FOR CERTAIN CIGARS.—

''(A) IN GENERAL.—The provisions of this chapter (except for section 907(d)(3)) shall not apply to traditional large and premium cigars.

''(B) RULE OF CONSTRUCTION.—Nothing in this chapter shall be construed to grant the Secretary authority to promulgate regulations on any matter that involves traditional large and premium cigars.

''(C) TRADITIONAL LARGE AND PREMIUM CIGAR DEFINED.—For purposes of this paragraph, the term 'traditional large and premium cigar'—

''(i) means any roll of tobacco that is wrapped in 100-percent leaf tobacco, bunched with 100-percent tobacco filler, contains no filter, tip or non-tobacco mouthpiece, weighs at least 6 pounds per 1,000 count, and—

''(I) has a 100 percent leaf tobacco binder and is hand rolled;

''(II) has a 100-percent leaf tobacco binder and is made using human hands to lay the leaf tobacco wrapper or binder onto only one machine that bunches, wraps, and caps each individual cigar; or

''(III) has a homogenized tobacco leaf binder and is made in the United States using human hands to lay the 100-percent leaf tobacco wrapper onto only one machine that bunches, wraps, and caps each individual cigar; and

''(ii) does not include a cigarette (as such term is defined by section 900(3)) or a little cigar (as such term is defined by section 900(11)).''.

(b) CONFORMING AMENDMENTS.—Section 919(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387s(b)) is amended—

(1) in paragraph (2)(B)(i)(II), by inserting '', but excluding traditional large and premium cigars (as such term is defined under section 901(c)(3))'' before the period; and

(2) in paragraph (5), by inserting ''subject to section 901(c)(3),'' before ''if a user fee''.

SA 560. Mr. RUBIO (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Western Hemisphere Security Initiative

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''2020 Western Hemisphere Security Initiative Act''.

SEC. 1292. FINDINGS.

Congress makes the following findings:

(1) The stability and security of the Western Hemisphere directly impacts the security of the United States. The nations of the hemisphere are connected in every domain. Our partnerships are vital to security and prosperity in this hemisphere, and to our ability to meet complex global challenges. The security and prosperity of future generations depend on our trust and cooperation.

(2) The Western Hemisphere is home to more than 1,000,000,000 people and largely unified by respect for democracy and human rights that is shared by nearly all nations in the hemisphere.

(3) The United States is in competition with China and other aspiring global powers in the Western Hemisphere. China has accelerated expansion of its One Belt One Road Initiative at a pace that may one day overshadow its expansion in Southeast Asia and Africa. Russia supports regional information outlets that spread its false narrative of world events and United States intentions. Iran has exported its state support for terrorism to the hemisphere. China and Russia also support autocratic regimes in Venezuela, Cuba, and Nicaragua, who are counter to democracy and United States interests.

(4) The Western Hemisphere continues to experience high levels of corruption, violence, trafficking in drugs and other illicit commodities, and illegal migration resulting from weak institutions and instability. Seventeen of the top 20 most violent countries in the world are in Central America, the Caribbean, and South America.

(5) The United States National Security Strategy, which was released in December 2017, states the following:

(A) ''Stable, friendly, and prosperous states in the Western Hemisphere enhance our security and benefit our economy. Democratic states connected by shared values and economic interests will reduce the violence, drug trafficking and illegal immigration that threaten our common security, and will limit opportunities for adversaries to operate from areas of close proximity to us.''

(B) ''The United States also has important and deepening relationships with key countries in the region. Together we will build a stable and peaceful hemisphere that increases economic opportunities for all, improves governance, reduces the power of criminal organizations, and limits the malign influence of non-hemispheric forces.''

(C) ''U.S. agencies and foreign partners will target transnational criminal organization leaders and their support infrastructure. We will assist countries, particularly in the Western Hemisphere, to break the power of these organizations and networks.''

(6) The ''Summary of the 2018 National Defense Strategy of the United States of America'' which was released in January 2018, states, ''The U.S. derives immense benefit from a stable, peaceful hemisphere that reduces security threats to the homeland. Supporting the U.S. interagency lead, the Department will deepen its relations with regional countries that contribute military capabilities to shared regional and global security challenges.''

(7) The United States homeland is physically and geographically connected with Latin America and the Caribbean across all domains—sea, air, land, space, and cyber. Any challenges in the region affect the United States and can quickly become threats to our national security.

(8) The drugs that pour into the United States, killing thousands of Americans every year, largely enter from Latin America and the Caribbean. Drug overdoses killed more than 70,000 United States citizens in 2017, and treating drug abuse cost United States taxpayers over $30,000,000,000 in 2015. In order to stop this epidemic, the United States Government must address domestic consumption and assist our partner nations in the region in reducing local cultivation and manufacturing of narcotics while controlling their own borders. And while interdictions of drug shipments are at an all-time high, it's still

only a small percentage of the known flow. Additional United States and partner assets, operational funding, coordination, and capacity building, along with intelligence and data exploitation, can all contribute to reducing this flow.

(9) In addition, we must assist in strengthening our partners' institutions in order to reduce corruption and extend governance. By reducing the flow of drugs through Central America—the primary transit zone—we will also mitigate the drivers for extreme violence and corruption left in the wake of the illegal drug trade. The vicious side effects of illicit trade also cost American taxpayers billions of dollars every year.

(10) Directly tied to the instability and insecurity associated with the flow of drugs through Central America is the movement of thousands of Central American migrants toward the United States. Migrant flows between countries have also increased, straining partner nations' capacity and straining security and stability.

(11) Natural disasters and other humanitarian crises also increase instability and exacerbate the causes of migration.

(12) As the United States Government has focused—necessarily—on other parts of the world, the governments of countries like the Russian Federation and the People's Republic of China have increased their economic and political focus in this hemisphere, deepening their own relationships in an effort to supplant United States security presence and assistance, including through the following activities:

(A) The Government of the People's Republic of China pledged at least $150,000,000,000 in loans to countries in the hemisphere with long-term consequences. Infrastructure investments in the Panama Canal region could jeopardize United States, allied, and partner access and transit through the region. Chinese information technology investments in the region place intellectual property, data, and government security at risk, potentially curtailing our ability to share information with our key security partners.

(B) The Government of the Russian Federation established a Counter Transnational Organized Crime (CTOC) Training Center in Nicaragua, providing the Government with a regional platform to recruit intelligence sources and conduct collection activities. The Government of the Russian Federation also conducted disinformation campaigns, publishing hundreds of articles in 2018 that deliberately distorted United States defense engagements. The Government of the Russian Federation has deployed strategic bombers, warships, intelligence collection ships, and underwater research vessels that are capable of mapping and interfering with undersea cables.

(13) The United States has a fundamental interest in defending human rights and promoting the rule of law in the Western Hemisphere.

(14) Intelligent and focused investments in the United States Armed Forces and security assistance yield meaningful results with partners able to secure their own countries and stand shoulder-to-shoulder with the United States to address threats to our mutual security interests.

(15) Given the lack of direct military threats in the Western Hemisphere, the United States Government has taken the relative stability and democratic progress of the region for granted. Recent developments demonstrate that this is dangerous:

(A) There are now four countries in the region whose ruling parties do not share United States values and who actively seek to undermine democratic stability. The Governments of Cuba, Venezuela, Bolivia, and Nicaragua enable Russian and Chinese military deployments to the region, allowing those two actors access to infrastructure and the potential ability to impede United States, allied, and partner nation efforts in the event of contingencies.

(B) Support from the Governments of the Russian Federation and the People's Republic of China for autocratic Governments in Cuba, Venezuela, Nicaragua, and Bolivia enables anti-democratic sentiment and threatens United States security interests in the region.

(16) The United States has many strong, established partnerships to assist us in advancing shared objectives in this hemisphere. The United States Government must renew focus on our own hemisphere to stop these challenges and threats as far away as possible before they reach our borders and shores, and strengthen the security partnerships critical to ensuring our hemisphere remains a beacon of peace and stability.

SEC. 1293. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the security, stability, and prosperity of the Western Hemisphere region are vital to the national interests of the United States;

(2) the United States should continue to engage in the Western Hemisphere by strengthening alliances and partnerships, working with regional institutions, addressing the shared challenges of illicit trafficking of humans, drugs, and other contraband, transnational criminal organizations, and supporting the rule of law and democracy in the region;

(3) the United States should maintain a military presence and capability in the Western Hemisphere region that can project power, build partner capacity, provide humanitarian assistance and large scale disaster relief, deter acts of aggression, and respond, if necessary, to regional threats or to threats to the national security of the United States from China, Russia, Iran, transnational criminal organizations, violent extremists, or autocratic regimes;

(4) continuing efforts by the Department of Defense to commit additional assets and increase investments to the Western Hemisphere are necessary to maintain a robust United States commitment to the region;

(5) the Secretary of Defense should—

(A) assess the current United States force posture in the Western Hemisphere to ensure that the United States maintains an appropriate and consistent presence in the region, including by—

(i) prioritizing intelligence, surveillance, and reconnaissance assets;

(ii) increasing aerial and maritime domain awareness by exploring commercially available options in addition to traditional means;

(iii) increasing deployment of surface and air assets and making available operating funds to cultivate multi-national participation in security activities, including multinational military exercises and training; and

(iv) providing a continuous United States Navy presence with humanitarian assistance and disaster relief as well as drug interdiction-capable platforms;

(B) exploit innovative solutions, including data analytics and use of emerging technologies such as machine learning, to illuminate and target corruption and illicit networks;

(C) compete in the information domain, including by—

(i) exploiting publicly available information; and

(ii) sharing signals and insights into state and non-state destabilizing activities;

(D) develop strategic options to expand the competitive space in Latin America and the Caribbean;

(E) streamline security cooperation processes;

(F) enhance regional force readiness through joint training and exercises; and

(G) continue to build interoperability to address threats in space and cyberspace;

(6) the Secretary of State should—

(A) increase the designation of International Military and Education Training (IMET) funding for use by countries in the Western Hemisphere because education and training activities are force multipliers, providing partners with mutual understanding, shared values, interoperability of forces, and deepen relationships lasting generations; and

(B) increase Foreign Military Financing within the United States Southern Command (USSOUTHCOM) area of responsibility to adequately match requirements; and

(7) Congress should provide additional funds for use by USSOUTHCOM in contracting solutions to mitigate gaps in capabilities.

SEC. 1294. WESTERN HEMISPHERE SECURITY INITIATIVE.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $1,000,000,000 for the Department of Defense for fiscal year 2020 to carry out the Western Hemisphere Security Initiative.

(2) AMOUNTS IN ADDITION.—These funds may be used under this authority notwithstanding any other funding authorities for humanitarian assistance, security assistance, or combined exercise expenses.

(3) LIMITATION.—Funds appropriated pursuant to the authority under this subsection may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

(b) AUTHORIZED PURPOSES.—The Secretary of Defense may use amounts made available pursuant to subsection (a) for the following purposes:

(1) Activities to increase continuous United States presence in Latin America and the Caribbean.

(2) Activities to build the defense and security capacity of allies and partner nations in Latin America and the Caribbean.

(3) Activities to illuminate threats, including malign influence of state actors, transnational organized crime with a nexus to drug trafficking, terrorism, and weapons proliferation, at scale.

(4) Efforts to disrupt and degrade transregional and transnational illicit trade with an emphasis on drugs.

(5) Activities to provide transparency and support strong and accountable institutions.

(6) Bilateral and multinational military exercises and training with allies and partner nations in Latin America and the Caribbean.

(7) Foreign military financing (FMF) and international military education and training (IMET) programs.

(8) The provision of assistance to national military or other security forces of such countries that have among their functional responsibilities national or regional security missions.

(9) The provision of training to ministry, agency, and headquarters level organizations for such forces.

(10) Payment of other expenses that the Commander of the United States Southern Command considers necessary for Latin American cooperation.

(11) Humanitarian Assistance to support partner by promoting sustainable development and growth of responsive institutions through activities such as providing logistical support, such as the transportation of humanitarian supplies or personnel, making available, preparing, and

transporting nonlethal excess property (EP) to foreign countries, transferring on-hand Department of Defense stocks to respond to unforeseen emergencies, conducting Department of Defense humanitarian demining assistance activities, and in some circumstances, conducting medical support and base operating services to the extent required by the operation.

(c) TYPES OF ASSISTANCE AND TRAINING.—

(1) AUTHORIZED ELEMENTS OF ASSISTANCE.—Assistance provided under subsection (b)(8) may include the provision of equipment, supplies, training, transportation and the establishment, including small-scale military construction, and operations of bases of operation or training facilities for the purpose of facilitating counterdrug activities or activities to counter transnational organized crime.

(2) REQUIRED ELEMENTS OF ASSISTANCE AND TRAINING.—Assistance and training provided under subsection (b) shall include elements that promote the following principles:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for legitimate civilian authority within the country to which the assistance is provided.

(d) PRIORITIES FOR ASSISTANCE AND TRAINING.—In developing programs for assistance or training to be provided under subsection (b), the Secretary of Defense shall accord a priority to assistance, training, or both that will enhance the security capabilities of the recipient foreign country, or a regional organization of which the recipient country is a member, to respond to emerging threats to regional security.

(e) INCREMENTAL EXPENSES OF PERSONNEL OF CERTAIN OTHER COUNTRIES FOR TRAINING.—If the Secretary of Defense determines that the payment of incremental expenses in connection with training described in subsection (b) will facilitate the participation in such training of organization personnel of friendly foreign countries within South and Central America and the Caribbean, the Secretary may use amounts available under subsection (f) for assistance and training under subsection (b) for the payment of such incremental expenses.

(f) USE OF SECURITY COOPERATION FUNDS.—

(1) IN GENERAL.—Of funds authorized to be appropriated for the Defense Security Cooperation Agency for security cooperation activities, $250,000,000 is authorized for the sole purpose of security cooperation activities under the United States Southern Command to build the capacity of partner nations in the Western Hemisphere.

(2) USE OF FUNDS.—Funds made available under paragraph (1) may be used in accordance with subsection (b) notwithstanding any other funding authorities for security assistance, counter-drug activities, counter-transnational organized crime activities, humanitarian assistance, or combined exercise expenses. The funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

(g) APPLICABILITY OF RESTRICTIONS ON DIRECT PARTICIPATION BY MILITARY PERSONNEL.—Any support to counter-drug or counter-transnational organized crime activities under subsection (b) shall be subject to the provisions of section 275 of title 10, United States Code.

(h) IMET FUNDING.—There is authorized to be appropriated $18,000,000 for the Department of Defense for fiscal year 2020 for International Military Education and Training activities under the Western Hemisphere Security Initiative.

(i) HUMANITARIAN ASSISTANCE.—There is authorized to be appropriated $20,000,000 for the Department of Defense for fiscal year 2020 for the United States Southern Command to execute Theater Security Cooperation activities such as humanitarian assistance, and the payment of incremental and personnel costs of training and exercising with foreign military and security forces.

(j) TRANSFER REQUIREMENTS RELATED TO CERTAIN FUNDS.—

(1) USE OF FUNDS ONLY PURSUANT TO TRANSFER.—In the case of funds authorized to be appropriated for the Western Hemisphere Security Initiative Fund, the funds may be used for the purposes specified in subsection (b) only pursuant to a transfer of the funds to either or both of the following accounts of the Department of Defense:

(A) Military personnel accounts.

(B) Operation and maintenance accounts.

(2) EFFECT ON AUTHORIZATION AMOUNTS.—During fiscal years 2020 and 2021, the transfer of an amount made available for the Western Hemisphere Security Initiative to an account under the authority provided by this section shall be deemed to increase the amount authorized for such account by an amount equal to the amount transferred.

(3) CONSTRUCTION WITH OTHER TRANSFER AUTHORITY.—The transfer authority provided by paragraph (1) and subsection (b) is in addition to any other transfer authority available to the Department of Defense.

(k) NOTIFICATION REQUIREMENTS.—Not later than 15 days before that date on which a transfer of funds under this section takes effect, the Secretary of Defense shall notify the congressional defense committees in writing of the planned transfer. Each notice of a transfer of funds shall include the following:

(1) A detailed description of the project or activity to be supported by the transfer of funds, including any request of the Commander of the United States Southern Command for support, urgent operational need, or emergent operational need.

(2) The amount planned to be transferred and expended on such project or activity.

(3) A timeline for expenditure of the transferred funds.

(l) DURATION OF TRANSFER AUTHORITY.—The transfer authority provided by this section expires on September 30, 2020.

(m) UNFUNDED REQUIREMENTS AUTHORITY.—Funds appropriated for the Western Hemisphere Security Initiative that are not transferred pursuant to subsection (i)(1) shall be utilized to meet the requirements listed in the Unfunded Requirements listed by the United States Southern Command for the fiscal year 2020 budget.

(n) COAST GUARD SUPPORT.—

(1) REIMBURSEMENT.—The Department of Defense is authorized to reimburse up to $500,000,000 to the Coast Guard for Coast Guard national security functions in support of the United States Southern Command. These national security functions include—

(A) maintaining and exercising readiness to operate with the Department of Defense, including military training for operational units and joint exercises with the Department of Defense;

(B) performing the missions of maritime interception operations in support of sanctions against another nation or group of nations;

(C) performing the missions of maritime interception operations in support of drug interdiction;

(D) environmental defense operations where the Coast Guard responds to environmental disasters overseas that could disrupt military actions; and

(E) security and defense in support of the United States Southern Command.

(2) USE OF FUNDS.—The Coast Guard is authorized to utilize such funding in order to procure additional vessels in order to meet requirements of the United States Southern Command.

(o) SENSE OF CONGRESS ON ENHANCED USSOUTHCOM PRESENCE.—It is the sense of Congress that the Secretary of Defense should pursue whatever means necessary to increase the presence of the Department of Defense within the United States Southern Command's area of responsibility, including additional Navy deployments of Small Surface Combatants and hospital ships, P–8 Poseidon's, maintain Special Forces and Army presence, and source year-round presence of a Special Purpose Marine Air-Ground Task Force.

(p) NAVY STRATEGY.—The Secretary of the Navy shall submit to Congress a strategy on permanently assigning Navy vessels to the 4th Fleet, including the potential use of ships scheduled to be decommissioned.

(q) STATE PARTNERSHIP PROGRAM.—It is the sense of Congress that the National Guard Bureau should continue its State Partnership Program in support of the United States Southern Command and United States embassy security cooperation objectives, along with the Department of Defense policy goals within the United States Southern Command's area of responsibility.

SA 561. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Section 240 is amended by adding at the end the following:

(5) Not less than $10,000,000 to test and evaluate technologies that achieve operational energy, energy sustainability, and energy resiliency—

(A) to support expeditionary forces testing and tactical operations requirements of the Department of Defense outside the United States; and

(B) to sustain the national defense in the event of an electromagnetic pulse attack.

SA 562. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. ____. ADDITIONAL AMOUNT FOR OTHER HELO DEVELOPMENT.

(a) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2020 by section 201 for research, development, test, and evaluation is hereby increased by $10,000,000, with the amount of the increase to be available for Other Helo Development (PE 0604212N).

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2020 for OCO Total Force Readiness by section 4302 is hereby reduced by $10,000,000.

SA 563. Mr. CRUZ submitted an amendment intended to be proposed by

him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. _____. ADDITIONAL AMOUNT FOR FUTURE VERTICAL LIFT PROGRAM.

(a) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2020 by this Act for the Army's Future Vertical Lift program, Capability Set 3, is hereby increased by $61,400,000.

(b) OFFSETS.—The amount authorized to be appropriated for fiscal year 2020—

(1) by section 4302 for OCO Force Readiness is hereby decreased by $21,000,000; and

(2) by section 4201—

(A) for Army RDT&E Technology Maturation Initiatives is hereby decreased by $8,400,000;

(B) for Army RDT&E Army Advanced Component Development & Prototyping is hereby decreased by $10,000,000;

(C) for Army RDT&E Synthetic Training Environment Refinement & Prototyping is hereby decreased by $10,000,000; and

(D) for Defense RDT&E Advanced Innovative Technologies is hereby decreased by $12,000,000

SA 564. Mrs. CAPITO (for herself, Mr. CARPER, Mr. BARRASSO, Mr. SULLIVAN, Mrs. GILLIBRAND, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 318(a), add at the end the following:

(3) OTHER AUTHORITY.—In addition to the requirements under paragraph (1), when otherwise authorized to expend funds for the purpose of addressing ground or surface water contaminated by a perfluorinated compound, the Secretary of Defense may, to expend those funds, enter into a grant agreement, cooperative agreement, or contract with—

(A) the local water authority with jurisdiction over the contamination site, including—

(i) a public water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)); and

(ii) a publicly owned treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)); or

(B) a State, local, or Tribal government.

At the end of division A, add the following:

TITLE XVII—PFAS RELEASE DISCLOSURE, DETECTION, AND SAFE DRINKING WATER ASSISTANCE

SEC. 1701. DEFINITION OF ADMINISTRATOR.

In this title, the term ''Administrator'' means the Administrator of the Environmental Protection Agency.

Subtitle A—PFAS Release Disclosure

SEC. 1711. ADDITIONS TO TOXICS RELEASE INVENTORY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) TOXICS RELEASE INVENTORY.—The term ''toxics release inventory'' means the toxics release inventory under section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(c)).

(b) IMMEDIATE INCLUSION.—

(1) IN GENERAL.—Subject to subsection (e), beginning January 1 of the calendar year following the date of enactment of this Act, the following chemicals shall be deemed to be included in the toxics release inventory:

(A) Perfluorooctanoic acid (commonly referred to as ''PFOA'') (Chemical Abstracts Service No. 335–67–1).

(B) The salt associated with the chemical described in subparagraph (A) (Chemical Abstracts Service No. 3825–26–1).

(C) Perfluorooctane sulfonic acid (commonly referred to as ''PFOS'') (Chemical Abstracts Service No. 1763–23–1).

(D) The salts associated with the chemical described in subparagraph (C) (Chemical Abstract Service Nos. 45298–90–6, 29457–72–5, 56773–42–3, 29081–56–9, 4021–47–0, 111873–33–7, and 91036–71–4).

(E) A perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that is—

(i) listed as an active chemical substance in the February 2019 update to the inventory under section 8(b)(1) of the Toxic Substances Control Act (15 U.S.C. 2607(b)(1)); and

(ii) on the date of enactment of this Act, subject to the provisions of—

(I) section 721.9582 of title 40, Code of Federal Regulations; or

(II) section 721.10536 of title 40, Code of Federal Regulations.

(2) THRESHOLD FOR REPORTING.—

(A) IN GENERAL.—Subject to subparagraph (B), the threshold for reporting the chemicals described in paragraph (1) under section 313(f)(1) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(f)(1)) is 100 pounds.

(B) REVISIONS.—Not later than 5 years after the date of enactment of this Act, the Administrator shall—

(i) determine whether revision of the threshold under subparagraph (A) is warranted; and

(ii) if the Administrator determines a revision to be warranted under clause (i), initiate a revision under section 313(f)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(f)(2)).

(c) INCLUSION FOLLOWING ASSESSMENT.—

(1) IN GENERAL.—Subject to subsection (e), a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances shall be automatically included in the toxics release inventory beginning January 1 of the calendar year after any of the following dates:

(A) ESTABLISHMENT OF TOXICITY VALUE.—The date on which the Administrator establishes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(B) SIGNIFICANT NEW USE RULE.—The date on which the Administrator finalizes a significant new use rule under subsection (a)(2) of section 5 of the Toxic Substances Control Act (15 U.S.C. 2604), except a significant new use rule promulgated in connection with an order issued under subsection (e) of that section, for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(C) ADDITION TO EXISTING SIGNIFICANT NEW USE RULE.—The date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is added to a list of substances covered by a significant new use rule previously promulgated under subsection (a)(2) of section 5 of the Toxic Substances Control Act (15 U.S.C. 2604), except a significant new use rule promulgated in connection with an order issued under subsection (e) of that section.

(D) ADDITION AS ACTIVE CHEMICAL SUBSTANCE.—The date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that is on a list of substances covered by a significant new use rule under subsection (a)(2) of section 5 of the Toxic Substances Control Act (15 U.S.C. 2604), except a significant new use rule promulgated in connection with an order issued under subsection (e) of that section, is—

(i) added to the inventory under subsection (b)(1) of section 8 of the Toxic Substances Control Act (15 U.S.C. 2607) and designated as an active chemical substance under subsection (b)(5)(A) of that section; or

(ii) designated as an active chemical substance on the inventory in accordance with subsection (b)(5)(B) of that section.

(2) THRESHOLD FOR REPORTING.—

(A) IN GENERAL.—Subject to subparagraph (B), the threshold for reporting under section 313(f)(1) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11203(f)(1)) the substances and classes of substances included in the toxics release inventory under paragraph (1) is 100 pounds.

(B) REVISIONS.—Not later than 5 years after the date of enactment of this Act, the Administrator shall—

(i) determine whether revision of the thresholds under subparagraph (A) is warranted; and

(ii) if the Administrator determines a revision to be warranted under clause (i), initiate a revision under section 313(f)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(f)(2)).

(d) INCLUSION FOLLOWING DETERMINATION.—

(1) IN GENERAL.—To the extent not already subject to subsection (b), not later than 2 years after the date of enactment of this Act, the Administrator shall determine whether the substances and classes of substances described in paragraph (2) meet the criteria described in section 313(d)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(d)(2)) for inclusion in the toxics release inventory.

(2) SUBSTANCES DESCRIBED.—The substances and classes of substances referred to in paragraph (1) are perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances, including—

(A) hexafluoropropylene oxide dimer acid (Chemical Abstracts Service No. 13252–13–6);

(B) the compounds associated with the chemical described in subparagraph (A) (Chemical Abstracts Service Nos. 62037–80–3 and 2062–98–8);

(C) perfluoro[(2-pentafluoroethoxy-ethoxy)acetic acid] ammonium salt (Chemical Abstracts Service No. 908020–52–0);

(D) 2,3,3,3-tetrafluoro 2-(1,1,2,3,3,3-hexafluoro)-2-(trifluoromethoxy) propanoyl fluoride (Chemical Abstracts Service No. 2479–75–6);

(E) 2,3,3,3-tetrafluoro 2-(1,1,2,3,3,3-hexafluoro)-2-(trifluoromethoxy) propionic acid (Chemical Abstracts Service No. 2479–73–4);

(F) 3H-perfluoro-3-[(3-methoxy-propoxy) propanoic acid] (Chemical Abstracts Service No. 919005–14–4);

(G) the salts associated with the chemical described in subparagraph (F) (Chemical Abstracts Service Nos. 958445–44–8, 1087271–46–2, and NOCAS_892452);

(H) 1-octanesulfonic acid 3,3,4,4,5,5,6,6,7,7,8,8-tridecafluoro-potassium salt (Chemical Abstracts Service No. 59587–38–1);

(I) perfluorobutanesulfonic acid (Chemical Abstracts Service No. 375–73–5);

(J) 1-Butanesulfonic acid, 1,1,2,2,3,3,4,4,4-nonafluoro-potassium salt (Chemical Abstracts Service No. 29420–49–3);

(K) the component associated with the chemical described in subparagraph (J) (Chemical Abstracts Service No. 45187–15–3);

(L) heptafluorobutyric acid (Chemical Abstracts Service No. 375–22–4);

(M) perfluorohexanoic acid (Chemical Abstracts Service No. 307–24–4);

(N) each perfluoroalkyl or polyfluoroalkly substance or class of perfluoroalkyl or polyfluoroalkyl substances for which a method to measure levels in drinking water has been validated by the Administrator; and

(O) a perfluoroalkyl and polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances other than the chemicals described in subparagraphs (A) through (N) that is used to manufacture fluoropolymers, as determined by the Administrator.

(3) ADDITION TO TOXICS RELEASE INVENTORY.—Subject to subsection (e), if the Administrator determines under paragraph (1) that a substance or a class of substances described in paragraph (2) meets the criteria described in section 313(d)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(d)(2)), the Administrator shall revise the toxics release inventory to include that substance or class of substances not later than 2 years after the date on which the Administrator makes the determination.

(e) CONFIDENTIAL BUSINESS INFORMATION.—

(1) IN GENERAL.—Prior to including on the toxics release inventory pursuant to subsection (b)(1), (c)(1), or (d)(3) any perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances the chemical identity of which is subject to a claim of a person of protection from disclosure under subsection (a) of section 552 of title 5, United States Code, pursuant to subsection (b)(4) of that section, the Administrator shall—

(A) review that claim of protection from disclosure; and

(B) require that person to reassert and substantiate or resubstantiate that claim in accordance with section 14(f) of the Toxic Substances Control Act (15 U.S.C. 2613(f)).

(2) NONDISCLOSURE OF PROTECTION INFORMATION.—If the Administrator determines that the chemical identity of a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances qualifies for protection from disclosure under paragraph (1), the Administrator shall include the substance or class of substances, as applicable, on the toxics release inventory in a manner that does not disclose the protected information.

(f) EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT OF 1986.—Section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(c)) is amended—

(1) by striking the period at the end and inserting ''; and'';

(2) by striking ''are those chemicals'' and inserting the following: ''are—

''(1) the chemicals''; and

(3) by adding at the end the following:

''(2) the chemicals included under subsections (b)(1), (c)(1), and (d)(3) of section 1711 of the National Defense Authorization Act for Fiscal Year 2020.''.

Subtitle B—Drinking Water

SEC. 1721. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR PFAS.

Section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2)) is amended by adding at the end the following:

''(D) PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.—

''(i) IN GENERAL.—Not later than 2 years after the date of enactment of this subparagraph, the Administrator shall promulgate a national primary drinking water regulation for perfluoroalkyl and polyfluoroalkyl substances, which shall, at a minimum, include standards for—

''(I) perfluorooctanoic acid (commonly referred to as 'PFOA'); and

''(II) perfluorooctane sulfonic acid (commonly referred to as 'PFOS').

''(ii) ALTERNATIVE PROCEDURES.—

''(I) IN GENERAL.—Not later than 1 year after the validation by the Administrator of an equally effective quality control and testing procedure to ensure compliance with that national primary drinking water regulation to measure the levels described in subclause (II) or other methods to detect and monitor perfluoroalkyl and polyfluoroalkyl substances in drinking water, the Administrator shall add the procedure or method as an alternative to the quality control and testing procedure described in that national primary drinking water regulation by publishing the procedure or method in the Federal Register.

''(II) LEVELS DESCRIBED.—The levels referred to in subclause (I) are—

''(aa) the level of a perfluoroalkyl or polyfluoroalkyl substance;

''(bb) the total levels of perfluoroalkyl and polyfluoroalkyl substances; and

''(cc) the total levels of organic fluorine.

''(iii) INCLUSIONS.—The Administrator may include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances on—

''(I) the list of contaminants for consideration of regulation under paragraph (1)(B)(i); and

''(II) the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i).

''(iv) MONITORING.—When establishing monitoring requirements for public water systems as part of a national primary drinking water regulation under clause (i) or clause (vi)(II), the Administrator shall tailor the monitoring requirements for public water systems that do not detect or are reliably and consistently below the maximum contaminant level (as defined in section 1418(b)(2)(B)) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances subject to the national primary drinking water regulation.

''(v) HEALTH RISK REDUCTION AND COST ANALYSIS.—In meeting the requirements of paragraph (3)(C), the Administrator may rely on information available to the Administrator with respect to 1 or more specific perfluoroalkyl or polyfluoroalkyl substances to extrapolate reasoned conclusions regarding the health risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances of which the specific perfluoroalkyl or polyfluoroalkyl substances are a part.

''(vi) REGULATION OF ADDITIONAL SUBSTANCES.—

''(I) DETERMINATION.—The Administrator shall make a determination under paragraph (1)(A), using the criteria described in clauses (i) through (iii) of that paragraph, whether to include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances in the national primary drinking water regulation under clause (i) not later than 18 months after the later of—

''(aa) the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is listed on the list of contaminants for consideration of regulation under paragraph (1)(B)(i); and

''(bb) the date on which—

''(AA) the Administrator has received the results of monitoring under section 1445(a)(2)(B) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substance; or

''(BB) the Administrator has received finished water data or finished water monitoring surveys for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances from a Federal or State agency that the Administrator determines to be sufficient to make a determination under paragraph (1)(A).

''(II) PRIMARY DRINKING WATER REGULATIONS.—

''(aa) IN GENERAL.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to regulate under subclause (I), the Administrator—

''(AA) not later than 18 months after the date on which the Administrator makes the determination, shall propose a national primary drinking water regulation for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

''(BB) may publish the proposed national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

''(bb) DEADLINE.—

''(AA) IN GENERAL.—Not later than 1 year after the date on which the Administrator publishes a proposed national primary drinking water regulation under item (aa)(AA) and subject to subitem (BB), the Administrator shall take final action on the proposed national primary drinking water regulation.

''(BB) EXTENSION.—The Administrator, on publication of notice in the Federal Register, may extend the deadline under subitem (AA) by not more than 6 months.

''(vii) LIFETIME DRINKING WATER HEALTH ADVISORY.—

''(I) IN GENERAL.—Subject to subclause (II), the Administrator shall publish a health advisory under paragraph (1)(F) for a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not later than 1 year after the later of—

''(aa) the date on which the Administrator finalizes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

''(bb) the date on which the Administrator validates an effective quality control and testing procedure for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substance, if such a procedure did not exist on the date on which the toxicity value described in item (aa) was finalized.

''(II) WAIVER.—The Administrator may waive the requirements of subclause (I) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl and polyfluoroalkyl substances if the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water.''.

SEC. 1722. MONITORING AND DETECTION.

(a) MONITORING PROGRAM FOR UNREGULATED CONTAMINANTS.—

(1) IN GENERAL.—The Administrator shall include each substance described in paragraph (2) in the fifth publication of the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300j–4(a)(2)(B)(i)).

(2) SUBSTANCES DESCRIBED.—The substances referred to in paragraph (1) are perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances—

(A) for which a method to measure the level in drinking water has been validated by the Administrator; and

(B) that are not subject to a national primary drinking water regulation under clause (i) or (vi)(II) of subparagraph (D) of section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2)).

(3) EXCEPTION.—The perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances included in the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300j–4(a)(2)(B)(i)) under paragraph (1) shall not count towards the limit of 30 unregulated contaminants to be monitored by public water systems under that section.

(b) APPLICABILITY.—

(1) IN GENERAL.—The Administrator shall—

(A) require public water systems serving more than 10,000 persons to monitor for the substances described in subsection (a)(2);

(B) subject to paragraph (2) and the availability of appropriations, require public water systems serving not fewer than 3,300 and not more than 10,000 persons to monitor for the substances described in subsection (a)(2); and

(C) subject to paragraph (2) and the availability of appropriations, ensure that only a representative sample of public water systems serving fewer than 3,300 persons are required to monitor for the substances described in subsection (a)(2).

(2) REQUIREMENT.—If the Administrator determines that there is not sufficient laboratory capacity to carry out the monitoring required under subparagraphs (B) and (C) of paragraph (1), the Administrator may waive the monitoring requirements in those subparagraphs.

(3) FUNDS.—The Administrator shall pay the reasonable cost of such testing and laboratory analysis as is necessary to carry out the monitoring required under paragraph (1) from—

(A) funds made available under subsection (a)(2)(H) or (j)(5) of section 1445 of the Safe Drinking Water Act (42 U.S.C. 300j–4); or

(B) any other funds made available for that purpose.

SEC. 1723. ENFORCEMENT.

Notwithstanding any other provision of law, the Administrator may not impose financial penalties for the violation of a national primary drinking water regulation (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances for which a national primary drinking water regulation has been promulgated under clause (i) or (vi) of subparagraph (D) of section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2)) earlier than the date that is 5 years after the date on which the Administrator promulgates the national primary drinking water regulation.

SEC. 1724. DRINKING WATER STATE REVOLVING FUNDS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) is amended—

(1) in subsection (a)(2), by adding at the end the following:

''(G) EMERGING CONTAMINANTS.—

''(i) IN GENERAL.—Subject to clause (ii), amounts deposited under subsection (t) in a State loan fund established under this section may be used to provide grants for the purpose of addressing emerging contaminants, with a focus on perfluoroalkyl and polyfluoroalkyl substances.

''(ii) REQUIREMENTS.—

''(I) SMALL AND DISADVANTAGED COMMUNITIES.—Not less than 25 percent of the amounts described in clause (i) shall be used to provide grants to—

''(aa) disadvantaged communities (as defined in subsection (d)(3)); or

''(bb) public water systems serving fewer than 25,000 persons.

''(II) PRIORITIES.—In selecting the recipient of a grant using amounts described in clause (i), a State shall use the priorities described in subsection (b)(3)(A).'';

(2) in subsection (m)(1), in the matter preceding subparagraph (A), by striking ''this section'' and inserting ''this section, except for subsections (a)(2)(G) and (t)''; and

(3) by adding at the end the following:

''(t) EMERGING CONTAMINANTS.—

''(1) IN GENERAL.—Amounts made available under this subsection shall be allotted to a State as if allotted under subsection (a)(1)(D) as a capitalization grant, for deposit into the State loan fund of the State, for the purposes described in subsection (a)(2)(G).

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $100,000,000 for each of fiscal years 2020 through 2024, to remain available until expended.''.

Subtitle C—PFAS Detection

SEC. 1731. DEFINITIONS.

In this subtitle:

(1) DIRECTOR.—The term ''Director'' means the Director of the United States Geological Survey.

(2) PERFLUORINATED COMPOUND.—

(A) IN GENERAL.—The term ''perfluorinated compound'' means a perfluoroalkyl substance or a polyfluoroalkyl substance that is manmade with at least 1 fully fluorinated carbon atom.

(B) DEFINITIONS.—In this definition:

(i) FULLY FLUORINATED CARBON ATOM.—The term ''fully fluorinated carbon atom'' means a carbon atom on which all the hydrogen substituents have been replaced by fluorine.

(ii) NONFLUORINATED CARBON ATOM.—The term ''nonfluorinated carbon atom'' means a carbon atom on which no hydrogen substituents have been replaced by fluorine.

(iii) PARTIALLY FLUORINATED CARBON ATOM.—The term ''partially fluorinated carbon atom'' means a carbon atom on which some, but not all, of the hydrogen substituents have been replaced by fluorine.

(iv) PERFLUOROALKYL SUBSTANCE.—The term ''perfluoroalkyl substance'' means a manmade chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(v) POLYFLUOROALKYL SUBSTANCE.—The term ''polyfluoroalkyl substance'' means a manmade chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

SEC. 1732. PERFORMANCE STANDARD FOR THE DETECTION OF PERFLUORINATED COMPOUNDS.

(a) IN GENERAL.—The Director shall establish a performance standard for the detection of perfluorinated compounds.

(b) EMPHASIS.—

(1) IN GENERAL.—In developing the performance standard under subsection (a), the Director shall emphasize the ability to detect as many perfluorinated compounds present in the environment as possible using analytical methods that—

(A) achieve limits of quantitation (as defined in the document of the United States Geological Survey entitled ''Analytical Methods for Chemical Analysis of Geologic and Other Materials, U.S. Geological Survey'' and dated 2002); and

(B) are as sensitive as is feasible and practicable.

(2) REQUIREMENT.—In developing the performance standard under subsection (a), the Director may—

(A) develop quality assurance and quality control measures to ensure accurate sampling and testing;

(B) develop a training program with respect to the appropriate method of sample collection and analysis of perfluorinated compounds; and

(C) coordinate with the Administrator, including, if appropriate, coordinating to develop media-specific, validated analytical methods to detect individual and different perfluorinated compounds simultaneously.

SEC. 1733. NATIONWIDE SAMPLING.

(a) IN GENERAL.—The Director shall carry out a nationwide sampling to determine the concentration of perfluorinated compounds in estuaries, lakes, streams, springs, wells, wetlands, rivers, aquifers, and soil using the performance standard developed under section 1732(a).

(b) REQUIREMENTS.—In carrying out the sampling under subsection (a), the Director shall—

(1) first carry out the sampling at sources of drinking water near locations with known or suspected releases of perfluorinated compounds;

(2) when carrying out sampling of sources of drinking water under paragraph (1), carry out the sampling prior to any treatment of the water;

(3) survey for ecological exposure to perfluorinated compounds, with a priority in determining direct human exposure through drinking water; and

(4) consult with—

(A) States to determine areas that are a priority for sampling; and

(B) the Administrator—

(i) to enhance coverage of the sampling; and

(ii) to avoid unnecessary duplication.

(c) REPORT.—Not later than 90 days after the completion of the sampling under subsection (a), the Director shall prepare a report describing the results of the sampling and submit the report to—

(1) the Committee on Environment and Public Works and the Committee on Energy and Natural Resources of the Senate;

(2) the Committee on Energy and Commerce of the House of Representatives;

(3) the Senators of each State in which the Director carried out the sampling; and

(4) each Member of the House of Representatives that represents a district in which the Director carried out the sampling.

SEC. 1734. DATA USAGE.

(a) IN GENERAL.—The Director shall provide the sampling data collected under section 1733 to—

(1) the Administrator of the Environmental Protection Agency; and

(2) other Federal and State regulatory agencies on request.

(b) USAGE.—The sampling data provided under subsection (a) shall be used to inform and enhance assessments of exposure, likely health and environmental impacts, and remediation priorities.

SEC. 1735. COLLABORATION.

In carrying out this subtitle, the Director shall collaborate with—

(1) appropriate Federal and State regulators;

(2) institutions of higher education;

(3) research institutions; and
(4) other expert stakeholders.

SEC. 1736. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Director to carry out this subtitle—
(1) $5,000,000 for fiscal year 2020; and
(2) $10,000,000 for each of fiscal years 2021 through 2024.

Subtitle D—Safe Drinking Water Assistance

SEC. 1741. DEFINITIONS.

In this subtitle:
(1) CONTAMINANT.—The term ''contaminant'' means any physical, chemical, biological, or radiological substance or matter in water.
(2) CONTAMINANT OF EMERGING CONCERN; EMERGING CONTAMINANT.—The terms ''contaminant of emerging concern'' and ''emerging contaminant'' mean a contaminant—
(A) for which the Administrator has not promulgated a national primary drinking water regulation; and
(B) that may have an adverse effect on the health of individuals.
(3) FEDERAL RESEARCH STRATEGY.—The term ''Federal research strategy'' means the coordinated cross-agency plan for addressing critical research gaps related to detecting, assessing exposure to, and identifying the adverse health effects of emerging contaminants in drinking water developed by the Office of Science and Technology Policy in response to the report of the Committee on Appropriations of the Senate accompanying S. 1662 of the 115th Congress (S. Rept. 115–139).
(4) TECHNICAL ASSISTANCE AND SUPPORT.—The term ''technical assistance and support'' includes—
(A) assistance with—
(i) identifying appropriate analytical methods for the detection of contaminants;
(ii) understanding the strengths and limitations of the analytical methods described in clause (i);
(iii) troubleshooting the analytical methods described in clause (i);
(B) providing advice on laboratory certification program elements;
(C) interpreting sample analysis results;
(D) providing training with respect to proper analytical techniques;
(E) identifying appropriate technology for the treatment of contaminants; and
(F) analyzing samples, if—
(i) the analysis cannot be otherwise obtained in a practicable manner otherwise; and
(ii) the capability and capacity to perform the analysis is available at a Federal facility.
(5) WORKING GROUP.—The term ''Working Group'' means the Working Group established under section 1742(b)(1).

SEC. 1742. RESEARCH AND COORDINATION PLAN FOR ENHANCED RESPONSE ON EMERGING CONTAMINANTS.

(a) IN GENERAL.—The Administrator shall—
(1) review Federal efforts—
(A) to identify, monitor, and assist in the development of treatment methods for emerging contaminants; and
(B) to assist States in responding to the human health risks posed by contaminants of emerging concern; and
(2) in collaboration with owners and operators of public water systems, States, and other interested stakeholders, establish a strategic plan for improving the Federal efforts referred to in paragraph (1).
(b) INTERAGENCY WORKING GROUP ON EMERGING CONTAMINANTS.—
(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator and the Secretary of Health and Human Services shall jointly establish a Working Group to coordinate the activities of the Federal Government to identify and analyze the public health effects of drinking water contaminants of emerging concern.
(2) MEMBERSHIP.—The Working Group shall include representatives of the following:
(A) The Environmental Protection Agency, appointed by the Administrator.
(B) The following agencies, appointed by the Secretary of Health and Human Services:
(i) The National Institutes of Health.
(ii) The Centers for Disease Control and Prevention.
(iii) The Agency for Toxic Substances and Disease Registry.
(C) The United States Geological Survey, appointed by the Secretary of the Interior.
(D) Any other Federal agency the assistance of which the Administrator determines to be necessary to carry out this subsection, appointed by the head of the respective agency.
(3) EXISTING WORKING GROUP.—The Administrator may expand or modify the duties of an existing working group to perform the duties of the Working Group under this subsection.
(c) NATIONAL EMERGING CONTAMINANT RESEARCH INITIATIVE.—
(1) FEDERAL RESEARCH STRATEGY.—
(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy (referred to in this subsection as the ''Director'') shall coordinate with the heads of the agencies described in subparagraph (C) to establish a research initiative, to be known as the ''National Emerging Contaminant Research Initiative'', that shall—
(i) use the Federal research strategy to improve the identification, analysis, monitoring, and treatment methods of contaminants of emerging concern; and
(ii) develop any necessary program, policy, or budget to support the implementation of the Federal research strategy, including mechanisms for joint agency review of research proposals, for interagency cofunding of research activities, and for information sharing across agencies.
(B) RESEARCH ON EMERGING CONTAMINANTS.—In carrying out subparagraph (A), the Director shall—
(i) take into consideration consensus conclusions from peer-reviewed, pertinent research on emerging contaminants; and
(ii) in consultation with the Administrator, identify priority emerging contaminants for research emphasis.
(C) FEDERAL PARTICIPATION.—The agencies referred to in subparagraph (A) include—
(i) the National Science Foundation;
(ii) the National Institutes of Health;
(iii) the Environmental Protection Agency;
(iv) the National Institute of Standards and Technology;
(v) the United States Geological Survey; and
(vi) any other Federal agency that contributes to research in water quality, environmental exposures, and public health, as determined by the Director.
(D) PARTICIPATION FROM ADDITIONAL ENTITIES.—In carrying out subparagraph (A), the Director shall consult with nongovernmental organizations, State and local governments, and science and research institutions determined by the Director to have scientific or material interest in the National Emerging Contaminant Research Initiative.
(2) IMPLEMENTATION OF RESEARCH RECOMMENDATIONS.—
(A) IN GENERAL.—Not later than 1 year after the date on which the Director and heads of the agencies described in paragraph (1)(C) establish the National Emerging Contaminant Research Initiative under paragraph (1)(A), the head of each agency described in paragraph (1)(C) shall—
(i) issue a solicitation for research proposals consistent with the Federal research strategy; and
(ii) make grants to applicants that submit research proposals selected by the National Emerging Contaminant Research Initiative in accordance with subparagraph (B).
(B) SELECTION OF RESEARCH PROPOSALS.—The National Emerging Contaminant Research Initiative shall select research proposals to receive grants under this paragraph on the basis of merit, using criteria identified by the Director, including the likelihood that the proposed research will result in significant progress toward achieving the objectives identified in the Federal research strategy.
(C) ELIGIBLE ENTITIES.—Any entity or group of 2 or more entities may submit to the head of each agency described in paragraph (1)(C) a research proposal in response to the solicitation for research proposals described in subparagraph (A)(i), including—
(i) State and local agencies;
(ii) public institutions, including public institutions of higher education;
(iii) private corporations; and
(iv) nonprofit organizations.

(d) FEDERAL TECHNICAL ASSISTANCE AND SUPPORT FOR STATES.—
(1) STUDY.—
(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall conduct a study on actions the Administrator can take to increase technical assistance and support for States with respect to emerging contaminants in drinking water samples.
(B) CONTENTS OF STUDY.—In carrying out the study described in subparagraph (A), the Administrator shall identify—
(i) methods and effective treatment options to increase technical assistance and support with respect to emerging contaminants to States, including identifying opportunities for States to improve communication with various audiences about the risks associated with emerging contaminants;
(ii) means to facilitate access to qualified contract testing laboratory facilities that conduct analyses for emerging contaminants; and
(iii) actions to be carried out at existing Federal laboratory facilities, including the research facilities of the Administrator, to provide technical assistance and support for States that require testing facilities for emerging contaminants.
(C) AVAILABILITY OF ANALYTICAL RESOURCES.—In carrying out the study described in subparagraph (A), the Administrator shall consider—
(i) the availability of—
(I) Federal and non-Federal laboratory capacity; and
(II) validated methods to detect and analyze contaminants; and
(ii) other factors determined to be appropriate by the Administrator.
(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress a report describing the results of the study described in paragraph (1).
(3) PROGRAM TO PROVIDE FEDERAL ASSISTANCE TO STATES.—
(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, based on the findings in the report described in paragraph (2), the Administrator shall develop a program to provide technical assistance and support to eligible States for the testing and analysis of emerging contaminants.
(B) APPLICATION.—

(i) IN GENERAL.—To be eligible for technical assistance and support under this paragraph, a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(ii) CRITERIA.—The Administrator shall evaluate an application for technical assistance and support under this paragraph on the basis of merit using criteria identified by the Administrator, including—

(I) the laboratory facilities available to the State;

(II) the availability and applicability of existing analytical methodologies;

(III) the potency and severity of the emerging contaminant, if known; and

(IV) the prevalence and magnitude of the emerging contaminant.

(iii) PRIORITIZATION.—In selecting States to receive technical assistance and support under this paragraph, the Administrator—

(I) shall give priority to States with affected areas primarily in financially distressed communities;

(II) may—

(aa) waive the application process in an emergency situation; and

(bb) require an abbreviated application process for the continuation of work specified in a previously approved application that continues to meet the criteria described in clause (ii); and

(III) shall consider the relative expertise and availability of—

(aa) Federal and non-Federal laboratory capacity available to the State;

(bb) analytical resources available to the State; and

(cc) other types of technical assistance available to the State.

(C) DATABASE OF AVAILABLE RESOURCES.—The Administrator shall establish and maintain a database of resources available through the program developed under subparagraph (A) to assist States with testing for emerging contaminants that—

(i) is—

(I) available to States and stakeholder groups determined by the Administrator to have scientific or material interest in emerging contaminants, including—

(aa) drinking water and wastewater utilities;

(bb) laboratories;

(cc) Federal and State emergency responders;

(dd) State primacy agencies;

(ee) public health agencies; and

(ff) water associations;

(II) searchable; and

(III) accessible through the website of the Administrator; and

(ii) includes a description of—

(I) qualified contract testing laboratory facilities that conduct analyses for emerging contaminants; and

(II) the resources available in Federal laboratory facilities to test for emerging contaminants.

(D) WATER CONTAMINANT INFORMATION TOOL.—The Administrator shall integrate the database established under subparagraph (C) into the Water Contaminant Information Tool of the Environmental Protection Agency.

(4) FUNDING.—Of the amounts available to the Administrator, the Administrator may use not more than $15,000,000 in a fiscal year to carry out this subsection.

(e) REPORT.—Not less frequently than once every 2 years until 2029, the Administrator shall submit to Congress a report that describes the progress made in carrying out this subtitle.

(f) EFFECT.—Nothing in this section modifies any obligation of a State, local government, or Indian Tribe with respect to treatment methods for, or testing or monitoring of, drinking water.

Subtitle E—Miscellaneous

SEC. 1751. PFAS DATA CALL.

Section 8(a) of the Toxic Substances Control Act (15 U.S.C. 2607(a)) is amended by adding at the end the following:

''(7) PFAS DATA.—Not later than January 1, 2023, the Administrator shall promulgate a rule in accordance with this subsection requiring each person who has manufactured a chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance in any year since January 1, 2006, to submit to the Administrator a report that includes, for each year since January 1, 2006, the information described in paragraph (2).''.

SEC. 1752. SIGNIFICANT NEW USE RULE FOR LONG-CHAIN PFAS.

Not later than June 22, 2020, the Administrator shall take final action on the significant new use rule proposed by the Administrator under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) in the proposed rule entitled ''Long-Chain Perfluoroalkyl Carboxylate and Perfluoroalkyl Sulfonate Chemical Substances; Significant New Use Rule'' (80 Fed. Reg. 2885 (January 21, 2015)).

SEC. 1753. PFAS DESTRUCTION AND DISPOSAL GUIDANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall publish interim guidance on the destruction and disposal of perfluoroalkyl and polyfluoroalkyl substances and materials containing perfluoroalkyl and polyfluoroalkyl substances, including—

(1) aqueous film-forming foam;

(2) soil and biosolids;

(3) textiles treated with perfluoroalkyl and polyfluoroalkyl substances; and

(4) spent filters, membranes, and other waste from water treatment.

(b) CONSIDERATIONS; INCLUSIONS.—The interim guidance under subsection (a) shall—

(1) take into consideration—

(A) the potential for releases of perfluoroalkyl and polyfluoroalkyl substances during destruction or disposal, including through volatilization, air dispersion, or leachate; and

(B) potentially vulnerable populations living near likely destruction or disposal sites; and

(2) provide guidance on testing and monitoring air, effluent, and soil near potential destruction or disposal sites for releases described in paragraph (1)(A).

(c) REVISIONS.—The Administrator shall publish revisions to the interim guidance under subsection (a) as the Administrator determines to be appropriate, but not less frequently than once every 3 years.

SEC. 1754. PFAS RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Administrator, acting through the Assistant Administrator for the Office of Research and Development, shall—

(1)(A) further examine the effects of perfluoroalkyl and polyfluoroalkyl substances on human health and the environment; and

(B) make publicly available information relating to the findings under subparagraph (A);

(2) develop a process for prioritizing which perfluoroalkyl and polyfluoroalkyl substances, or classes of perfluoroalkyl and polyfluoroalkyl substances, should be subject to additional research or regulatory efforts that is based on—

(A) the potential for human exposure to the substances or classes of substances;

(B) the potential toxicity of the substances or classes of substances; and

(C) information available about the substances or classes of substances;

(3) develop new tools to characterize and identify perfluoroalkyl and polyfluoroalkyl substances in the environment, including in drinking water, wastewater, surface water, groundwater, solids, and the air;

(4) evaluate approaches for the remediation of contamination by perfluoroalkyl and polyfluoroalkyl substances in the environment; and

(5) develop and implement new tools and materials to communicate with the public about perfluoroalkyl and polyfluoroalkyl substances.

(b) FUNDING.—There is authorized to be appropriated to the Administrator to carry out this section $15,000,000 for each of fiscal years 2020 through 2024.

SA 565. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At appropriate place in title X, insert the following:

SEC. _____. IMPROVING VISIBILITY INTO THE SECURITY CLEARANCE PROCESS.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, acting as the Security Executive Agent in accordance with Executive Order 13467 (73 Fed. Reg. 38103; 50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information), as in effect on the day before the date of the enactment of this Act, shall issue a policy that requires not later than December 31, 2023, for government agencies to have access to an operational electronic portal that can be used by human resources personnel and applicants for security clearances to view information about the status of an application for a security clearance and the average time required for each phase of the security clearance process.

SA 566. Mr. DURBIN (for himself, Mr. UDALL, Ms. DUCKWORTH, Mr. PAUL, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1045. LIMITATION ON USE OF FUNDS ON MILITARY OPERATIONS INVOLVING HOSTILITIES USING AUTHORITY OF DECLARATION OF WAR OR AUTHORIZATION FOR USE OF MILITARY FORCE ENACTED MORE THAN 10 YEARS PREVIOUSLY.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used for military operations involving hostilities, except in cases of self defense, based solely on the authority of a declaration of war or Authorization for Use of Military Force enacted more than ten years before such use.

SA 567. Mr. CASEY (for himself, Mr. TOOMEY, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 12___. MODIFICATION OF INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

Paragraph (2) of section 1286(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended to read as follows:

''(2) Training, developed and delivered in consultation with academic institutions, and other support to academic institutions to promote security and limit undue influence on institutions and personnel, including financial support for execution for such activities, that—

''(A) emphasizes best practices for protection of sensitive national security information; and

''(B) includes the dissemination of unclassified publications and resources for identifying and protecting against emerging threats to academic research institutions, including specific counterintelligence guidance developed for faculty and academic researchers based on specific threats.''.

SA 568. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. LOCALITY PAY EQUITY.

(a) LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A GENERAL SCHEDULE PAY LOCALITY.—

(1) LOCAL WAGE AREA LIMITATION.—Section 5343(a) of title 5, United States Code, is amended—

(A) in paragraph (1)(B)(i), by striking ''(but such'' and all that follows through ''are employed)'';

(B) in paragraph (4), by striking ''and'' after the semicolon;

(C) in paragraph (5), by striking the period after ''Islands'' and inserting ''; and''; and

(D) by adding at the end the following:

''(6) the Office of Personnel Management shall define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as 'Rest of United States'.''.

(2) GENERAL SCHEDULE PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (2)(C), by striking ''and'' after the semicolon;

(B) in paragraph (3), by striking the period after ''employee'' and inserting ''; and''; and

(C) by adding at the end the following:

''(4) 'pay locality' has the meaning given that term under section 5302.''.

(b) REGULATIONS.—The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out the purpose of this section, including regulations to ensure that the enactment of this section shall not have the effect of reducing any rate of basic pay payable to any individual who is serving as a prevailing rate employee (as defined under section 5342(a)(2) of title 5, United States Code).

(c) APPLICABILITY.—The amendments made by this section shall apply on and after the first day of the first full pay period beginning at least 180 days after the date of enactment of this Act.

SA 569. Mr. LEAHY (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 446, strike line 7 and all that follows through page 451, line 4.

SA 570. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1290. SUMMARY OF UNITED STATES STRIKES CARRIED OUT IN SOMALIA.

(a) IN GENERAL.—Not less frequently than every 14 days, the President, acting through the Commander of the United States Africa Command, shall make available to the public a summary of strikes carried out by the United States in Somalia during the preceding 14-day period.

(b) CLASSIFIED ANNEX.—With respect to each summary under subsection (a), the President shall submit to the appropriate committees of Congress a classified annex, as necessary, detailing any strike not included in such summary.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 571. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1290. STRATEGY ON SECURITY ASSISTANCE TO NIGERIA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a strategy for security assistance to Nigeria.

(b) MATTERS TO BE INCLUDED.—The strategy required under subsection (a) shall include the following:

(1) An initial assessment conducted by the Director of National Intelligence of the major obstacles to the military effectiveness of Nigeria in northeastern Nigeria, including—

(A) recommendations for United States diplomatic actions, security cooperation programs, and activities to address such obstacles; and

(B) a description of the funds required and the actions by the Government of Nigeria necessary to address such obstacles.

(2) A description of current activities to support transparent mechanisms of accountability for security services.

(3) A concrete plan to assist the security services of Nigeria to build capacity for investigating and prosecuting human rights abuses and effectively try cases through transparent mechanisms.

(4) An assessment of the efforts taken by the military forces of Nigeria to hold soldiers accountable for human rights violations, including the Zaria massacre.

(5) As of the date of the submittal of the strategy, a description of—

(A) all security cooperation provided to the Nigerian security sector; and

(B) the deployment of uniformed personnel assisting with counter-Boko Haram efforts in the Lake Chad Basin, including the location and responsibilities of such personnel.

(6) Any other matter the Secretary considers appropriate.

(c) PROHIBITION OF TRANSFERS.—No precision guided munitions or other types of air-delivered bombs shall be transferred to the Government of Nigeria until the President certifies that the Government of Nigeria has—

(1) made progress on military accountability for human rights abuses, including for the Zaria massacre in December 2015 that killed 300 individuals; and

(2) publicly issued the findings of the inquiry into the January 2016 bombing in Rann.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 572. Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. CARDIN, Mr. VAN HOLLEN, and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. _____. SENSE OF CONGRESS ON THE NAMING OF A NAVAL VESSEL IN HONOR OF SENIOR CHIEF PETTY OFFICER SHANNON KENT.

(a) FINDINGS.—Congress makes the following findings:

(1) Senior Chief Petty Officer Shannon M. Kent was born in Pine Plains, New York.

(2) Senior Chief Petty Officer Kent enlisted in the United States Navy on December 11, 2003.

(3) Senior Chief Petty Officer Kent was fluent in five languages and six dialects of Arabic.

(4) Senior Chief Petty Officer Kent served five combat tours throughout 15 years of service in the Navy.

(5) On January 16, 2019, at 35 years of age, Senior Chief Petty Officer Kent was killed in a suicide bombing in Manbij, Syria, while supporting Joint Task Force-Operation Inherent Resolve.

(6) Senior Chief Petty Officer Kent was the recipient of the Bronze Star, the Purple Heart, two Joint Service Commendation Medals, the Navy and Marine Corps Commendation Medal, the Army Commendation Medal, and the Joint Service Achievement Medal, among other decorations and awards.

(7) Senior Chief Petty Officer Kent was among the first women to participate in direct-action raids alongside Special Operations Forces and served as the inspiration for numerous initiatives designed to integrate women in the Special Operations community.

(8) Senior Chief Petty Officer Kent is survived by her husband and two children.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Navy should name the next available naval vessel appropriate for such name in honor of Senior Chief Petty Officer Shannon Kent.

SA 573. Ms. STABENOW (for herself, Mr. ROUNDS, Mr. PETERS, Mr. TILLIS, Ms. BALDWIN, and Mr. BURR) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 10___. PFAS DETECTION.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) DIRECTOR.—The term ''Director'' means the Director of the United States Geological Survey.

(3) PERFLUORINATED COMPOUND.—

(A) IN GENERAL.—The term ''perfluorinated compound'' means a perfluoroalkyl substance or a polyfluoroalkyl substance that is manmade with at least 1 fully fluorinated carbon atom.

(B) DEFINITIONS.—In this definition:

(i) FULLY FLUORINATED CARBON ATOM.—The term ''fully fluorinated carbon atom'' means a carbon atom on which all the hydrogen substituents have been replaced by fluorine.

(ii) NONFLUORINATED CARBON ATOM.—The term ''nonfluorinated carbon atom'' means a carbon atom on which no hydrogen substituents have been replaced by fluorine.

(iii) PARTIALLY FLUORINATED CARBON ATOM.—The term ''partially fluorinated carbon atom'' means a carbon atom on which some, but not all, of the hydrogen substituents have been replaced by fluorine.

(iv) PERFLUOROALKYL SUBSTANCE.—The term ''perfluoroalkyl substance'' means a manmade chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(v) POLYFLUOROALKYL SUBSTANCE.—The term ''polyfluoroalkyl substance'' means a manmade chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(b) PERFORMANCE STANDARD FOR THE DETECTION OF PERFLUORINATED COMPOUNDS.—

(1) IN GENERAL.—The Director shall establish a performance standard for the detection of perfluorinated compounds.

(2) EMPHASIS.—

(A) IN GENERAL.—In developing the performance standard under paragraph (1), the Director shall emphasize the ability to detect as many perfluorinated compounds present in the environment as possible using analytical methods that—

(i) achieve limits of quantitation; and

(ii) are as sensitive as is feasible and practicable.

(B) REQUIREMENT.—In developing the performance standard under paragraph (1), the Director shall—

(i) develop quality assurance and quality control measures to ensure accurate sampling and testing;

(ii) develop a training program with respect to the appropriate method of sample collection and analysis of perfluorinated compounds; and

(iii) coordinate with the Administrator, including, if appropriate, coordinating to develop media-specific, validated analytical methods to detect individual and different perfluorinated compounds simultaneously.

(c) NATIONWIDE SAMPLING.—

(1) IN GENERAL.—The Director shall carry out a nationwide sampling to determine the concentration of perfluorinated compounds in estuaries, lakes, streams, springs, wells, wetlands, rivers, aquifers, and soil using the performance standard developed under subsection (b)(1).

(2) REQUIREMENTS.—In carrying out the sampling under paragraph (1), the Director shall—

(A) first carry out the sampling at sources of drinking water near locations with known or suspected releases of perfluorinated compounds;

(B) when carrying out sampling of sources of drinking water under subparagraph (A), carry out the sampling prior to any treatment of the water;

(C) survey for ecological exposure to perfluorinated compounds, with a priority in determining direct human exposure through drinking water; and

(D) consult with—

(i) States to determine areas that are a priority for sampling; and

(ii) the Administrator—

(I) to enhance coverage of the sampling; and

(II) to avoid unnecessary duplication.

(3) REPORT.—Not later than 90 days after the completion of the sampling under paragraph (1), the Director shall prepare a report describing the results of the sampling and submit the report to—

(A) the Committee on Environment and Public Works, the Committee on Energy and Natural Resources, and the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Energy and Commerce and the Committee on Oversight and Reform of the House of Representatives;

(C) the Senators of each State in which the Director carried out the sampling; and

(D) each Member of the House of Representatives that represents a district in which the Director carried out the sampling.

(d) DATA USAGE.—

(1) IN GENERAL.—The Director shall provide the sampling data collected under subsection (c) to—

(A) the Administrator; and

(B) other Federal and State regulatory agencies on request.

(2) USAGE.—The sampling data provided under paragraph (1) shall be used to inform and enhance assessments of exposure, likely health and environmental impacts, and remediation priorities.

(e) COLLABORATION.—In carrying out this section, the Director shall collaborate with—

(1) appropriate Federal and State regulators;

(2) institutions of higher education;

(3) research institutions; and

(4) other expert stakeholders.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director to carry out this section—

(1) $5,000,000 for fiscal year 2020; and

(2) $10,000,000 for each of fiscal years 2021 through 2024.

SA 574. Ms. STABENOW (for herself, Mr. TILLIS, Mr. PETERS, Mr. BURR, Mrs. SHAHEEN, Ms. CANTWELL, Ms. BALDWIN, Mr. MANCHIN, and Ms. HASSAN) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 318(a)(2), add at the end the following:

(C) A health advisory under section 1412(b)(1)(F) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(1)(F)).

In section 318(a), add at the end the following:

(3) OTHER AUTHORITY.—In addition to the requirements under paragraph (1), when otherwise authorized to expend funds for the purpose of addressing ground or surface water contaminated by a perfluorinated compound, the Secretary of Defense may, to expend those funds, enter into a grant agreement, cooperative agreement, or contract with—

(A) the local water authority with jurisdiction over the contamination site, including—

(i) a public water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)); and

(ii) a publicly owned treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)); or

(B) a State, local, or Tribal government.

SA 575. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 10___. ADDITIONS TO ROUGH MOUNTAIN AND RICH HOLE WILDERNESSES.

Section 1 of Public Law 100–326 (16 U.S.C. 1132 note; 102 Stat. 584; 114 Stat. 2057; 123 Stat. 1002) is amended by adding at the end the following:

''(21) ROUGH MOUNTAIN ADDITION.—Certain land in the George Washington National Forest comprising approximately 1,000 acres, as generally depicted as the 'Rough Mountain Addition' on the map entitled 'GEORGE WASHINGTON NATIONAL FOREST – South half – Alternative I – Selected Alternative Management Prescriptions – Land and Resources Management Plan Final Environmental Impact Statement' and dated March 4, 2014, which is incorporated in the Rough Mountain Wilderness Area designated by paragraph (1).

''(22) RICH HOLE ADDITION.—

''(A) DESIGNATION.—Certain land in the George Washington National Forest comprising approximately 4,600 acres, as generally depicted as the 'Rich Hole Addition' on the map entitled 'GEORGE WASHINGTON NATIONAL FOREST – South half – Alternative I – Selected Alternative Management Prescriptions – Land and Resources Management Plan Final Environmental Impact Statement' and dated March 4, 2014, which shall be incorporated in the Rich Hole Wilderness Area designated by paragraph (2) on the earlier of—

''(i) the date on which the Secretary of Agriculture publishes in the Federal Register notice that the activities permitted under subparagraph (C) have been completed; and

''(ii) the date that is 2 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2020.

''(B) MANAGEMENT.—Except as provided in subparagraph (C), the Secretary shall manage the wilderness area designated under subparagraph (A) in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

''(C) WATER QUALITY IMPROVEMENT ACTIVITIES.—

''(i) IN GENERAL.—To enhance natural ecosystems within the Rich Hole Addition by implementing certain activities to improve water quality and aquatic passage, as described in the Forest Service document entitled 'Decision Notice for the Lower Cowpasture Restoration and Management Project' and dated December 2015, the Secretary of Agriculture may use motorized equipment and mechanized transport in the Rich Hole Addition under subparagraph (A) until the date on which the Rich Hole Addition is incorporated into the Rich Hole Wilderness under that subparagraph.

''(ii) REQUIREMENT.—In carrying out clause (i), the Secretary of Agriculture, to the maximum extent practicable, shall use the minimum tool or administrative practice necessary to carry out that clause with the least amount of adverse impact on wilderness character and resources.''.

SA 576. Mr. UDALL (for himself, Mr. PAUL, Mr. KAINE, Mr. DURBIN, Mr. MERKLEY, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION OF UNAUTHORIZED MILITARY OPERATIONS AGAINST IRAN.

(a) IN GENERAL.—No funds may be used to conduct hostilities against the Government of Iran, against the Armed Forces of Iran, or in the territory of Iran, except pursuant to an Act or a joint resolution of Congress specifically authorizing such hostilities that is enacted after the date of the enactment of this Act.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit, modify, or relieve the executive branch of any restriction, duty, or requirement regarding the use of force or reporting requirements set forth in the War Powers Resolution (50 U.S.C. 1541 et seq.).

SA 577. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 729. COMPTROLLER GENERAL REPORT ON USE OF PLANT-BASED VACCINES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report examining the use of plant-based vaccines by the Department of Defense in order to respond quickly to epidemics and pandemics.

(b) ELEMENTS.—The report required by subsection (a) shall include an assessment of the following:

(1) Whether the use of plant-based vaccines can supplement current requirements for force protection, include vaccines against endemic disease threats as well as biological warfare or bioterrorism agents.

(2) Whether the development of plant-based vaccines can help the Secretary of Defense coordinate pandemic response plans with the Secretary of Homeland Security and the Secretary of Health and Human Services.

(3) Whether plant-based vaccines, in addition to mammalian-based vaccines, can allow the Secretary of Defense to best respond to pandemic outbreaks.

(c) FOLLOW-UP ON PREVIOUS REPORT.—The report required by subsection (a) shall include a follow-up on the February 2017 report by the Comptroller General entitled ''DOD, HHS, and DHS Should Use Existing Coordination Mechanisms to Improve Their Pandemic Preparedness''.

SA 578. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1086. EXTENSION OF PILOT PROGRAM TO REHABILITATE AND MODIFY HOMES OF DISABLED AND LOW-INCOME VETERANS.

Section 1079(b)(9) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (38 U.S.C. 2101 note) is amended by striking ''2019'' and inserting ''2024''.

SA 579. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 811. ASSESSMENT OF NON-SERVICE, SOLE-SOURCE SUSTAINMENT CONTRACTING.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall conduct an assessment of the Department of Defense's contracts, subcontracts, and modifications of contracts or subcontracts to identify non-service, sole-source sustainment contracts and the policies and practices related to such contracts.

(2) ELEMENTS.—The assessment required under paragraph (1) shall include the following elements:

(A) The number of non-service, sole-source sustainment contracts that the Department made in fiscal years 2016 through 2018.

(B) The total percentage of non-service sustainment contracts that were sole-source.

(C) A description of the policies, laws, and regulations in place to certify fair and reasonable pricing on non-service, sole-source sustainment contracts and an assessment of their effectiveness.

(D) A description of how often certified cost or pricing data is requested and obtained on non-service, sole-source sustainment contracts and the rationale provided when certified cost or pricing data is requested but not provided.

(E) If certified cost or pricing data is requested but not provided, the following information:

(i) The name of the offeror or contractor.

(ii) the Commercial and Government entity code.

(iii) The part number and National Stock Number (NSN).

(iv) The number of requests that the contracting officer made to the offeror or contractor for uncertified cost or pricing data.

(v) The number of denials that the contracting officer received from the offeror or contractor regarding its submission of uncertified cost or pricing data.

(vi) Documentation in accordance with section 215.404–1(a)(i)(A)(v) of the Defense Federal Acquisition Regulation Supplement (DFARS) Procedures, Guidance, and Information (PGI).

(F) The percentage of non-service, sole-source sustainment contracts that are for commercial items.

(G) The percentage of funds obligated for non-service, sole-source sustainment contracts that are for commercial items.

(H) An assessment of the cost of non-service, sole-source sustainment contracts for commercial items compared to the cost of non-service, sole-source sustainment contracts for non-commercial items of a similar type.

(I) An evaluation of whether there are commercially certified parts that are not certified by the Department that meet the form, fit, and function of parts that are currently procured through non-service, sole-source sustainment contracts.

(J) Recommendations on how the Department of Defense can reduce its reliance on

non-service, sole-source sustainment contracts.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that includes the results of the assessment with respect to each element described in subsection (a)(2).

SA 580. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. _____. SENSE OF SENATE ON INCREASING RESEARCH AND DEVELOPMENT IN BIOPRINTING AND FABRICATION IN AUSTERE MILITARY ENVIRONMENTS.

It is the sense of the Senate that the Defense Health Agency should take appropriate actions to increase efforts focused on research and development in the areas of bioprinting and fabrication in austere military environments.

SA 581. Mr. COTTON (for himself, Mr. SCHUMER, Mr. CRAPO, Mr. BROWN, Mrs. CAPITO, Mr. MARKEY, Mr. PETERS, Mr. TOOMEY, Mr. MENENDEZ, Mr. CORNYN, Mrs. SHAHEEN, Mrs. FEINSTEIN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—SANCTIONS WITH RESPECT TO FOREIGN TRAFFICKERS OF ILLICIT SYNTHETIC OPIOIDS

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Fentanyl Sanctions Act''.

SEC. 1702. FINDINGS.

Congress makes the following findings:

(1) The Centers for Disease Control and Prevention estimate that from September 2017 through September 2018 more than 48,200 people in the United States died from an opioid overdose, with synthetic opioids (excluding methadone), contributing to a record 31,900 overdose deaths. While drug overdose death estimates from methadone, semi-synthetic opioids, and heroin have decreased in recent months, overdose deaths from synthetic opioids have continued to increase.

(2) Congress and the President have taken a number of actions to combat the demand for illicit opioids in the United States, including enacting into law the SUPPORT for Patients and Communities Act (Public Law 115–271; 132 Stat. 3894). While new statutes and regulations have reduced the rate of opioid prescriptions in recent years, fully addressing the United States opioid crisis will involve dramatically restricting the foreign supply of illicit opioids.

(3) The People's Republic of China is the world's largest producer of illicit fentanyl, fentanyl analogues, and their immediate precursors. From the People's Republic of China, those substances are shipped primarily through express consignment carriers or international mail directly to the United States, or, alternatively, shipped directly to transnational criminal organizations in Mexico, Canada, and the Caribbean.

(4) The United States and the People's Republic of China, Mexico, and Canada have made important strides in combating the illicit flow of opioids through bilateral efforts of their respective law enforcement agencies.

(5) The objective of preventing the proliferation of illicit opioids though existing multilateral and bilateral initiatives requires additional efforts to deny illicit actors the financial means to sustain their markets and distribution networks.

(6) The implementation on May 1, 2019, of the regulations of the People's Republic of China to schedule all fentanyl analogues as controlled substances is a major step in combating global opioid trafficking and represents a major achievement in United States-China law enforcement dialogues. However, that step will effectively fulfill the commitment that President Xi Jinping of the People's Republic of China made to President Donald Trump at the Group of Twenty meeting in December 2018 only if the Government of the People's Republic of China devotes sufficient resources to full implementation and strict enforcement of the new regulations. The effective enforcement of the new regulations should result in diminished trafficking of illicit fentanyl originating from the People's Republic of China into the United States, so it is in the interests of both the United States and the People's Republic of China to support the effective enforcement of the regulations.

(7) While the Department of the Treasury used the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.) to sanction the first synthetic opioid trafficking entity in April 2018, additional economic and financial sanctions policy tools are needed to help combat the flow of synthetic opioids into the United States.

SEC. 1703. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should apply economic and other financial sanctions to foreign traffickers of illicit opioids to protect the national security, foreign policy, and economy of the United States and the health of the people of the United States;

(2) it is imperative that the People's Republic of China follow through on full implementation of the new regulations, adopted May 1, 2019, to treat all fentanyl analogues as controlled substances under the laws of the People's Republic of China, including by devoting sufficient resources for implementation and strict enforcement of the new regulations; and

(3) the effective enforcement of the new regulations should result in diminished trafficking of illicit fentanyl originating from the People's Republic of China into the United States, so it is in the interests of both the United States and the People's Republic of China to support full, effective, and strict enforcement of the regulations.

SEC. 1704. DEFINITIONS.

In this title:

(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED STATES.—The terms ''alien'', ''national'', and ''national of the United States'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term ''appropriate congressional committees and leadership'' means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, and the majority leader and the minority leader of the Senate; and

(B) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Speaker and the minority leader of the House of Representatives.

(3) CONTROLLED SUBSTANCE; LISTED CHEMICAL.—The terms ''controlled substance'', ''listed chemical'', ''narcotic drug'', and ''opioid'' have the meanings given those terms in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(4) ENTITY.—The term ''entity'' means a partnership, joint venture, association, corporation, organization, network, group, or subgroup, or any form of business collaboration.

(5) FOREIGN OPIOID TRAFFICKER.—The term ''foreign opioid trafficker'' means any foreign person that the President determines plays a significant role in opioid trafficking.

(6) FOREIGN PERSON.—The term ''foreign person''—

(A) means—

(i) any citizen or national of a foreign country; or

(ii) any entity not organized under the laws of the United States or a jurisdiction within the United States; and

(B) does not include the government of a foreign country.

(7) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(8) OPIOID TRAFFICKING.—The term ''opioid trafficking'' means any illicit activity—

(A) to produce, manufacture, distribute, sell, or knowingly finance or transport illicit synthetic opioids, controlled substances that are synthetic opioids, listed chemicals that are synthetic opioids, or active pharmaceutical ingredients or chemicals that are used in the production of controlled substances that are synthetic opioids;

(B) to attempt to carry out an activity described in subparagraph (A); or

(C) to assist, abet, conspire, or collude with other persons to carry out such an activity.

(9) PERSON.—The term ''person'' means an individual or entity.

(10) UNITED STATES PERSON.—The term ''United States person'' means—

(A) any citizen or national of the United States;

(B) any alien lawfully admitted for permanent residence in the United States;

(C) any entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity); or

(D) any person located in the United States.

Subtitle A—Sanctions With Respect to Foreign Opioid Traffickers

SEC. 1711. IDENTIFICATION OF FOREIGN OPIOID TRAFFICKERS.

(a) PUBLIC REPORT.—

(1) IN GENERAL.—The President shall submit to the appropriate congressional committees and leadership, in accordance with subsection (c), a report—

(A) identifying the foreign persons that the President determines are foreign opioid traffickers;

(B) detailing progress the President has made in implementing this subtitle; and

(C) providing an update on cooperative efforts with the Governments of Mexico and the People's Republic of China with respect to combating foreign opioid traffickers.

(2) IDENTIFICATION OF ADDITIONAL PERSONS.—If, at any time after submitting a report required by paragraph (1) and before the submission of the next such report, the President determines that a foreign person not identified in the report is a foreign opioid trafficker, the President shall submit to the appropriate congressional committees and leadership an additional report containing the information required by paragraph (1) with respect to the foreign person.

(3) EXCLUSION.—The President shall not be required to include in a report under paragraph (1) or (2) any persons with respect to which the United States has imposed sanctions before the date of the report under this subtitle or any other provision of law with respect to opioid trafficking.

(4) FORM OF REPORT.—

(A) IN GENERAL.—Each report required by paragraph (1) or (2) shall be submitted in unclassified form but may include a classified annex.

(B) AVAILABILITY TO PUBLIC.—The unclassified portion of a report required by paragraph (1) or (2) shall be made available to the public.

(b) CLASSIFIED REPORT.—

(1) IN GENERAL.—The President shall submit to the appropriate congressional committees and leadership, in accordance with subsection (c), a report, in classified form—

(A) describing in detail the status of sanctions imposed under this subtitle, including the personnel and resources directed toward the imposition of such sanctions during the preceding fiscal year;

(B) providing background information with respect to persons newly identified as foreign opioid traffickers and their illicit activities;

(C) describing actions the President intends to undertake or has undertaken to implement this subtitle; and

(D) providing a strategy for identifying additional foreign opioid traffickers.

(2) EFFECT ON OTHER REPORTING REQUIREMENTS.—The report required by paragraph (1) is in addition to the obligations of the President to keep Congress fully and currently informed pursuant to the provisions of the National Security Act of 1947 (50 U.S.C. 3001 et seq.).

(c) SUBMISSION OF REPORTS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until the date that is 5 years after such date of enactment, the President shall submit the reports required by subsections (a) and (b) to the appropriate congressional committees and leadership.

(d) EXCLUSION OF CERTAIN INFORMATION.—

(1) INTELLIGENCE.—Notwithstanding any other provision of this section, a report required by subsection (a) or (b) shall not disclose the identity of any person if the Director of National Intelligence determines that such disclosure could compromise an intelligence operation, activity, source, or method of the United States.

(2) LAW ENFORCEMENT.—Notwithstanding any other provision of this section, a report required by subsection (a) or (b) shall not disclose the identity of any person if the Attorney General, in coordination, as appropriate, with the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, the Secretary of the Treasury, the Secretary of State, and the head of any other appropriate Federal law enforcement agency, determines that such disclosure could reasonably be expected—

(A) to compromise the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution that furnished information on a confidential basis;

(B) to jeopardize the integrity or success of an ongoing criminal investigation or prosecution;

(C) to endanger the life or physical safety of any person; or

(D) to cause substantial harm to physical property.

(3) NOTIFICATION REQUIRED.—If the Director of National Intelligence makes a determination under paragraph (1) or the Attorney General makes a determination under paragraph (2), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(4) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize or compel the disclosure of information determined by the President to be law enforcement information, national security information, or other information the disclosure of which is prohibited by any other provision of law.

(e) PROVISION OF INFORMATION REQUIRED FOR REPORTS.—The Secretary of the Treasury, the Attorney General, the Secretary of Defense, the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence shall consult among themselves and provide to the President and the Director of the Office of National Drug Control Policy the appropriate and necessary information to enable the President to submit the reports required by subsection (a).

SEC. 1712. SENSE OF CONGRESS ON INTERNATIONAL OPIOID CONTROL REGIME.

It is the sense of Congress that, in order to apply economic and other financial sanctions to foreign traffickers of illicit opioids to protect the national security, foreign policy, and economy of the United States—

(1) the President should instruct the Secretary of State to commence immediately diplomatic efforts, both in appropriate international fora such as the United Nations, the Group of Seven, the Group of Twenty, and trilaterally and bilaterally with partners of the United States, to combat foreign opioid trafficking, including by working to establish a multilateral sanctions regime with respect to foreign opioid trafficking; and

(2) the Secretary of State, in consultation with the Secretary of the Treasury, should intensify efforts to maintain and strengthen the coalition of countries formed to combat foreign opioid trafficking.

SEC. 1713. IMPOSITION OF SANCTIONS.

The President shall impose five or more of the sanctions described in section 1714 with respect to each foreign person that is an entity, and four or more of such sanctions with respect to each foreign person that is an individual, that—

(1) is identified as a foreign opioid trafficker in a report submitted under section 1711(a); or

(2) the President determines is owned, controlled, directed by, knowingly supplying or sourcing precursors for, or acting for or on behalf of, such a foreign opioid trafficker.

SEC. 1714. DESCRIPTION OF SANCTIONS.

(a) IN GENERAL.—The sanctions that may be imposed with respect to a foreign person under section 1713 are the following:

(1) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government may prohibit any United States financial institution from making loans or providing credits to the foreign person.

(2) PROHIBITIONS ON FINANCIAL INSTITUTIONS.—The following prohibitions may be imposed with respect to a foreign person that is a financial institution:

(A) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, the financial institution as a primary dealer in United States Government debt instruments.

(B) PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.—The financial institution may not serve as agent of the United States Government or serve as repository for United States Government funds.

The imposition of either sanction under subparagraph (A) or (B) shall be treated as one sanction for purposes of section 1713, and the imposition of both such sanctions shall be treated as 2 sanctions for purposes of that section.

(3) PROCUREMENT BAN.—The United States Government may not procure, or enter into any contract for the procurement of, any goods or services from the foreign person.

(4) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the foreign person has any interest.

(5) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the foreign person.

(6) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, or transporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(7) BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the foreign person.

(8) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the foreign person.

(9) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of the foreign person, or on individuals performing similar functions and with similar authorities as such officer or officers, any of the sanctions described in paragraphs (1) through (8) that are applicable.

(b) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of any regulation, license, or order issued to carry out subsection (a) shall be subject to the penalties set forth in subsections (b) and (c) of section 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.

(c) EXCEPTIONS.—

(1) INTELLIGENCE AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section shall not apply with respect to—

(A) any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.); or

(B) any authorized intelligence and law enforcement activities of the United States.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under subsection (a)(8) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations.

(d) IMPLEMENTATION; REGULATORY AUTHORITY.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

SEC. 1715. WAIVERS.

(a) WAIVER FOR STATE-OWNED FINANCIAL INSTITUTIONS IN COUNTRIES THAT COOPERATE IN MULTILATERAL ANTI-TRAFFICKING EFFORTS.—

(1) IN GENERAL.—The President may waive for a period of not more than 12 months the application of sanctions under this subtitle with respect to a financial institution that is owned or controlled, directly or indirectly, by a foreign government or any political subdivision, agency, or instrumentality of a foreign government, if, not less than 15 days before the waiver is to take effect, the President certifies to the appropriate congressional committees and leadership that the foreign government is closely cooperating with the United States in efforts to prevent opioid trafficking.

(2) CERTIFICATION.—The President may certify under paragraph (1) that a foreign government is closely cooperating with the United States in efforts to prevent opioid trafficking if that government is—

(A) implementing domestic laws to schedule all fentanyl analogues as controlled substances; and

(B) doing two or more of the following:

(i) Implementing substantial improvements in regulations involving the chemical and pharmaceutical production and export of illicit opioids.

(ii) Implementing substantial improvements in judicial regulations to combat transnational criminal organizations that traffic opioids.

(iii) Increasing efforts to prosecute foreign opioid traffickers.

(iv) Increasing intelligence sharing and law enforcement cooperation with the United States with respect to opioid trafficking.

(3) SUBSEQUENT RENEWAL OF WAIVER.—The President may renew a waiver under paragraph (1) for subsequent periods of not more than 12 months each if, not less than 15 days before the renewal is to take effect, the Director of National Intelligence certifies to the appropriate congressional committees and leadership that the government of the country to which the waiver applies has effectively implemented and is effectively enforcing the measures that formed the basis for the certification under paragraph (2).

(b) WAIVERS FOR NATIONAL SECURITY AND ACCESS TO PRESCRIPTION MEDICATIONS.—

(1) IN GENERAL.—The President may waive the application of sanctions under this subtitle if the President determines that the application of such sanctions would harm—

(A) the national security interests of the United States; or

(B) subject to paragraph (2), the access of United States persons to prescription medications.

(2) MONITORING.—The President shall establish a monitoring program to verify that a person that receives a waiver under paragraph (1)(B) is not trafficking illicit opioids.

(3) NOTIFICATION.—Not later than 15 days after making a determination under paragraph (1), the President shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(c) HUMANITARIAN WAIVER.—The President may waive, for renewable periods of 180 days, the application of the sanctions under this subtitle if the President certifies to the appropriate congressional committees and leadership that the waiver is necessary for the provision of humanitarian assistance.

SEC. 1716. PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.

(a) IN GENERAL.—If a finding under this subtitle, or a prohibition, condition, or penalty imposed as a result of any such finding, is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)) and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the President may submit such information to the court ex parte and in camera.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to confer or imply any right to judicial review of any finding under this subtitle, or any prohibition, condition, or penalty imposed as a result of any such finding.

SEC. 1717. BRIEFINGS ON IMPLEMENTATION.

Not later than 90 days after the date of the enactment of the Fentanyl Sanctions Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the President, acting through the Secretary of State, in coordination with the Secretary of the Treasury, shall provide to the appropriate congressional committees and leadership a comprehensive briefing on efforts to implement this subtitle.

SEC. 1718. INCLUSION OF ADDITIONAL MATERIAL IN INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.

Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(a)) is amended by adding at the end the following:

''(9)(A) An assessment conducted by the Secretary of State, in consultation with the Secretary of the Treasury, of the extent to which any diplomatic efforts described in section 1712 of the Fentanyl Sanctions Act have been successful.

''(B) Each assessment required by subparagraph (A) shall include an identification of—

''(i) the countries the governments of which have agreed to undertake measures to apply economic or other financial sanctions to foreign traffickers of illicit opioids and a description of those measures; and

''(ii) the countries the governments of which have not agreed to measures described in clause (i), and, with respect to those countries, other measures the Secretary of State recommends that the United States take to apply economic and other financial sanctions to foreign traffickers of illicit opioids.''.

Subtitle B—Commission on Combating Synthetic Opioid Trafficking

SEC. 1721. COMMISSION ON COMBATING SYNTHETIC OPIOID TRAFFICKING.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a commission to develop a consensus on a strategic approach to combating the flow of synthetic opioids into the United States.

(2) DESIGNATION.—The commission established under paragraph (1) shall be known as the ''Commission on Synthetic Opioid Trafficking'' (in this section referred to as the ''Commission'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Commission shall be composed of the following members:

(i) The Administrator of the Drug Enforcement Administration.

(ii) The Secretary of Homeland Security.

(iii) The Secretary of Defense.

(iv) The Secretary of the Treasury.

(v) The Secretary of State.

(vi) Two members appointed by the majority leader of the Senate, one of whom shall be a Member of the Senate and one of whom shall not be.

(vii) Two members appointed by the minority leader of the Senate, one of whom shall be a Member of the Senate and one of whom shall not be.

(viii) Two members appointed by the Speaker of the House of Representatives, one of whom shall be a Member of the House of Representatives and one of whom shall not be.

(ix) Two members appointed by the minority leader of the House of Representatives, one of whom shall be a Member of the House of Representatives and one of whom shall not be.

(B)(i) The members of the Commission who are not Members of Congress and who are appointed under clauses (vi) through (ix) of subparagraph (A) shall be individuals who are nationally recognized for expertise, knowledge, or experience in—

(I) transnational criminal organizations conducting synthetic opioid trafficking;

(II) the production, manufacturing, distribution, sale, or transportation of synthetic opioids; or

(III) relations between—

(aa) the United States; and

(bb) the People's Republic of China, Mexico, or any other country of concern with respect to trafficking in synthetic opioids.

(ii) An official who appoints members of the Commission may not appoint an individual as a member of the Commission if the individual possesses any personal or financial interest in the discharge of any of the duties of the Commission.

(iii)(I) All members of the Commission described in clause (i) shall possess an appropriate security clearance in accordance with applicable provisions of law concerning the handling of classified information.

(II) For the purpose of facilitating the activities of the Commission, the Director of National Intelligence shall expedite to the fullest degree possible the processing of security clearances that are necessary for members of the Commission.

(2) CO-CHAIRS.—

(A) IN GENERAL.—The Commission shall have 2 co-chairs, selected from among the members of the Commission, one of whom shall be a member of the majority party and one of whom shall be a member of the minority party.

(B) SELECTION.—The individuals who serve as the co-chairs of the Commission shall be jointly agreed upon by the President, the majority leader of the Senate, the minority

leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives.

(c) DUTIES.—The duties of the Commission are as follows:

(1) To define the core objectives and priorities of the strategic approach described in subsection (a)(1).

(2) To weigh the costs and benefits of various strategic options to combat the flow of synthetic opioids from the People's Republic of China, Mexico, and other countries.

(3) To evaluate whether the options described in paragraph (2) are exclusive or complementary, the best means for executing such options, and how the United States should incorporate and implement such options within the strategic approach described in subsection (a)(1).

(4) To review and make determinations on the difficult choices present within such options, among them what norms-based regimes the United States should seek to establish to encourage the effective regulation of dangerous synthetic opioids.

(5) To report on efforts by actors in the People's Republic of China to subvert United States laws and to supply illicit synthetic opioids to persons in the United States, including up-to-date estimates of the scale of illicit synthetic opioids flows from the People's Republic of China.

(6) To report on the deficiencies in the regulation of pharmaceutical and chemical production of controlled substances and export controls with respect to such substances in the People's Republic of China and other countries that allow opioid traffickers to subvert such regulations and controls to traffic illicit opioids into the United States.

(7) To report on the scale of contaminated or counterfeit drugs originating from the People's Republic of China and India.

(8) To report on how the United States could work more effectively with provincial and local officials in the People's Republic of China and other countries to combat the illicit production of synthetic opioids.

(9) In weighing the options for defending the United States against the dangers of trafficking in synthetic opioids, to consider possible structures and authorities that need to be established, revised, or augmented within the Federal Government.

(d) FUNCTIONING OF COMMISSION.—The provisions of subsections (c), (d), (e), (g), (h), (i), and (m) of section 1652 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) shall apply to the Commission to the same extent and in the same manner as such provisions apply to the commission established under that section, except that—

(1) subsection (c)(1) of that section shall be applied and administered by substituting ''30 days'' for ''45 days'';

(2) subsection (g)(4)(A) of that section shall be applied and administered by inserting ''and the Attorney General'' after ''Secretary of Defense''; and

(3) subsections (h)(2)(A) and (i)(1)(A) of that section shall be applied and administered by substituting ''level V of the Executive Schedule under section 5316'' for ''level IV of the Executive Schedule under section 5315''.

(e) TREATMENT OF INFORMATION RELATING TO NATIONAL SECURITY.—

(1) RESPONSIBILITY OF DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall assume responsibility for the handling and disposition of any information related to the national security of the United States that is received, considered, or used by the Commission under this section.

(2) INFORMATION PROVIDED BY CONGRESS.—Any information related to the national security of the United States that is provided to the Commission by the appropriate congressional committees and leadership may not be further provided or released without the approval of the chairperson of the committee, or the Member of Congress, as the case may be, that provided the information to the Commission.

(3) ACCESS AFTER TERMINATION OF COMMISSION.—Notwithstanding any other provision of law, after the termination of the Commission under subsection (h), only the members and designated staff of the appropriate congressional committees and leadership, the Director of National Intelligence (and the designees of the Director), and such other officials of the executive branch as the President may designate shall have access to information related to the national security of the United States that is received, considered, or used by the Commission.

(f) REPORTS.—The Commission shall submit to the appropriate congressional committees and leadership—

(1) not later than 270 days after the date of the enactment of this Act, an initial report on the activities and recommendations of the Commission under this section; and

(2) not later than 270 days after the submission of the initial report under paragraph (1), a final report on the activities and recommendations of the Commission under this section.

(g) LIMITATION ON FUNDING.—Of amounts made available under sections 1732, 1733, and 1734 to carry out this title, not more than $5,000,000 shall be available to the Commission in any of fiscal years 2020 through 2023.

(h) TERMINATION.—

(1) IN GENERAL.—The Commission, and all the authorities of this section, shall terminate at the end of the 120-day period beginning on the date on which the final report required by subsection (f)(2) is submitted to the appropriate congressional committees and leadership.

(2) WINDING UP OF AFFAIRS.—The Commission may use the 120-day period described in paragraph (1) for the purposes of concluding its activities, including providing testimony to Congress concerning the final report required by subsection (f)(2) and disseminating the report.

Subtitle C—Other Matters

SEC. 1731. DIRECTOR OF NATIONAL INTELLIGENCE PROGRAM ON USE OF INTELLIGENCE RESOURCES IN EFFORTS TO SANCTION FOREIGN OPIOID TRAFFICKERS.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Director of National Intelligence shall, with the concurrence of the Director of the Office of National Drug Control Policy, carry out a program to allocate and enhance use of resources of the intelligence community, including intelligence collection and analysis, to assist the Secretary of the Treasury, the Secretary of State, and the Administrator of the Drug Enforcement Administration in efforts to identify and impose sanctions with respect to foreign opioid traffickers under subtitle A.

(2) FOCUS ON ILLICIT FINANCE.—To the extent practicable, efforts described in paragraph (1) shall—

(A) take into account specific illicit finance risks related to narcotics trafficking; and

(B) be developed in consultation with the Undersecretary of the Treasury for Terrorism and Financial Crimes, appropriate officials of the Office of Intelligence and Analysis of the Department of the Treasury, the Director of the Financial Crimes Enforcement Network, and appropriate Federal law enforcement agencies.

(b) REVIEW OF COUNTERNARCOTICS EFFORTS OF THE INTELLIGENCE COMMUNITY.—The Director of National Intelligence shall, in coordination with the Director of the Office of National Drug Control Policy, carry out a comprehensive review of the current intelligence collection priorities of the intelligence community for counternarcotics purposes in order to identify whether such priorities are appropriate and sufficient in light of the number of lives lost in the United States each year due to use of illegal drugs.

(c) REPORTS.—

(1) QUARTERLY REPORTS ON PROGRAM.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Director of National Intelligence and the Director of the Office of National Drug Control Policy shall jointly submit to the appropriate congressional committees and leadership a report on the status and accomplishments of the program required by subsection (a) during the 90-day period ending on the date of the report. The first report under this paragraph shall also include a description of the amount of funds devoted by the intelligence community to the efforts described in subsection (a) during each of fiscal years 2017 and 2018.

(2) REPORT ON REVIEW.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence and the Director of the Office of National Drug Control Policy shall jointly submit to the appropriate congressional committees and leadership a comprehensive description of the results of the review required by subsection (b), including whether the priorities described in that subsection are appropriate and sufficient in light of the number of lives lost in the United States each year due to use of illegal drugs. If the report concludes that such priorities are not so appropriate and sufficient, the report shall also include a description of the actions to be taken to modify such priorities in order to assure than such priorities are so appropriate and sufficient.

(d) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 1732. DEPARTMENT OF DEFENSE FUNDING.

(a) SOURCE OF FUNDS.—Subject to subsection (b), amounts authorized to be appropriated for each of fiscal years 2020 through 2025 for the Department of Defense for operation and maintenance shall be available solely for operations and activities described in subsection (c).

(b) LIMITATION ON AMOUNT AVAILABLE.—

(1) IN GENERAL.—Subject to paragraph (2), the amount available under subsection (a) in fiscal year 2020 to carry out operations and activities described in subsection (c) may not exceed $25,000,000.

(2) EXCLUSION OF FUNDS FOR US SOUTHCOM FROM LIMITATION.—Amounts authorized to be appropriated for fiscal year 2020 for operation and maintenance and available for such fiscal year for the United States Southern Command for operations and activities described in subsection (c)(2) shall not count toward the limitation applicable to such fiscal year under paragraph (1).

(c) OPERATIONS AND ACTIVITIES.—The operations and activities described in this subsection are the following:

(1) The operations and activities of any department or agency of the United States Government (other than the Department of Defense) solely for purposes of carrying out this title.

(2) The operations and activities of the Department of Defense in support of any other department or agency of the United States

Government solely for purposes of carrying out this title.

(d) SUPPLEMENT NOT SUPPLANT.—Amounts made available under subsection (a) shall supplement and not supplant other amounts available to carry out the operations and activities described in subsection (c).

(e) CONCURRENCE OF SECRETARY OF STATE.—Operations and activities described in subsection (c) carried out with foreign persons shall be conducted with the concurrence of the Secretary of State.

(f) TRANSFER AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense may transfer funds authorized to be appropriated for the Department of Defense as described in subsection (a) to any other department or agency of the United States Government solely for purposes of carrying out this title.

(2) NOTICE REQUIREMENTS.—If the Secretary transfers funds under this subsection, the Secretary shall provide notice of the transfer to the appropriate committees of Congress.

(3) INAPPLICABILITY OF TRANSFER LIMITATIONS.—Any transfer under this subsection in a fiscal year shall not count toward or apply against any limitation on amounts transferrable by the Department of Defense in such fiscal year, including any limitation specified in an annual defense authorization Act for such fiscal year.

SEC. 1733. DEPARTMENT OF STATE FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of State for diplomatic programs the following amounts, which shall be available to carry out the operations and activities described in subsection (b):

(1) $25,000,000 for fiscal year 2020.

(2) Such sums as may be necessary for each of fiscal years 2021 through 2025.

(b) OPERATIONS AND ACTIVITIES DESCRIBED.—The operations and activities described in this subsection are the operations and activities of the Department of State or any other department or agency of the United States Government in carrying out this title.

(c) SUPPLEMENT NOT SUPPLANT.—Amounts authorized to be appropriated by subsection (a) shall supplement and not supplant other amounts available to carry out the operations and activities described in subsection (b).

(d) NOTIFICATION REQUIREMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), amounts authorized to be appropriated by subsection (a) may not be obligated until 15 days after the date on which the President notifies the appropriate committees of Congress of the President's intention to obligate such funds.

(2) WAIVER.—

(A) IN GENERAL.—The Secretary of State may waive the notification requirement under paragraph (1) if the Secretary determines that such a waiver is in the national security interests of the United States.

(B) NOTIFICATION REQUIREMENT.—If the Secretary exercises the authority provided under subparagraph (A) to waive the notification requirement under paragraph (1), the Secretary shall notify the appropriate committees of Congress of the President's intention to obligate amounts authorized to be appropriated by subsection (a) as soon as practicable, but not later than 3 days after obligating such funds.

(e) TRANSFER AUTHORITY.—

(1) IN GENERAL.—The Secretary of State may transfer funds authorized to be appropriated by subsection (a) to any other department or agency of the United States Government to carry out this title.

(2) NOTICE REQUIREMENTS.—If the Secretary transfers funds under this subsection, the Secretary shall provide notice of the transfer to the appropriate committees of Congress.

SEC. 1734. DEPARTMENT OF THE TREASURY FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Treasury to carry out the operations and activities described in subsection (b)—

(1) $25,000,000 for fiscal year 2020; and

(2) such sums as may be necessary for each of fiscal years 2021 through 2025.

(b) OPERATIONS AND ACTIVITIES DESCRIBED.—The operations and activities described in this subsection are the operations and activities of the Department of the Treasury or any other department or agency of the United States Government in carrying out this title.

(c) SUPPLEMENT NOT SUPPLANT.—Amounts authorized to be appropriated by subsection (a) shall supplement and not supplant other amounts available to carry out the operations and activities described in subsection (b).

(d) NOTIFICATION REQUIREMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), amounts authorized to be appropriated by subsection (a) may not be obligated until 15 days after the date on which the President notifies the appropriate committees of Congress of the President's intention to obligate such funds.

(2) WAIVER.—

(A) IN GENERAL.—The Secretary of the Treasury may waive the notification requirement under paragraph (1) if the Secretary determines that such a waiver is in the national security interests of the United States.

(B) NOTIFICATION REQUIREMENT.—If the Secretary exercises the authority provided under subparagraph (A) to waive the notification requirement under paragraph (1), the Secretary shall notify the appropriate committees of Congress of the President's intention to obligate amounts authorized to be appropriated by subsection (a) as soon as practicable, but not later than 3 days after obligating such funds.

(e) TRANSFER AUTHORITY.—

(1) IN GENERAL.—The Secretary of the Treasury may transfer funds authorized to be appropriated by subsection (a) to any other department or agency of the United States Government to carry out this title.

(2) NOTICE REQUIREMENTS.—If the Secretary transfers funds under this subsection, the Secretary shall provide notice of the transfer to the appropriate committees of Congress.

SEC. 1735. TERMINATION.

The provisions of this title, and any sanctions imposed pursuant to this title, shall terminate on the date that is 7 years after the date of the enactment of this Act.

SEC. 1736. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authorities and requirements to impose sanctions under this title shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) GOOD DEFINED.—In this section, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

SEC. 1737. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.

In this subtitle, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

SA 582. Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4101, in the item relating to Family of Medium Tactical Vehicle (FMTV), strike the amount in the Senate Authorized column and insert ''138,057''.

In the funding table in section 4101, in the item relating to Heavy Expanded Mobile Tactical Truck Extended Service, strike the amount in the Senate Authorized column and insert ''131,841''.

In the funding table in section 4101, in the item relating to Total Other Procurement, Army, strike the amount in the Senate Authorized column and insert ''7,628,427''.

In the funding table in section 4101, in the item relating to Total Procurement, strike the amount in the Senate Authorized column and insert ''135,238,365''.

In the funding table in section 4401, in the item relating to Military Personnel Appropriations, strike the amount in the Senate Authorized column and insert ''142,390,523''.

In the funding table in section 4401, in the item relating to Subtotal Military Personnel Appropriations, strike the amount in the Senate Authorized column and insert ''142,390,523''.

In the funding table in section 4401, in the item relating to Total Military Personnel, strike the amount in the Senate Authorized column and insert ''150,207,338''.

SA 583. Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

SEC. 843. SENSE OF SENATE ON IMPORTANCE OF MAINTAINING A STABLE DEFENSE SUPPLY INCLUDING SMALL BUSINESS SUPPLIERS.

It is the sense of the Senate that—

(1) it is in the national security interest of the United States to maintain a stable defense supply base that includes small business suppliers;

(2) small businesses within the defense supply base are especially vulnerable to significant changes in funding for acquisition programs; and

(3) the Department of Defense should avoid, to the extent possible, drastic acquisition program changes in order to provide more predictability and opportunities for defense suppliers, particularly small businesses, to adapt.

SA 584. Mr. JOHNSON (for himself, Mr. BARRASSO, Mrs. CAPITO, Mr. CORNYN, Mr. CRAMER, Mr. GRASSLEY, Mr. PORTMAN, Mr. TOOMEY, Mr. WHITEHOUSE, Mr. THUNE, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1247. SENSE OF SENATE ON MULTINATIONAL FREEDOM OF NAVIGATION IN THE BLACK SEA AND THE CANCELLATION OF THE NORD STREAM 2 PIPELINE.

(a) FINDINGS.—The Senate makes the following findings:

(1) In late February 2014, the Russian Federation invaded and illegally occupied Ukraine's Crimean peninsula, in full contravention of the United Nations Charter and the Helsinki Final Act, which condemn the threat or use of force as means of altering international borders.

(2) The Russian Federation's attempted illegal annexation of Crimea is also a direct violation of its pledges as a signatory to the 1994 Budapest Memorandum on Security Assurances to respect Ukraine's sovereignty and existing borders and to refrain from the threat or use of force against Ukraine.

(3) The inclusion of the United States and the United Kingdom as signatories to the Budapest Memorandum was essential in order to provide Ukraine the security assurances needed to give up its nuclear arsenal.

(4) On November 25, 2018, military forces of the Russian Federation attacked and seized three Ukrainian Navy vessels and their crews as the vessels attempted to transit the Kerch Strait between the Black Sea and the Sea of Azov.

(5) The Government of the Russian Federation still has not released the Ukrainian crew members or returned the Ukrainian ships that were seized illegally.

(6) European Commissioner Julian King stated that the Government of the Russian Federation launched a disinformation campaign over a year ago designed to paint Ukraine and NATO as provocateurs in the Kerch Strait.

(7) As part of the Russian Federation disinformation campaign, Russian state media outlets spread demonstrable falsehoods, including claims that Ukraine was dredging the Kerch Strait seabed to facilitate the stationing of a NATO fleet, that Ukraine had intentionally infected the sea with cholera, and that Ukrainian and British clandestine services were conspiring to destroy the Kerch Strait bridge with a nuclear weapon.

(8) The United States has important national interests in the Black Sea region, including the security of three NATO littoral states, the promotion of European energy market diversification by ensuring unfettered European access to energy exporters in the Caucuses and central Asia, and combating use of the region by smugglers as a conduit for trafficking in persons, narcotics, and arms.

(9) The Nord Stream 2 pipeline is a proposed underwater natural gas pipeline project that would provide an additional 55,000,000,000 cubic meters of pipeline capacity from the Russian Federation to the Federal Republic of Germany through the Baltic Sea.

(10) The Russian Federation's state-owned oil and gas company, Gazprom, is the sole shareholder of the Nord Stream 2 project.

(11) In 2017, there was spare capacity of approximately 55,000,000,000 cubic meters in the Ukrainian gas transit system.

(12) Gazprom cut off natural gas exports to Europe via Ukraine in 2006, and again in 2009, over supply and pricing disputes with Ukraine's state-owned oil and gas company, Naftogaz.

(13) Transit of Russian natural gas to Europe via Ukraine declined precipitously after the completion of Nord Stream 1 in 2011, falling from 80 percent to between 40 and 50 percent of Russia's total exports to Europe.

(14) In 2017, Russian gas accounted for 37 percent of Europe's natural gas imports, an increase of 5 percent over 2016.

(15) On December 12, 2018, the European Parliament overwhelmingly passed a resolution condemning both the Russian Federation's aggression in the Kerch Strait and the construction of the Nord Stream 2 pipeline.

(16) On December 11, 2018, the United States House of Representatives passed a resolution calling upon the European Union to reject the Nord Stream 2 pipeline and urging the President to use all available means to promote energy policies in Europe that reduce European reliance on Russian energy exports.

(b) SENSE OF SENATE ON MULTINATIONAL FREEDOM OF NAVIGATION OPERATION IN THE BLACK SEA AND THE CANCELLATION OF THE NORD STREAM 2 PIPELINE.—The Senate—

(1) calls upon the President—

(A) to work with United States allies to promptly lead a robust multinational freedom of navigation operation in the Black Sea to help demonstrate support for internationally recognized borders, bilateral agreements, and safe passage through the Kerch Strait and Sea of Azov; and

(B) to push back against excessive Russian Federation claims of sovereignty;

(2) calls upon the North Atlantic Treaty Organization to enhance allied maritime presence and capabilities, including maritime domain awareness and coastal defense in the Black Sea, in order to support Freedom of Navigation Operations and allied interests;

(3) urges the President to use the authority provided under section 1234 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1659) to enhance the capability of the Ukrainian military;

(4) urges the President, through the Departments of State and Defense, to provide additional security assistance to Ukraine, especially to strengthen Ukraine's maritime capabilities, in order to improve deterrence and defense against further Russian aggression;

(5) reiterates that the President is required by statute to impose mandatory sanctions on the Russian Federation under the Countering America's Adversaries Through Sanctions Act (Public Law 115–44);

(6) stresses that sanctions against the Russian Federation are a direct result of the actions of the Government of the Russian Federation and will continue and increase until there is an appropriate change in Russian behavior;

(7) calls upon United States allies and partners in Europe to deny Russian Navy vessels access to their ports to resupply and refuel;

(8) notes the resolution passed by the House of Representatives on December 11, 2018, calling on European governments to cancel the Nord Stream 2 pipeline and urging the President to support European energy security through a policy of reducing reliance on the Russian Federation;

(9) applauds and concurs with the European Parliament's December 12, 2018, resolution—

(A) condemning Russian aggression in the Kerch Strait and the Nord Stream 2 pipeline;

(B) calling for the pipeline's cancellation due to its threat to European energy security; and

(C) calling on the Russian Federation to guarantee freedom of navigation in the Kerch Strait; and

(10) urges the President to continue working with Congress and our allies to ensure the appropriate policies to deter the Russian Federation from further aggression.

SA 585. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. _____. RADIUM TESTING AT CERTAIN LOCATIONS OF THE DEPARTMENT OF THE NAVY.

(a) IN GENERAL.—The Secretary of the Navy shall provide for an independent third-party data quality review of all radium testing completed by contractors of the Department of the Navy at a covered location.

(b) COVERED LOCATION DEFINED.—In this section, the term ''covered location'' means any location where the Secretary of the Navy is undertaking a project or activity funded through one of the following accounts of the Department of Defense:

(1) Operation and Maintenance, Environmental Restoration, Navy.

(2) Operation and Maintenance, Environmental Restoration, Formerly Used Defense Sites.

SA 586. Mr. MARKEY (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Saudi Arabia Nuclear Nonproliferation

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Saudi Nuclear Nonproliferation Act of 2019''.

SEC. 1292. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should not approve a civilian nuclear cooperation agreement with Saudi Arabia until the Government of Saudi Arabia—

(A) has been truthful and transparent with regard to the death of Jamal Khashoggi;

(B) has renounced uranium enrichment and reprocessing on its territory, as well as agreed to an Additional Protocol with the International Atomic Energy Agency; and

(C) has made significant progress on the protection of human rights, including through the release of political prisoners;

(2) the United States and Saudi Arabia have traditionally shared an important strategic partnership, which includes joint efforts—

(A) to combat terrorism;

(B) to ensure regional stability; and

(C) to address other common challenges;

(3) the strategic partnership between the United States and Saudi Arabia should be based on—

(A) the pursuit of shared national security interests; and

(B) respect for human rights and the rule of law; and

(4) any decision by the Government of Saudi Arabia to pursue civilian nuclear cooperation with the Russian Federation or the People's Republic of China, or without signing a civilian nuclear cooperation agreement with the United States, would—

(A) harm efforts to promote nuclear nonproliferation; and

(B) seriously undermine the strategic partnership between the United States and Saudi Arabia.

SEC. 1293. STATEMENT OF POLICY.

It shall be the policy of the United States—

(1) to require the Government of Saudi Arabia to renounce uranium enrichment and spent fuel reprocessing on its territory for the duration of a civilian nuclear cooperation agreement with the United States;

(2) to require the Government of Saudi Arabia to sign and implement the Additional Protocol with the International Atomic Energy Agency as part of a civilian nuclear cooperation agreement with the United States;

(3) to oppose, through the Nuclear Suppliers Group, the sale of nuclear technology to Saudi Arabia until the Government of Saudi Arabia has renounced uranium enrichment and reprocessing on its territory as part of a civilian nuclear cooperation agreement with the United States; and

(4) to seek modification of the guidelines of the Nuclear Suppliers Group relating to the transfer of nuclear technology, as applied with respect to Saudi Arabia, until Saudi Arabia has renounced enrichment and reprocessing on its territory.

SEC. 1294. CONGRESSIONAL APPROVAL REQUIRED FOR CIVILIAN NUCLEAR COOPERATION AGREEMENT.

Notwithstanding any other requirements under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), a civilian nuclear cooperation agreement with Saudi Arabia may only enter into effect on or after the date on which each of the following has occurred:

(1) The President has submitted a proposed agreement with Saudi Arabia in accordance with the requirements of such section 123.

(2) In conjunction with the submission referred to in paragraph (1), the President has submitted to Congress an unclassified report (which may include a classified annex) that describes each of the following:

(A) The extent to which the Government of Saudi Arabia has been truthful and transparent in its investigation into the death of Jamal Khashoggi.

(B) Whether those responsible for his death have been prosecuted or otherwise held accountable for such act.

(C) The extent to which Saudi Arabia has renounced uranium enrichment and reprocessing on its territory or will commit to renouncing such enrichment and reprocessing as part of the proposed agreement with the United States.

(D) Whether Saudi Arabia has agreed to sign and implement an Additional Protocol with the International Atomic Energy Agency.

(E) The extent to which Saudi Arabia has cooperated, or is pursuing cooperation, with the People's Republic of China or with any other foreign governments on advancing its missile programs and acquiring missile and other associated technologies that would be restricted under the Missile Technology Control Regime.

(F) The extent to which Saudi Arabia has made substantial progress on improving the protection of human rights, including through the release of political prisoners.

(3) On or after the date of the submission of the proposed agreement and report required under paragraphs (1) and (2), a joint resolution stating that Congress approves such agreement has been enacted.

SA 587. Mr. MARKEY (for himself, Mr. RUBIO, Mr. KAINE, and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXXI, add the following:

SEC. 3116. REPORTING REQUIREMENTS RELATING TO APPLICATIONS FOR AUTHORIZATION TO DEVELOP OR PRODUCE SPECIAL NUCLEAR MATERIAL OUTSIDE THE UNITED STATES.

Section 57 of the Atomic Energy Act of 1954 (42 U.S.C. 2077) is amended by adding at the end the following:

''f. REPORTING REQUIREMENTS.—

''(1) QUARTERLY REPORTS.—

''(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this subsection, and every 90 days thereafter, the Secretary of Energy shall submit to the chairman and ranking member of each of the appropriate congressional committees a report that describes each authorization issued by the Secretary under subsection b.(2) during the 90-day period preceding submission of the report.

''(B) ELEMENTS.—Each report required by subparagraph (A) shall include—

''(i) a summary of each application for an authorization under subsection b.(2) during the 90-day period preceding submission of the report, including a description of—

''(I) whether the application was accepted or rejected;

''(II) the applicant; and

''(III) the intended purpose for which the applicant sought the authorization; and

''(ii) an annex containing—

''(I) each application submitted to the Secretary during that period; and

''(II) each report submitted to the Secretary under section 810.12 of title 10, Code of Federal Regulations (or any corresponding similar regulation or ruling) during that period.

''(C) ADDITIONAL MATERIAL IN INITIAL REPORT.—The first report required to be submitted by subparagraph (A) shall include the matters required by subparagraph (B) for the period beginning on March 25, 2015, and ending on the date of the enactment of this subsection.

''(D) REVIEW BY SECRETARY OF STATE.—The Secretary shall submit each report required by this paragraph to the Secretary of State for approval before submitting the report to the chairmen and ranking members of the appropriate congressional committees.

''(E) FORM.—Each report required by this paragraph shall be submitted in unclassified form but may include a classified annex.

''(2) SUBMISSION TO CONGRESS OF APPLICATIONS AND CERTAIN REPORTS.—The Secretary of Energy shall provide to the chairman and ranking member of each of the appropriate congressional committees an application for an authorization under subsection b.(2) that is pending before or has been approved by the Secretary, or a report submitted under section 810.12 of title 10, Code of Federal Regulations (or any corresponding similar regulation or ruling), not later than 10 days after receiving a request for the application or report, as the case may be, from the chairman or ranking member of either such committee.

''(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term 'appropriate congressional committees' means—

''(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Foreign Affairs of the House of Representatives.''.

SA 588. Mr. MARKEY (for himself, Mrs. FEINSTEIN, Mr. VAN HOLLEN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

SEC. ___. NATIONAL INTELLIGENCE ESTIMATE REGARDING IMPACT OF A LAPSE IN INSPECTIONS REGIMES UNDER THE NEW START TREATY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees a National Intelligence Estimate, consisting of an unclassified executive summary and judgments and a more detailed, classified report on the Russian Federation's compliance with the New START Treaty and the impact to the intelligence collection capabilities of the United States if the New START Treaty and its related information exchanges and associated inspections regimes were to lapse. The unclassified executive summary shall be released to the public and shall, to the extent practicable, address each of the report elements set forth in subsection (b).

(b) REPORT ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of the Russian Federation's compliance with the New START Treaty.

(2) An assessment of the Russian Federation's intentions with regard to extending the New START Treaty.

(3) A description of the intelligence collection benefits gained as a result of the ratification and implementation of the New START Treaty.

(4) An assessment of what specific capabilities the United States intelligence community would have to develop and deploy to ensure that no loss of collection capability would occur in the event of the lapse of the New START Treaty, including a description of—

(A) what intelligence insights, if any, the intelligence community would lose and would not be replaceable if the New START Treaty were to lapse; and

(B) the measures the intelligence community would need to take to account for any lost capabilities, including the cost to replace any lost capabilities, and the time to replace lost capabilities.

(5) A cost estimate and estimated timeline for developing these new or additional capabilities, and a description of how new intelligence gathering requirements related to the Russian Federation's nuclear forces may affect other United States intelligence gathering needs.

(6) An assessment of projections for Russian Federation nuclear and non-nuclear force size, structure, and composition with the New START Treaty limitations in place and without the limitations in place.

(7) An assessment of Russian Federation actions, intentions, and likely responses to the United States withdrawing from, suspending its obligations under, or allowing to lapse the New START Treaty and subsequently developing platforms and weapons beyond the New START Treaty's limitations.

(c) BRIEFINGS.—The Director of National Intelligence shall brief the appropriate congressional committees on the elements set forth in subsection (a) when the National Intelligence Estimate is submitted.

(d) DEFINITIONS.—In this section—

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

(2) NEW START TREATY.—The term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed April 8, 2010, and entered into force February 5, 2011.

SA 589. Mr. MARKEY (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 12___. REVIEW AND REPORT ON OBLIGATIONS OF THE UNITED STATES UNDER TAIWAN RELATIONS ACT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Taiwan is a vital partner of the United States and a critical element of the free and open Indo-Pacific region;

(2) for 40 years, the Taiwan Relations Act (22 U.S.C. 3301 et seq.) has secured peace, stability, and prosperity and provided enormous benefits to the United States, Taiwan, and the Indo-Pacific region; and

(3) the United States should reaffirm that the policy of the United States toward diplomatic relations with the People's Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means, as described in that Act (22 U.S.C. 3301 et seq.).

(b) REVIEW.—The Secretary of Defense, in coordination with the Secretary of State, shall conduct a review of—

(1) whether, and the means by which, as applicable, the Government of the People's Republic of China is affecting, including through military, economic, information, digital, diplomatic, or any other form of coercion—

(A) the security, or the social and economic system, of the people of Taiwan;

(B) the military balance of power between the People's Republic of China and Taiwan; or

(C) the expectation that the future of Taiwan will continue to be determined by peaceful means; and

(2) the role of United States policy toward Taiwan with respect to the implementation of the 2017 National Security Strategy and the 2018 National Defense Strategy.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall provide to the appropriate committees of Congress a report on the review under subsection (b).

(2) MATTERS TO BE INCLUDED.—The report under paragraph (1) shall include the following:

(A) Recommendations on legislative changes or Department of Defense or Department of State policy changes necessary to ensure that the United States continues to meets its obligations to Taiwan under the Taiwan Relations Act (22 U.S.C. 3301 et seq.).

(B) Guidelines for—

(i) new defense requirements, including requirements relating to information and digital space;

(ii) exchanges between senior-level civilian and military officials of the United States and Taiwan; and

(iii) the regular transfer of defense articles, especially defense articles that are mobile, survivable, and cost effective, to most effectively deter attacks and support the asymmetric defense strategy of Taiwan.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 590. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1086. COMPTROLLER GENERAL REVIEW OF QUALITY RATING SYSTEM FOR COMMUNITY LIVING CENTERS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the quality rating system for community living centers operated by the Department of Veterans Affairs.

(b) REPORT.—Not later than [12 months], the Comptroller General shall submit to Congress a report on the results of the review conducted under subsection (a).

SA 591. Mr. CORNYN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title V, add the following:

SEC. 582. MILITARY SPOUSE PROFESSIONAL LICENSE RECIPROCITY.

(a) FINDING.—Congress makes the following findings:

(1) Military spouses continue to experience difficulties in transferring their professional licenses from State to State.

(2) Professional license reciprocity exists sporadically across various States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the States should take appropriate actions to ensure that a military spouse may engage in a business or occupation for which a professional license is required without obtaining the applicable professional license in the gaining State if the spouse is currently licensed in good standing by another State that has professional licensing requirements that are substantially equivalent to the requirements for the license in such gaining State.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth the results of a study, undertaken for purposes of the report, on the feasibility and advisability of the transference by military spouses of professional licenses for various professions from State to State. The report shall set forth the following:

(1) A list of the States that currently permit military spouses to transfer such licenses, and shall specify for each such State each profession for which such a license is so transferrable.

(2) A ranking of the States by transferability of licenses by military spouses, with appropriate weight being afforded to various mechanisms for transfer, including licensure by endorsement, temporary or provisional licensing, and expedited application for licenses.

SA 592. Mr. CORNYN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 147. F–15EX AIRCRAFT PROGRAM.

(a) DESIGNATION OF MAJOR SUBPROGRAM.—In accordance with section 2430a of title 10, United States Code, the Secretary of Defense shall designate the F–15EX program as a major subprogram of the F–15 aircraft program.

(b) LIMITATION.—Except as provided in subsection (c), none of the funds authorized to

be appropriated by this Act may be obligated or expended to procure an F–15EX aircraft until a period of 60 days has elapsed following the date on which the Secretary of the Air Force submits a letter of certification to the congressional defense committees certifying that the following activities have occurred relating to the F–15EX program:

(1) A joint requirement oversight council review has occurred.

(2) A technology readiness assessment has been conducted.

(3) An analysis of alternatives has been completed, including consideration of the following options:

(A) Increase in the F–35 procurement.

(B) Purchase F–15EX aircraft to recapitalize the F–15C fleet.

(C) Purchase F–16 Blk 70 to recapitalize the F–15C fleet.

(D) Accelerate penetrating counter air/next generation air dominance.

(4) A full and open competition or sole source justification has been performed and Congress has been notified.

(c) EXCEPTION FOR PRODUCTION OF PROTO TYPES.—

(1) IN GENERAL.—Notwithstanding subsection (b), the Secretary of the Air Force may use the funds described in paragraph (2) to develop, produce, and test not more than two prototypes of the F–15EX aircraft.

(2) FUNDS DESCRIBED.—The funds described in this paragraph are funds authorized to be appropriated by this Act for any of the following:

(A) Research and development, non-recurring engineering.

(B) Aircraft procurement.

(d) F–15EX PROGRAM DEFINED.—In this section, the term ''F–15EX program'' means the F–15EX aircraft program of the Air Force as described in the materials submitted to Congress by the Secretary of Defense in support of the budget of the President for fiscal year 2020 (as submitted to Congress under section 1105(a) of title 31, United States Code).

SA 593. Mr. CORNYN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 147. F–35 PROGRAM PRODUCTION.

(a) PROCUREMENT.—The Department of the Air Force shall procure a minimum of 80 F–35A lightning aircraft per year beginning in fiscal year 2021.

(b) LIMITATION ON PROCUREMENT.—Unless and until the Department requests authorization and appropriation for a minimum of 80 F–35As per year, the Department of Air Force may not procure other ''new'' tactical fighter type aircraft without approval from the congressional defense committees for any authorization and appropriations bill enacted after September 30, 2019.

SA 594. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VIII, add the following:

SEC. 866. AUTHORITY TO RESTRICT PROCUREMENT FROM COUNTRIES THAT QUALIFY FOR RECIPROCAL PROCUREMENT.

The Secretary of Defense may restrict acquisitions pursuant to subsection (c) of section 225.872–1 of the Defense Federal Acquisition Regulation Supplement to domestic sources or reject an otherwise acceptable offer from a qualifying country listed in subsection (a) of such section (or any successor regulation), for national defense reason, if restricting the acquisition would have a substantial positive effect on domestic employment. Before determining not to apply the restrictions of chapter 83 of title 41, United States Code (commonly referred to as the ''Buy American Act'') pursuant to such section, the Secretary shall conduct an assessment of the impact on domestic employment. The Secretary shall provide an annual report on the findings of all such assessments to the congressional defense committees and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

SA 595. Mr. REED (for himself, Mr. TESTER, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ___. ENHANCEMENTS TO PROTECTIONS ACCORDED UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT.

(a) PROTECTION OF SURVIVING SPOUSE WITH RESPECT TO MORTGAGE FORECLOSURE.—

(1) IN GENERAL.—Section 303 of the Servicemembers Civil Relief Act (50 U.S.C. 3953) is amended by adding at the end the following new subsection:

''(e) PROTECTION OF SURVIVING SPOUSE.—With respect to a servicemember who dies while in military service from a service-connected cause and who has a surviving spouse who is the servicemember's successor in interest to property covered under subsection (a), this section shall apply to the surviving spouse with respect to that property during the one-year period beginning on the date of such death in the same manner as if the servicemember had not died.''.

(2) EFFECTIVE DATE.—Subsection (e) of section 303 of the Servicemembers Civil Relief Act, as added by paragraph (1), shall apply to the surviving spouse of a servicemember whose death occurs on or after the date of the enactment of this Act.

(b) TERMINATION OF RESIDENTIAL LEASES.—

(1) IN GENERAL.—Section 305 of such Act (50 U.S.C. 3955) is amended—

(A) in subsection (a)(1)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, the date the lessee is assigned to or otherwise relocates to quarters or a housing facility as described in such subparagraph.''; and

(B) in subsection (b)(1)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) the lease is executed by or on behalf of a person who thereafter and during the term of the lease is assigned to or otherwise relocates to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), including housing provided under the Military Housing Privatization Initiative.''.

(2) MANNER OF TERMINATION.—Subsection (c)(1) of such section is amended—

(A) in subparagraph (A)—

(i) by inserting ''in the case of a lease described in subsection (b)(1) and subparagraph (A) or (B) of such subsection,'' before ''by delivery''; and

(ii) by striking ''and'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, by delivery by the lessee of written notice of such termination, and a letter from the servicemember's commanding officer indicating that the servicemember has been assigned to or is otherwise relocating to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), to the lessor (or the lessor's grantee), or to the lessor's agent (or the agent's grantee); and''.

(c) DEFINITION OF MILITARY ORDERS AND CONTINENTAL UNITED STATES FOR PURPOSES OF ACT.—

(1) TRANSFER OF DEFINITIONS.—Such Act is further amended by transferring paragraphs (1) and (2) of section 305(i) (50 U.S.C. 3955(i)) to the end of section 101 (50 U.S.C. 3911) and redesignating such paragraphs, as so transferred, as paragraphs (10) and (11), respectively.

(2) CONFORMING AMENDMENTS.—Such Act is further amended—

(A) in section 305 (50 U.S.C. 3955), as amended by paragraph (1), by striking subsection (i); and

(B) in section 705 (50 U.S.C. 4025), by striking ''or naval'' both places it appears.

SA 596. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PILOT PROGRAM TO IMPROVE PUBLIC-PRIVATE CYBERSECURITY OPERATIONAL COLLABORATION.

(a) DEFINITIONS.—In this section—

(1) the term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives;

(2) the term ''appropriate Federal agencies'' means—

(A) the Department of Homeland Security; and

(B) any other agency, as determined by the Secretary;

(3) the term ''collaboration effort'' means an effort undertaken by the appropriate Federal agencies and 1 or more non-Federal entities under the pilot program in order to carry out the purpose of the pilot program;

(4) the term ''critical infrastructure'' has the meaning given that term in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 5195c(e));

(5) the term ''cybersecurity provider'' means a non-Federal entity that provides cybersecurity services to another non-Federal entity;

(6) the term ''cybersecurity threat'' means a cybersecurity threat, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501), that affects—

(A) the national security of the United States; or

(B) critical infrastructure in the United States;

(7) the term ''malicious cyber actor'' means an entity that poses a cybersecurity threat;

(8) the term ''non-Federal entity'' has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501); and

(9) the term ''Secretary'' means the Secretary of Homeland Security.

(b) ESTABLISHMENT; PURPOSE.—Not later than 60 days after the date of enactment of this Act, the Secretary, in consultation with the heads of the appropriate Federal agencies, may establish a pilot program under which the appropriate Federal agencies, at the direction of the Secretary, may collaborate with non-Federal entities in order to coordinate and magnify Federal and non-Federal efforts to prevent or disrupt cybersecurity threats or malicious cyber actors.

(c) PARTNERSHIP.—In carrying out the pilot program, the Secretary may identify and partner with nonprofit cybersecurity organizations capable of enabling near real-time information sharing relating to cybersecurity threats among cybersecurity providers in order to facilitate, as appropriate—

(1) sharing of information relating to potential actions by the Federal Government against cybersecurity threats or malicious cyber actors with non-Federal entities;

(2) joint planning between the appropriate Federal agencies and non-Federal entities relating to cybersecurity threats or malicious cyber actors; and

(3) the synchronization of actions against cybersecurity threats or malicious cyber actors by—

(A) the Federal Government;

(B) the non-Federal entities with which information is shared under paragraph (1); and

(C) the non-Federal entities with which joint planning is carried out under paragraph (2).

(d) ROLES AND RESPONSIBILITIES.—

(1) IN GENERAL.—The non-Federal entities involved in the partnership described in subsection (c) shall facilitate all non-Federal coordination, planning, and action relating to the pilot program.

(2) RESPONSIBILITIES OF THE SECRETARY.—The Secretary shall facilitate all Federal coordination, planning, and action relating to the pilot program.

(e) ANNUAL REPORTS TO APPROPRIATE CONGRESSIONAL COMMITTEES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Secretary shall submit to the appropriate congressional committees a report on the collaboration efforts carried out during the year for which the report is submitted, which shall include—

(A) a statement of the total number collaboration efforts carried out during the year;

(B) with respect to each collaboration effort carried out during the year—

(i) a statement of—

(I) the identity of any malicious cyber actor that, as a result of a cybersecurity threat that the malicious cyber actor engaged in or was likely to engage in, was a subject of the collaboration effort;

(II) the responsibilities under the collaboration effort of each appropriate Federal agency and each non-Federal entity that participated in the collaboration effort; and

(III) whether the goal of the collaboration effort was achieved; and

(ii) a description of how each appropriate Federal agency and each non-Federal entity that participated in the collaboration effort collaborated in carrying out the collaboration effort; and

(C) a description of—

(i) the ways in which the collaboration efforts carried out during the year—

(I) were successful; and

(II) could have been improved; and

(ii) how the Secretary will improve collaboration efforts carried out on or after the date on which the report is submitted.

(2) FORM.—Any report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(f) TERMINATION.—The pilot program shall terminate on the date that is 3 years after the date of enactment of this Act.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

(1) authorize a non-Federal entity to engage in any activity in violation of section 1030(a) of title 18, United States Code; or

(2) limit an appropriate Federal agency or a non-Federal entity from engaging in a lawful activity.

SA 597. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 729. STUDY ON HEALTH DATA SAFETY OF MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the following:

(1) The prevalence of theft of medical identification of veterans.

(2) The measures taken by the Department of Defense to preserve health data safety in the medical record system of the Department while changing over to electronic records.

(3) How often the Secretary of Veterans Affairs corrects inaccurate medical records of veterans and how pervasive of a problem inaccurate medical records are for the Department of Veterans Affairs.

(4) The length of time it takes for the Secretary to correct inaccurate medical records.

(5) Whether any veterans are being denied their request to change an erroneous medical record, and if so, the prevalence of such an occurrence.

(b) REPORT.—Not later than [180 DAYS], the Comptroller General shall submit to Congress a report on the results of the study conducted under subsection (a).

SA 598. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. _____. UNITED STATES-ISRAEL DIRECTED ENERGY CAPABILITIES COOPERATION.

(a) AUTHORITY.—

(1) IN GENERAL.—(A) The Secretary of Defense, upon request of the Ministry of Defense of Israel and with the concurrence of the Secretary of State, is authorized to carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish directed energy capabilities that address threats to the United States, deployed forces of the United States, or Israel.

(B) Any activities carried out pursuant to such authority shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States and the national security interests of Israel.

(2) REPORT.—The activities described in paragraph (1) and subsection (b) may not be carried out until after the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the following:

(A) A memorandum of agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents.

(B) A certification that the memorandum of agreement—

(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel;

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of Israel, including a description of what the funds have been used for, when funds were expended, and an identification of entities that expended the funds.

(b) SUPPORT IN CONNECTION WITH ACTIVITIES.—

(1) IN GENERAL.—(A) The Secretary of Defense may provide maintenance and sustainment support to Israel for the directed energy capabilities research, development, test, and evaluation activities authorized in subsection (a)(1).

(B) Such authority includes authority to install equipment necessary to carry out such research, development, test, and evaluation.

(2) REPORT.—The support described in paragraph (1) may not be provided until 15 days after the Secretary of Defense submits to the appropriate committees of Congress a report setting forth a detailed description of the support to be provided.

(3) MATCHING CONTRIBUTION.—The support described in paragraph (1) may not be provided unless the Secretary of Defense certifies to the appropriate committees of Congress that the Government of Israel will contribute to such support—

(A) an amount equal to the amount of support to be so provided; or

(B) an amount that otherwise meets the best efforts of Israel, as mutually agreed to by the United States and Israel.

(c) LEAD AGENCY.—The Secretary of Defense shall designate an appropriate research and development entity of a military department as the lead agency of the Department of Defense in carrying out this section.

(d) SEMIANNUAL REPORT.—The Secretary of Defense shall submit to the appropriate committees of Congress on a semiannual basis a report that contains a copy of all semiannual reports provided by the Government of Israel to the Department of Defense pursuant to subsection (a)(2)(B)(iii).

(e) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) SUNSET.—The authority under this section to carry out activities described in subsection (a) and to provide support described in subsection (b) shall expire on December 31, 2024.

SA 599. Mr. LEE (for himself, Mrs. FEINSTEIN, Mr. CRUZ, Mr. WHITEHOUSE, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

(a) SHORT TITLE.—This section may be cited as the ''Due Process Guarantee Act''.

(b) LIMITATION ON DETENTION.—

(1) IN GENERAL.—Section 4001(a) of title 18, United States Code, is amended—

(A) by striking ''No citizen'' and inserting the following:

''(1) No citizen or lawful permanent resident of the United States''; and

(B) by adding at the end the following:

''(2) Any Act of Congress that authorizes an imprisonment or detention described in paragraph (1) shall be consistent with the Constitution and expressly authorize such imprisonment or detention.''.

(2) APPLICABILITY.—Nothing in section 4001(a)(2) of title 18, United States Code, as added by paragraph (1)(B), may be construed to limit, narrow, abolish, or revoke any detention authority conferred by statute, declaration of war, authorization to use military force, or similar authority effective prior to the date of the enactment of this Act.

(c) RELATIONSHIP TO AN AUTHORIZATION TO USE MILITARY FORCE, DECLARATION OF WAR, OR SIMILAR AUTHORITY.—Section 4001 of title 18, United States Code, as amended by subsection (b) is further amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b)(1) No United States citizen or lawful permanent resident who is apprehended in the United States may be imprisoned or otherwise detained without charge or trial unless such imprisonment or detention is expressly authorized by an Act of Congress.

''(2) A general authorization to use military force, a declaration of war, or any similar authority, on its own, may not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

''(3) Paragraph (2) shall apply to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the Due Process Guarantee Act.

''(4) This section may not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.''.

SA 600. Mr. LEE (for himself, Mr. PAUL, and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.

(a) FINDING.—Congress finds that section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 63 Stat. 2241)—

(1) expresses the sense of Congress that, due to threats that are ever-changing, Congress must be informed with respect to allied contributions to the common defense to properly assess the readiness of the United States and the countries described in subsection (c)(2) for threats; and

(2) requires the Secretary of Defense to submit to Congress an annual report on the contributions of allies to the common defense.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the threats facing the United States—

(A) extend beyond the global war on terror; and

(B) include near-peer threats; and

(2) the President should seek from each country described in subsection (c)(2) acceptance of international security responsibilities and agreements to make contributions to the common defense in accordance with the collective defense agreements or treaties to which such country is a party.

(c) REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.—

(1) IN GENERAL.—Not later than March 1 each year, the Secretary, in coordination with the heads of other Federal agencies, as the Secretary determines to be necessary, shall submit to the appropriate committees of Congress a report containing a description of—

(A) the annual defense spending by each country described in paragraph (2), including available data on nominal budget figures and defense spending as a percentage of the gross domestic products of each such country for the fiscal year immediately preceding the fiscal year in which the report is submitted;

(B) the activities of each such country to contribute to military or stability operations in which the Armed Forces of the United States are a participant or may be called upon in accordance with a cooperative defense agreement to which the United States is a party;

(C) any limitations placed by any such country on the use of such contributions; and

(D) any actions undertaken by the United States or by other countries to minimize such limitations.

(2) COUNTRIES DESCRIBED.—The countries described in this paragraph are the following:

(A) Each member state of the North Atlantic Treaty Organization.

(B) Each member state of the Gulf Cooperation Council.

(C) Each country party to the Inter-American Treaty of Reciprocal Assistance (Rio Treaty), done at Rio de Janeiro September 2, 1947, and entered into force December 3, 1948 (TIAS 1838).

(D) Australia.

(E) Japan.

(F) New Zealand.

(G) The Philippines.

(H) South Korea.

(I) Thailand.

(3) FORM.—Each report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(4) AVAILABILITY.—A report submitted under paragraph (1) shall be made available on request to any Member of Congress.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 601. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. WAIVER OF COASTWISE ENDORSEMENT REQUIREMENTS.

Section 12112 of title 46, United States Code, is amended by adding at the end the following:

''(c) WAIVERS IN CASES OF PRODUCT CARRIER SCARCITY OR UNAVAILABILITY.—

''(1) IN GENERAL.—The head of an agency shall, upon request, temporarily waive the requirements of subsection (a), including the requirement to satisfy section 12103, if the person requesting that waiver reasonably demonstrates to the head of an agency that—

''(A) there is no product carrier, with respect to a specified good, that meets such requirements, exists, and is available to carry such good; and

''(B) the person made a good faith effort to locate a product carrier that complies with such requirements.

''(2) DURATION.—Any waiver issued under paragraph (1) shall be limited in duration, and shall expire by a specified date that is not less than 30 days after the date on which the waiver is issued.

''(3) EXTENSION.—Upon request, if the circumstances under which a waiver was issued under paragraph (1) have not substantially changed, the head of an agency shall, without delay, grant one or more extensions to a waiver issued under paragraph (1), for periods of not less than 15 days each.

''(4) DEADLINE FOR WAIVER RESPONSE.—

''(A) RESPONSE DEADLINE.—Not later than 60 days after receiving a request for a waiver under paragraph (1), the head of an agency shall approve or deny such request.

''(B) FINDINGS IN SUPPORT OF DENIED WAIVER.—If the head of an agency denies such a request, the head of an agency shall, not later than 14 days after denying the request, submit to the requester a report that includes the findings that served as the basis for denying the request.

''(C) REQUEST DEEMED GRANTED.—If the head of an agency has neither granted nor denied the request before the response deadline described in subparagraph (A), the request shall be deemed granted on the date that is 61 days after the date on which the head of an agency received the request. A waiver that is deemed granted under this subparagraph shall be valid for a period of 30 days.

''(5) NOTICE TO CONGRESS.—

''(A) IN GENERAL.—The head of an agency shall notify Congress—

''(i) of any request for a temporary waiver under this subsection, not later than 48 hours after receiving such request; and

''(ii) of the issuance of any such waiver, not later than 48 hours after such issuance.

''(B) CONTENTS.—The head of an agency shall include in each notification under subparagraph (A)(ii) a detailed explanation of the reasons the waiver is necessary.

''(6) DEFINITIONS.—In this subsection:

''(A) PRODUCT CARRIER.—The term 'product carrier', with respect to a good, means a vessel constructed or adapted primarily to carry such good in bulk in the cargo spaces.

''(B) HEAD OF AN AGENCY.—The term ''head of an agency'' means an individual, or such individual acting in that capacity, who is responsible for the administration of the navigation or vessel inspection laws.''.

SA 602. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CONGRESSIONAL APPROVAL REQUIREMENT FOR MILITARY HUMANITARIAN OPERATIONS.

(a) SHORT TITLE.—This section may be cited as the ''Military Humanitarian Operations Act of 2019''.

(b) MILITARY HUMANITARIAN OPERATION DEFINED.—

(1) IN GENERAL.—In this section, the term ''military humanitarian operation'' means a military operation involving the deployment of members or weapons systems of the United States Armed Forces where hostile activities are reasonably anticipated and with the aim of preventing or responding to a humanitarian catastrophe, including its regional consequences, or addressing a threat posed to international peace and security. The term includes—

(A) operations undertaken pursuant to the principle of the ''responsibility to protect'' as referenced in United Nations Security Council Resolution 1674 (2006);

(B) operations specifically authorized by the United Nations Security Council, or other international organizations; and

(C) unilateral deployments and deployments made in coordination with international organizations, treaty-based organizations, or coalitions formed to address specific humanitarian catastrophes.

(2) OPERATIONS NOT INCLUDED.—The term ''military humanitarian operation'' does not mean a military operation undertaken for the following purposes:

(A) Responding to or repelling attacks, or preventing imminent attacks, on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces.

(B) Direct acts of reprisal for attacks on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces.

(C) Invoking the inherent right to individual or collective self-defense in accordance with Article 51 of the Charter of the United Nations.

(D) Military missions to rescue United States citizens or military or diplomatic personnel abroad.

(E) Humanitarian missions in response to natural disasters where no civil unrest or combat with hostile forces is reasonably anticipated, and where such operation is for not more than 30 days.

(F) Actions to maintain maritime freedom of navigation, including actions aimed at combating piracy.

(G) Training exercises conducted by the United States Armed Forces abroad where no combat with hostile forces is reasonably anticipated.

(c) REQUIREMENT FOR CONGRESSIONAL AUTHORIZATION.—The President may not deploy members of the United States Armed Forces into the territory, airspace, or waters of a foreign country for a military humanitarian operation not previously authorized by statute unless—

(1) the President submits to Congress a formal request for authorization to use members of the Armed Forces for the military humanitarian operation; and

(2) Congress enacts a specific authorization for such use of forces.

(d) SEVERABILITY.—If any provision of this section is held to be unconstitutional, the remainder of the section shall not be affected.

SA 603. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XVI, add the following:

SEC. _____. LEVERAGING COMMERCIAL SATELLITE REMOTE SENSING.

(a) IN GENERAL.—In acquiring geospatial-intelligence, the Secretary of Defense, acting through the Director of the National Reconnaissance Office and in coordination with the Director of the National Geospatial-Intelligence Agency, shall—

(1) consider the needs of the National Reconnaissance Office, the National Geospatial-Intelligence Agency, and the Department of Defense geospatial intelligence (GEOINT) user community, including the combatant commanders; and

(2) leverage, to the maximum extent practicable, the capabilities of United States industry, including through the use of commercial geospatial-intelligence services and acquisition of commercial satellite imagery.

(b) OBTAINING FUTURE DATA.—The Secretary, as early as possible in the acquisition process for any future Department of Defense space system for geospatial-intelligence, shall—

(1) consider whether there is a suitable, cost-effective, commercial capability available, or that will be available by the planned operational date of the system, to meet any or all of the system requirements;

(2) if a suitable, cost-effective, commercial capability is or will be available as described in paragraph (1), determine whether it is in the national interest to develop a governmental space system; and

(3) submit to the appropriate committees of Congress a report detailing any determination made under paragraphs (1) and (2).

(c) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 604. Mr. BENNET (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. _____. COMPARATIVE CAPABILITIES OF ADVERSARIES IN ARTIFICIAL INTELLIGENCE.

(a) EXPANSION OF DUTIES OF OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR COORDINATION OF ACTIVITIES RELATING TO DEVELOPMENT AND DEMONSTRATION OF ARTIFICIAL INTELLIGENCE.—Section 238(c)(2)(I) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new clause:

''(iii) that appropriate entities in the Department are reviewing all open sources publications from both the United States and outside the United States that contribute, impact, or advance artificial intelligence research and development.''.

(b) ANALYSIS OF COMPARATIVE CAPABILITIES OF CHINA IN ARTIFICIAL INTELLIGENCE.—The Secretary of Defense shall provide the congressional defense committees with an analysis and briefing that includes the following:

(1) A comprehensive and national-level—

(A) comparison of public and private investment differentiated by sector and industry;

(B) review of current trends in ability to set and determine global standards and norms for artificial intelligence technology in national security, including efforts in international standard setting bodies;

(C) assessment of access to artificial intelligence technology in national security; and

(D) assessment of areas and activities in which the Unites States should invest in order to provide the United States with technical superiority over China in relevant areas of artificial intelligence.

(2) A comprehensive assessment of relative technical quality of activities in the United States and China.

(3) A comprehensive assessment of the likelihood that developments in artificial intelligence will successfully transition into military systems of China.

(4) Predicted effects on United States national security if current trends in China and the United States continue.

(5) Predicted effects of current trends on digital and technology export relationships of both countries with existing and new trading partners.

(6) Assessment of the relationships that are critical and in need of development in both private and public sector to ensure investment in artificial intelligence to keep pace with current global trends.

SA 605. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1422.

SA 606. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 5___. SENSE OF SENATE ON THE HONORABLE AND DISTINGUISHED SERVICE OF GENERAL JOSEPH F. DUNFORD, UNITED STATES MARINE CORPS, TO THE UNITED STATES.

(a) FINDINGS.—The Senate makes the following findings:

(1) General Joseph F. Dunford was commissioned as a second lieutenant in the United States Marine Corps in 1977.

(2) Since 1977, General Dunford has served as an infantry officer at all levels and has held numerous leadership roles, including Commander of the 5th Marine Regiment during Operation IRAQI FREEDOM, Commander of the International Security Assistance Force and United States Forces-Afghanistan, and Commander, Marine Forces United States Central Command.

(3) General Dunford served as the 32nd Assistant Commandant of the Marine Corps from October 23, 2010, to December 15, 2012.

(4) General Dunford subsequently served as the 36th Commandant of the Marine Corps from October 17, 2014, to September 24, 2015.

(5) General Dunford became the highest-ranking military officer in the United States when he was appointed as the 19th Chairman of the Joint Chiefs of Staff on October 1, 2015.

(6) General Dunford is only the second United States Marine to hold the position of Chairman of the Joint Chiefs of Staff.

(7) During his nearly four years as Chairman of the Joint Chiefs of Staff, General Dunford effectively and honorably executed the duties of the office to the highest degree.

(8) General Dunford has an extensive record of impeccable service to the United States.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States deeply appreciates the decades of honorable service of General Joseph F. Dunford; and

(2) the indispensable leadership of General Dunford and his dedication to the men and women of the Armed Forces demonstrates the finest example of service to the United States.

SA 607. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XIV, add the following:

SEC. 1432. USE OF WORKING CAPITAL FUNDS TO CARRY OUT MINOR MILITARY CONSTRUCTION PROJECTS AT NAVAL WARFARE CENTERS.

(a) IN GENERAL.—Paragraph (1) of subsection (u) of section 2208 of title 10, United States Code, is amended by inserting before the period at the end the following: ''or for a minor military construction project at a Naval Warfare Center''.

(b) CLERICAL AMENDMENT.—The subsection heading for such subsection is amended to read as follows: ''USE FOR CERTIAN UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS''.

SA 608. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12____. SENSE OF CONGRESS ON REPATRIATION OF RELIGIOUS AND ETHNIC MINORITIES IN IRAQ TO ANCESTRAL HOMELANDS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Nineveh Plain and the wider region have been the ancestral homeland of Assyrian Chaldean Syriac Christians, Yazidis, Shabak, and other religious and ethnic minorities, where they lived for centuries until the Islamic State of Iraq and Syria (ISIS) overran and occupied the area in 2014.

(2) In 2016, then Secretary of State John Kerry announced, ''In my judgment Daesh is responsible for genocide against groups in areas under its control, including Yezidis, Christians, and Shia Muslims. Daesh is genocidal by self-proclamation, by ideology, and by actions – in what it says, what it believes, and what it does. Daesh is also responsible for crimes against humanity and ethnic cleansing directed at these same groups and in some cases also against Sunni Muslims, Kurds, and other minorities.''.

(3) These atrocities were undertaken with the specific intent to bring about the eradication and displacement of Christians, Yazidis, and other communities and the destruction of their cultural heritage, in violation of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

(4) In 2016, the Senate passed S. Res. 340 (114th Congress), expressing the sense of the Senate that the atrocities perpetrated by the Islamic State of Iraq and Syria against religious and ethnic minorities in Iraq and Syria include war crimes, crimes against humanity, and genocide.

(5) It is consistent with the commitments of the Republic of Iraq, the Kurdish Regional Government, the United States, and the international community to guarantee the restoration of fundamental human rights, including property rights, to genocide victims, and to see that ethnic and religious pluralism survives in Iraq.

(6) President Trump issued orders to defeat the Islamic State of Iraq and Syria, and with the joint efforts of the United States and 79 allies and partners, the Islamic State of Iraq and Syria, which once controlled large swaths of territory in both Iraq and Syria, no longer controls any physical territory.

(7) In July 2018, under the direction of Vice President Pence, the Genocide Recovery and Persecution Response Program has partnered the Department of State and the United States Agency for International Development with local faith and community leaders to rapidly deliver aid to persecuted communities, beginning with Iraq.

(8) Christians in Iraq once numbered over 1,500,000 in 2003, and have dwindled to less than 200,000 today.

(9) Armed militia groups linked to Iran and operating in Sinjar and the Nineveh Plains are increasing the instability and insecurity of Northern Iraq, preventing the conditions for local and indigenous minorities to return to their homelands.

(10) Facilitating the success of communities in Sinjar and the Nineveh Plains requires a commitment from international, Iraqi, Kurdish and local authorities, in partnership with local faith leaders, to promote the safety and security of all people, especially religious and ethnic minorities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it should be a policy priority of the United States, working with international partners, the Government of Iraq, the Kurdistan Regional Government, and local populations to support the safe return of displaced indigenous people of the Nineveh Plain and Sinjar to their ancestral homeland;

(2) Iraqi Security Forces and the Kurdish Peshmerga should work to more fully integrate all communities, including religious communities, to counter current and future terrorist threats; and

(3) the United States, working with international allies and partners, should coordinate efforts to provide for the safe return and future security of religious minorities in the Nineveh Plain and Sinjar.

SA 609. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 594. PILOT PROGRAM ON THE JUNIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM AT LUCY GARRETT BECKHAM HIGH SCHOOL, CHARLESTON COUNTY, SOUTH CAROLINA.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may carry out a pilot program to establish and maintain a Junior Reserve Officers' Training Corps (JROTC) program unit in cooperation with Lucy Garrett Beckham High School, Charleston County, South Carolina.

(b) PROGRAM REQUIREMENTS.—The pilot program carried out by the Secretary under this section shall provide to students at Lucy Garrett Beckham High School—

(1) instruction in subject areas relating to operations of the Coast Guard; and

(2) training in skills which are useful and appropriate for a career in the Coast Guard.

(c) PROVISION OF ADDITIONAL SUPPORT.—In carrying out the pilot program under this section, the Secretary may provide to Lucy Garrett Beckham High School—

(1) assistance in course development, instruction, and other support activities; and

(2) necessary and appropriate course materials, equipment, and uniforms.

(d) EMPLOYMENT OF RETIRED COAST GUARD PERSONNEL.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may authorize the Lucy Garrett Beckham High School to employ, as administrators and instructors for the pilot program, retired Coast Guard and Coast Guard Reserve commissioned, warrant, and petty officers not on active duty who request that employment and who are approved by the Secretary and Lucy Garrett Beckham High School.

(2) AUTHORIZED PAY.—

(A) IN GENERAL.—Retired members employed under paragraph (1) are entitled to receive their retired or retainer pay and an additional amount of not more than the difference between—

(i) the amount the individual would be paid as pay and allowance if the individual was considered to have been ordered to active duty during the period of employment; and

(ii) the amount of retired pay the individual is entitled to receive during that period.

(B) PAYMENT TO SCHOOL.—The Secretary shall pay to Lucy Garrett Beckham High School an amount equal to one-half of the amount described in subparagraph (A), from funds appropriated for such purpose.

(3) EMPLOYMENT NOT ACTIVE-DUTY OR INACTIVE-DUTY TRAINING.—Notwithstanding any other provision of law, while employed under this subsection, an individual is not considered to be on active-duty or inactive-duty training.

SA 610. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXXI, add the following:

SEC. 3116. MODIFICATION TO CERTAIN REQUIREMENTS RELATING TO PLUTONIUM PIT PRODUCTION CAPACITY.

(a) FINDINGS.—The Senate makes the following findings:

(1) In testimony before the Committee on Armed Services of the Senate on February 26, 2019, General John Hyten, Commander of United States Strategic Command, stated, ''The highest NNSA infrastructure priority is re-establishing a plutonium pit production and fabrication capacity to meet deterrent requirements. Our national requirement, supported by numerous studies and analyses, requires no fewer than 80 war-reserve pits per year by 2030. I support the NNSA plan to achieve this.''.

(2) At a press briefing on May 10, 2019, Under Secretary of Defense for Acquisition and Sustainment Ellen Lord stated, ''We need 30 plutonium pits by 2026 for GBSD, and we need to get 80 pits per year by 2030.''.

(3) The 2018 Nuclear Posture Review stated that a delay beyond 2030 in reaching the capacity to produce 80 plutonium pits per year ''would result in the need for a higher rate of pit production at higher cost''.

(4) The National Nuclear Security Administration has proposed to meet this requirement by continuing to expand infrastructure at Los Alamos National Laboratory, Los Alamos, New Mexico, which will remain the Plutonium Center of Excellence, while building additional capacity at the Savannah River Site, Aiken, South Carolina.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) rebuilding a robust plutonium pit production infrastructure is critical to maintaining the viability of the nuclear stockpile;

(2) that effort will require cooperation from experts at the Savannah River Site, Los Alamos National Laboratory, and across the nuclear security enterprise; and

(3) any further delay to planning and design for the full plutonium pit production enterprise will result in unacceptable capability gap for future stockpile stewardship efforts.

(c) MODIFICATION TO REQUIREMENTS.—Section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a) is amended—

(1) in subsection (a), by striking paragraph (5) and inserting the following:

''(5) during 2030, produces not less than 80 war reserve plutonium pits.'';

(2) by striking subsection (b);

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively;

(4) in subsection (b), as redesignated by paragraph (2), by striking ''2027 (or, if the authority under subsection (b) is exercised, 2029)'' and inserting ''2030''; and

(5) in subsection (c), as redesignated by paragraph (2), by striking ''subsection (c)'' and inserting ''subsection (b)''.

SA 611. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. CREDIT MONITORING.

Section 605A(k) of the Fair Credit Reporting Act (15 U.S.C. 1681c–1(k)) is amended by striking paragraph (4).

SA 612. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1008. LIMITATIONS ON TRANSFER AUTHORITY.

(a) LIMITATIONS.—The transfer of amounts authorized to be appropriated by this Act shall be subject to the limitations as follows:

(1) The amount that may be transferred pursuant to section 1001 may not exceed $1,000,000,000.

(2) The amount that may be transferred pursuant to section 1522 may not exceed $500,000,000.

(3) No amount may be transferred pursuant to section 1001 or 1522 into the Drug Interdiction and Counter-Drug Activities, Defense-wide account.

(b) MODIFICATION AND CLARIFICATION OF TRANSFERS IN CONNECTION WITH MILITARY CONSTRUCTION AUTHORITY.—

(1) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—Section 2808 of title 10, United States Code, is amended—

(A) by redesignating subsections (b) and (c) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (a) the following new subsection:

''(c) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—(1) Except as provided in paragraph (2), in the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $500,000,000.

''(2) In the event of a national emergency declaration in which the construction authority described in subsection (a) will be used only within the United States, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $100,000,000.''.

(2) ADDITIONAL CONDITION ON SOURCE OF FUNDS.—Section 2808(a) of title 10, United States Code, is amended—

(A) in the second sentence—

(i) by striking ''Such projects may'' and inserting the following:

''(b) CONDITIONS ON SOURCE OF FUNDS.—(1) Military construction projects to be undertaken using the construction authority described in subsection (a) may''; and

(ii) by inserting before the period at the end of the sentence the following: ''and that the Secretary of Defense determines are otherwise unexecutable''; and

(B) by adding after the second sentence the following:

''(2) For purposes of paragraph (1), the Secretary may determine that funds appropriated for military construction are unexecutable if—

''(A) a military construction project for which the funds were appropriated has been cancelled, for a reason other than to provide funds to carry out military construction under this section; or

''(B) the cost of a military construction project for which the funds were appropriated has been reduced because of project modifications or other cost savings, for a reason other than to provide funds to carry

out military construction under this section.''.

(3) WAIVER OF OTHER PROVISIONS OF LAW.—Section 2808 of title 10, United States Code, is amended by inserting after subsection (c), as added by paragraph (2)(B), the following new subsection:

''(d) WAIVER OF OTHER PROVISIONS OF LAW IN EVENT OF NATIONAL EMERGENCY.—In the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the authority provided by such subsection to waive or disregard another provision of law that would otherwise apply to a military construction project authorized by this section may be used only if—

''(1) such other provision of law does not provide a means by which compliance with the requirements of the law may be waived, modified, or expedited; and

''(2) the Secretary of Defense determines that the nature of the national emergency necessitates the noncompliance with the requirements of the law.''.

(4) ADDITIONAL NOTIFICATION REQUIREMENTS.—Subsection (e) of section 2808 of title 10, United States Code, as redesignated by paragraph (1)(A), is amended—

(A) by striking ''of the decision'' and all that follows through the end of the subsection and inserting the following: ''of the following:

''(A) The reasons for the decision to use the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, the reasons why use of the armed forces is required in response to the declared national emergency.

''(B) The construction projects to be undertaken using the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, an explanation of how each construction project directly supports the immediate security, logistical, or short-term housing and ancillary supporting facility needs of the members of the armed forces used in the national emergency.

''(C) The estimated cost of the construction projects to be undertaken using the construction authority described in subsection (a), including the cost of any real estate action pertaining to the construction projects, and certification of compliance with the funding conditions imposed by subsections (b) and (c).

''(D) Any determination made pursuant to subsection (d)(2) to waive or disregard another provision of law to undertake any construction project using the construction authority described in subsection (a).

''(E) The military construction projects, including any military family housing and ancillary supporting facility projects, to be canceled or deferred in order to provide funds to undertake construction projects using the construction authority described in subsection (a) and the possible impact of the cancellation or deferment of such military construction projects on military readiness and the quality of life of members of the armed forces and their dependents.''; and

(B) by adding at the end the following new paragraph:

''(2) In the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, a construction project to be undertaken using such construction authority may be carried out only after the end of the five-day period beginning on the date the notification required by paragraph (1) is received by the appropriate committees of Congress.''.

(5) CLERICAL AMENDMENTS.—Section 2808 of title 10, United States Code, is further amended—

(A) in subsection (a), by inserting ''CONSTRUCTION AUTHORIZED.—'' after ''(a)'';

(B) in subsection (e), as redesignated by paragraph (1)(A), by inserting ''NOTIFICATION REQUIREMENT.—(1)'' after ''(e)''; and

(C) in subsection (f), as so redesignated , by inserting ''TERMINATION OF AUTHORITY.—'' after ''(f)''.

SA 613. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, insert the following:

SEC. 12___. REPORT ON ARCTIC CAPABILITIES OF THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report on the Arctic capabilities of the Armed Forces.

(b) ELEMENTS.—The report required under subsection (a) shall include the following:

(1) A comparison of the capabilities of the United States, the Russian Federation, the People's Republic of China, and other countries operating in the Arctic, including an assessment of the ability of the navy of each such country to operate in varying sea-ice conditions.

(2) A description of commercial and foreign military surface forces currently operating in the Arctic in conditions inaccessible to Navy surface forces.

(3) An assessment of the potential security risk posed to Coast Guard forces by military forces of other countries operating in the Arctic in conditions inaccessible to Navy surface or aviation forces in the manner such forces currently operate.

(4) A comparison of the domain awareness capabilities of—

(A) Coast Guard forces operating alone; and

(B) Coast Guard forces operating in tandem with Navy surface and aviation forces and the surface and aviation forces of other allies.

(5) A comparison of the defensive capabilities of—

(A) Coast Guard forces operating alone; and

(B) Coast Guard forces operating in mutual defense with Navy forces, other Armed Forces, and the military forces of allies.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional defense committees; and

(2) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SA 614. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, insert the following:

SEC. 1272. REPORT ON ARCTIC CAPABILITIES OF THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report on the Arctic capabilities of the Armed forces.

(b) ELEMENTS.—The report required under subsection (a) shall include the following:

(1) A comparison of the capabilities of the United States, the Russian Federation, the People's Republic of China, and other countries operating in the Arctic, including an assessment of the ability of the navy of each such country to operate in varying sea-ice conditions.

(2) A description of commercial and foreign military surface forces currently operating in the Arctic in conditions inaccessible to Navy surface forces.

(3) An assessment of the potential security risk posed to the Armed Forces (other than the Army, Navy, Air Force, and Marine Corps) by military forces of other countries operating in the Arctic in conditions inaccessible to Navy surface or aviation forces in the manner such forces currently operate.

(4) A comparison of—

(A) current Armed Forces (other than the Army, Navy, Air Force, and Marine Corps) domain awareness capabilities in the Arctic; and

(B) the effects of supplementing United States capabilities described in subparagraph (A) with Navy surface and aviation forces and the surface and aviation forces of other allies.

(5) A comparison of—

(A) the current defensive capabilities of the Armed Forces (other than the Army, Navy, Air Force, and Marine Corps) in the Arctic; and

(B) the defensive capabilities of the Armed Forces (other than the Army, Navy, Air Force, and Marine Corps) in the Arctic in mutual defense with the military forces of allies.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the congressional defense committees; and

(B) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) ARMED FORCES.—The term ''Armed Forces'' has the meaning given the term ''armed forces'' in section 101(a) of title 10, United States Code.

SA 615. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, insert the following:

SEC. 12___. REPORT ON ARCTIC CAPABILITIES OF THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report on the Arctic capabilities of the Armed Forces.

(b) ELEMENTS.—The report required under subsection (a) shall include the following:

(1) A comparison of the capabilities of the United States, the Russian Federation, the People's Republic of China, and other countries operating in the Arctic, including an assessment of the ability of the navy of each such country to operate in varying sea-ice conditions.

(2) A description of commercial and foreign military surface forces currently operating in the Arctic in conditions inaccessible to Navy surface forces.

(3) An assessment of the potential security risk posed to the Armed Forces not under the authority of title 10, United States Code, by military forces of other countries operating in the Arctic in conditions inaccessible to Navy surface or aviation forces in the manner such forces currently operate.

(4) A comparison of—

(A) current domain awareness capabilities in the Arctic of the Armed Forces not under the authority of title 10, United States Code; and

(B) the effects of supplementing United States domain awareness capabilities in the Arctic with Navy surface and aviation forces and the surface and aviation forces of other allies.

(5) A comparison of—

(A) current defensive capabilities of the Armed Forces not under the authority of title 10, United States Code, in the Arctic; and

(B) the defensive capabilities of the Armed Forces not under the authority of title 10, United States Code, in mutual defense with the Navy, other Armed Forces, and the military forces of allies.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional defense committees; and

(2) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SA 616. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. _____. PRECLUDING FOREIGN NATIONALS THAT POSE A NATIONAL SECURITY RISK FROM WORKING ON DEPARTMENT OF DEFENSE-FUNDED PROJECTS.

(a) PROHIBITION.—Subject to subsection (d), the Secretary of Defense may not provide any funding to any institution of higher education or any other entity to conduct any research or development project unless the Secretary has completed an assessment of the institution or entity under subsection (b) and determined that the institution or entity meets the requirements set forth under subsection (c).

(b) ASSESSMENT.—The Secretary of Defense, in coordination with the Secretary of Energy, the Secretary of State, and the Director of National Intelligence, shall assess each institution of higher education and any other entity that receives funding from the Department of Defense for a research or development project to determine whether the institution or entity meets the requirements set forth under subsection (c).

(c) REQUIREMENTS.—The requirements set forth under this subsection are, with respect to any institutions, entities, and projects described in subsection (a), the following:

(1)(A) Any foreign national working on such a project does not have ties to a foreign government, military, or intelligence agency, either officially or unofficially through sponsorship or coercion, that would put a United States national security interest at unnecessary risk; or

(B)(i) a foreign national working on such a project is known to have such a tie and the foreign national has been thoroughly vetted by either the National Counterintelligence and Security Center, the Counterintelligence Division at the Defense Intelligence Agency, or the appropriate Department of Defense entity in charge of investigating counterintelligence concerns to ensure that the foreign national's participation does not result in sensitive intellectual property, technologies, or research projects being known to a government that could use it against the interests of the United States or its allies; and

(ii) the National Counterintelligence and Security Center, the Counterintelligence Division at the Defense Intelligence Agency, or appropriate Department of Defense entity has verified that the appropriate information security measures have been taken to limit unnecessary risk to United States national security.

(2) The institution or entity has appropriate processes and procedures in effect to identify and vet a foreign national working on such project.

(3) The institution or entity has consulted with either the National Counterintelligence and Security Center, the Counterintelligence Division at the Defense Intelligence Agency, or the appropriate Department of Defense entity in charge of investigating counterintelligence concerns to establish and implement appropriate information security and counterintelligence best practices, including educating researchers to guard against a foreign threat to a critical technology.

(d) WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may waive the prohibition in subsection (a) for an institution of higher education or another entity if the Secretary—

(A) determines the waiver is in the national security interest of the United States; and

(B) not later than 30 days after the date on which the Secretary makes a determination under subparagraph (A), submits to the appropriate committees of Congress a report on such determination and the reasons for the determination, including any countries to which the determination applies.

(2) FORM OF REPORT.—A report submitted under paragraph (1)(B) shall be submitted in an unclassified form, but may contain a classified annex.

(3) STANDING EXEMPTIONS.—The Secretary, in consultation with the Director of National Intelligence, may create a standing exemption to the prohibition in subsection (a) for foreign nationals that are citizens of Great Britain, Canada, Australia, and New Zealand.

(e) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional defense committees;

(2) the Committee on Energy and Natural Resources, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(3) the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 617. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. _____. ADDITIONAL AMOUNTS FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

(a) ADDITIONAL AMOUNT FOR WORKFORCE TRANSFORMATION CYBER INITIATIVE PILOT PROGRAM.—The amount authorized to be appropriated for fiscal year 2020 by section 201 for research, development, test, and evaluation is hereby increased by $25,000,000, with the amount of the increase to be available for Information Systems Security Program (PE 0303140D8Z) for the National Security Agency National Cryptologic School for cybersecurity and artificial intelligence curriculum development and establishment of a pilot program to enable workforce transformation certificate-based courses that are developed through this effort and then offered by Center of Academic Excellence Universities.

(b) ADDITIONAL AMOUNT FOR RESEARCH ON ADVANCED DIGITAL RADAR SYSTEMS.—The amount authorized to be appropriated for fiscal year 2020 by section 201 for Navy research, development, test, and evaluation is hereby increased by $5,000,000, with the amount of the increase to be available for University Research Initiatives (PE 0601103N) for continued research on advanced digital radar systems to meet the evolving goals of the Department of Defense to improve threat detection at greater stand-off distances.

(c) OFFSET.—The amount authorized to be appropriated for fiscal year 2020 by section 1405 for Defense Health Program is hereby decreased by $30,000,000, with the amount of the decrease to be taken from the amount made available for procurement of the Department of Defense Healthcare Management System Modernization.

SA 618. Mr. PORTMAN (for himself, Mr. HEINRICH, Ms. ERNST, and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. _____. BRIEFING ON EXPLAINABLE ARTIFICIAL INTELLIGENCE.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on the development and applications of explainable artificial intelligence.

(b) ELEMENTS.—The briefing required under subsection (a) shall address the following:

(1) The extent to which the Department of Defense currently uses and prioritizes explainable artificial intelligence.

(2) The limitations of explainable artificial intelligence and the plans of the Department to address those limitations.

(3) The future plans of the Department to require explainable artificial intelligence, particularly in technologies that have warfighting applications.

(4) Any potential roadblocks to the effective deployment of explainable artificial intelligence across the Department.

(5) Identification and description of programs and activities, including funding and schedule, to develop or procure explainable artificial intelligence to meet defense requirements and technology development goals.

(6) Such other matters as the Secretary considers appropriate.

(c) FORM OF BRIEFING.—The briefing required under subsection (a) shall be provided in unclassified form, but may include a classified supplement.

(d) DEFINITION OF EXPLAINABLE ARTIFICIAL INTELLIGENCE.—In this section, the term ''explainable artificial intelligence'' means artificial intelligence that has the ability to demonstrate the rationale behind its decisions in order for its human user to comprehend and characterize the strengths and weaknesses of its decisionmaking process, as well as understand how it will behave in the future in the contexts in which it is used.

SA 619. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 12___. IMPLEMENTATION OF THE ASIA REASSURANCE INITIATIVE ACT WITH REGARD TO TAIWAN ARMS SALES.

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of Defense Indo-Pacific Strategy Report, released on June 1, 2019, states: ''[T]he Asia Reassurance Initiative Act, a major bipartisan legislation, was signed into law by President Trump on December 31, 2018. This legislation enshrines a generational whole-of-government policy framework that demonstrates U.S. commitment to a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security.''.

(2) The Indo-Pacific Strategy Report further states: ''The United States has a vital interest in upholding the rules-based international order, which includes a strong, prosperous, and democratic Taiwan. . .The Department [of Defense] is committed to providing Taiwan with defense articles and services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.''.

(3) Section 209(b) of the Asia Reassurance Initiative Act of 2018 (Public Law 115–409), signed into law on December 31, 2018—

(A) builds on longstanding commitments enshrined in the Taiwan Relations Act (22 U.S.C. 3301 et seq.) to provide Taiwan with defense articles; and

(B) states: ''The President should conduct regular transfers of defense articles to Taiwan that are tailored to meet the existing and likely future threats from the People's Republic of China, including supporting the efforts of Taiwan to develop and integrate asymmetric capabilities, as appropriate, including mobile, survivable, and cost-effective capabilities, into its military forces.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Asia Reassurance Initiative Act of 2018 (Public Law 115–409) has recommitted the United States to support the close, economic, political, and security relationship between the United States and Taiwan; and

(2) the United States should fully implement the provisions of that Act with regard to regular defensive arms sales to Taiwan.

(c) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense, or their designees, shall brief the appropriate committees of Congress on the efforts to implement section 209(b) of the Asia Reassurance Initiative Act of 2018 (Public Law 115–409).

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 620. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 360. SENSE OF SENATE ON AIRCRAFT FOR MISSION REQUIREMENTS OF AIR FORCE RESERVE COMMAND.

It is the sense of the Senate that in order to maintain safety and increase mission readiness and interoperability of the weather reconnaissance, aerial spray, and firefighting system specialty mission capabilities of the Air Force Reserve Command, the special mission units of the Air Force Reserve Command should maintain a minimum of 12 primary aircraft to meet mission requirements.

SA 621. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. _____. USE OF TESTING FACILITIES TO RESEARCH AND DEVELOP HYPERSONIC TECHNOLOGY.

The Secretary of Defense shall ensure that the Department of Defense uses all appropriate Federal testing facilities to ensure proper research and development of hypersonic technology.

SA 622. Mr. COONS (for himself, Mr. TILLIS, Ms. KLOBUCHAR, Ms. SINEMA, Mr. YOUNG, Ms. DUCKWORTH, Mr. MARKEY, Mr. JONES, Ms. COLLINS, Mr. KAINE, Ms. WARREN, Mr. RUBIO, Mr. LANKFORD, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle F of title X, insert the following:

SEC. _____. JOHN S. MCCAIN III HUMAN RIGHTS COMMISSION.

(a) COMMISSION ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the Senate the John S. McCain III Human Rights Commission (in this section referred to as the ''Commission'').

(2) DUTIES.—The Commission shall—

(A) serve as a forum for bipartisan discussion of international human rights issues relating to the jurisdictions of multiple committees of the Senate, and promotion of internationally recognized human rights as enshrined in the Universal Declaration of Human Rights;

(B) raise awareness of international human rights violations through regular briefings and hearings; and

(C) collaborate with the executive branch, human rights entities, and nongovernmental organizations to promote human rights initiatives within the Senate.

(3) MEMBERSHIP.—Any Senator may become a member of the Commission by submitting a written statement to that effect to the Commission.

(4) CO-CHAIRPERSONS OF THE COMMISSION.—

(A) IN GENERAL.—Two members of the Commission shall be appointed to serve as co-chairpersons of the Commission, as follows:

(i) One co-chairperson shall be appointed, and may be removed, by the majority leader of the Senate.

(ii) One co-chairperson shall be appointed, and may be removed, by the minority leader of the Senate.

(B) TERM.—The term of a member as a co-chairperson of the Commission shall end on the last day of the Congress during which the member is appointed as a co-chairperson, unless the member ceases being a member of the Senate, leaves the Commission, resigns from the position of co-chairperson, or is removed.

(C) PUBLICATION.—Appointments under this paragraph shall be printed in the Congressional Record.

(D) VACANCIES.—Any vacancy in the position of co-chairperson of the Commission shall be filled in the same manner in which the original appointment was made.

(b) COMMISSION STAFF.—

(1) COMPENSATION AND EXPENSES.—

(A) IN GENERAL.—The Commission is authorized, from funds made available under subsection (c), to—

(i) employ such staff in the manner and at a rate not to exceed that allowed for employees of a committee of the Senate under section 105(e)(3) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(e)(3)); and

(ii) incur such expenses as may be necessary or appropriate to carry out its duties and functions.

(B) EXPENSES.—

(i) IN GENERAL.—Payments made under this subsection for receptions, meals, and food-related expenses shall be authorized only for actual expenses incurred by the Commission in the course of conducting its official duties and functions.

(ii) TREATMENT OF PAYMENTS.—Amounts received as reimbursement for expenses described in clause (i) shall not be reported as income, and the expenses so reimbursed shall not be allowed as a deduction under the Internal Revenue Code of 1986.

(2) DESIGNATION OF PROFESSIONAL STAFF.—

(A) IN GENERAL.—Each co-chairperson of the Commission may designate 1 professional staff member.

(B) COMPENSATION OF SENATE EMPLOYEES.—In the case of the compensation of any professional staff member designated under subparagraph (A) who is an employee of a Member of the Senate or of a committee of the Senate and who has been designated to perform services for the Commission, the professional staff member shall continue to be paid by the Member or committee, as the case may be, but the account from which the professional staff member is paid shall be reimbursed for the services of the professional staff member (including agency contributions when appropriate) out of funds made available under subsection (c).

(C) DUTIES.—Each professional staff member designated under subparagraph (A) shall—

(i) serve all members of the Commission; and

(ii) carry out such other functions as the co-chairperson designating the professional staff member may specify.

(c) PAYMENT OF EXPENSES.—

(1) IN GENERAL.—The expenses of the Commission shall be paid from the Contingent Fund of the Senate, out of the account of Miscellaneous Items, upon vouchers approved jointly by the co-chairpersons (except that vouchers shall not be required for the disbursement of salaries of employees who are paid at an annual rate of pay).

(2) AMOUNTS AVAILABLE.—For any fiscal year, not more than $200,000 shall be expended for employees and expenses.

SA 623. Ms. DUCKWORTH (for herself and Mr. INHOFE) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1086. AVIATION WORKFORCE DEVELOPMENT.

(a) IN GENERAL.—Section 625(c)(1) of the FAA Reauthorization Act of 2018 (Public Law 115–254) is amended—

(1) in subparagraph (C), by striking ''or'' after the semicolon;

(2) in subparagraph (D), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(E) an organization representing aircraft users, aircraft owners, or aircraft pilots.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the FAA Reauthorization Act of 2018 (Public Law 115–254).

SA 624. Mrs. GILLIBRAND (for herself, Mr. TILLIS, and Mr. COONS) submitted an amendment intended to be proposed by her to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. _____. ADMINISTRATION OF CENTERS FOR MANUFACTURING INNOVATION FUNDED BY THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall make such changes to the administration of covered centers so as—

(1) to encourage covered centers to leverage existing workforce development programs across the Federal Government and State governments in order to build successful workforce development programs;

(2) to develop metrics to evaluate the workforce development performed by the covered centers, including metrics on job quality, career pathways, wages and benefits, and efforts to support veterans, and progress in aligning workforce skillsets with the current and long-term needs of the Department of Defense and the defense industrial base;

(3) to allow metrics to vary between covered centers and be updated and evaluated continuously in order to more accurately evaluate covered centers with different goals and missions;

(4) to encourage covered centers to consider developing technologies that were previously funded by Federal Government investment for early-stage research and development and expand cross-government coordination and collaboration to achieve this goal;

(5) to provide an opportunity for increased Department of Defense input and oversight from senior-level military and civilian personnel on future technology roadmaps produced by covered centers;

(6) to reduce the barriers to collaboration between and among multiple covered centers;

(7) to use contracting vehicles that can increase flexibility, reduce barriers for contracting with subject-matter experts and small and medium enterprises, enhance partnerships between covered centers, and reduce the time to award contracts at covered centers; and

(8) to overcome barriers to the adoption of manufacturing processes and technologies developed by the covered centers by the defense and commercial industrial base, particularly small and medium enterprises, by engaging with public and private sector partnerships and appropriate government programs and activities, including the Hollings Manufacturing Extension Partnership.

(b) COORDINATION WITH OTHER ACTIVITIES.—The Secretary shall carry out this section in coordination with activities undertaken under—

(1) the Manufacturing Technology Program established under section 2521 of title 10, United States Code;

(2) the Manufacturing Engineering Education Program established under section 2196 of such title;

(3) the Defense Manufacturing Community Support Program established under section 846 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232);

(4) manufacturing initiatives of the Secretary of Commerce, the head of the National Office of the Network for Manufacturing Innovation Program, the Secretary of Energy, and such other government and private sector organizations as the Secretary of Defense considers appropriate; and

(5) such other activities as the Secretary considers appropriate.

(c) DEFINITION OF COVERED CENTER.—In this section, the term ''covered center'' means a manufacturing innovation institute that is funded by the Department of Defense.

SA 625. Mr. WICKER (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XXXV and insert the following:

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. SHORT TITLE.

This title may be cited as the ''Maritime Administration Authorization and Enhancement Act of 2019''.

Subtitle A—Maritime Administration

SEC. 3511. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

(a) IN GENERAL.—There are authorized to be appropriated to the Department of Transportation for fiscal year 2020, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $95,944,000, of which—

(A) $77,944,000 shall remain available until September 30, 2021 for Academy operations; and

(B) $18,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $50,280,000, of which—

(A) $2,400,000 shall remain available until September 30, 2021, for the Student Incentive Program;

(B) $6,000,000 shall remain available until expended for direct payments to such academies;

(C) $30,080,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;

(D) $3,800,000 shall remain available until expended for training ship fuel assistance; and

(E) $8,000,000 shall remain available until expended for offsetting the costs of training ship sharing.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $600,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $60,442,000, of which $5,000,000 shall remain available until expended for activities authorized under section 50307 of title 46, United States Code.

(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $5,000,000, which shall remain available until expended.

(6) For expenses necessary to maintain and preserve a United States flag Merchant Marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $300,000,000, which shall remain available until expended.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, $33,000,000, of which—

(A) $30,000,000 may be used for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program, which shall remain available until expended; and

(B) $3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide assistance to small shipyards and for maritime training programs under section 54101 of title 46, United States Code, $40,000,000, which shall remain available until expended.

(9) For expenses necessary to implement the Port and Intermodal Improvement Program, $600,000,000, except that no funds shall be used for a grant award to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary determines such equipment would result in a net loss of jobs that relate to the movement of goods through a port and its intermodal connections.

SEC. 3512. MARITIME SECURITY PROGRAM.

(a) AWARD OF OPERATING AGREEMENTS.—Section 53103 of title 46, United States Code, is amended by striking ''2025'' each place it appears and inserting ''2035''.

(b) EFFECTIVENESS OF OPERATING AGREEMENTS.—Section 53104(a) of title 46, United States Code, is amended by striking ''2025'' and inserting ''2035''.

(c) PAYMENTS.—Section 53106(a)(1) of title 46, United States Code, is amended—

(1) in subparagraph (B), by striking ''and'' after the semicolon;

(2) in subparagraph (C), by striking ''$3,700,000 for each of fiscal years 2022, 2023, 2024, and 2025.'' and inserting ''$5,233,463 for each of fiscal years 2022, 2023, 2024, and 2025; and''; and

(3) by adding at the end the following:

''(D) $5,233,463 for each of fiscal years 2026 through 2035.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 53111 of title 46, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' after the semicolon;

(2) in paragraph (3), by striking ''$222,000,000 for each fiscal year thereafter through fiscal year 2025.'' and inserting ''$314,007,780 for each of fiscal years 2022, 2023, 2024, and 2025; and''; and

(3) by adding at the end the following:

''(4) $314,007,780 for each of fiscal years 2026 through 2035.''.

SEC. 3513. DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL REPORT.

The Inspector General of the Department of Transportation shall—

(1) not later than 180 days after the date of enactment of this title, initiate an audit of the Maritime Administration's actions to address only those recommendations from Chapter 3 and recommendations 5-1, 5-2, 5-3, 5-4, 5-5, and 5-6 identified by a National Academy of Public Administration panel in the November 2017 report entitled ''Maritime Administration: Defining its Mission, Aligning its Programs, and Meeting its Objectives''; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the results of that audit once the audit is completed.

SEC. 3514. APPOINTMENT OF CANDIDATES ATTENDING SPONSORED PREPARATORY SCHOOL.

Section 51303 of title 46, United State Code, is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(a) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(b) APPOINTMENT OF CANDIDATES SELECTED FOR PREPARATORY SCHOOL SPONSORSHIP.—The Secretary of Transportation may appoint each year as cadets at the United States Merchant Marine Academy not more than 40 qualified individuals sponsored by the Academy to attend preparatory school during the academic year prior to entrance in the Academy, and who have successfully met the terms and conditions of sponsorship set by the Academy.''.

SEC. 3515. INDEPENDENT STUDY ON THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this title, the Secretary of Transportation shall seek to enter into an agreement with the National Academy of Public Administration (referred to in this section as the ''Academy'') to carry out the activities described in this section.

(b) STUDY ELEMENTS.—In accordance with the agreement described in subsection (a), the Academy shall conduct a study of the United States Merchant Marine Academy that consists of the following:

(1) A comprehensive assessment of the United States Merchant Marine Academy's systems, training, facilities, infrastructure, information technology, and stakeholder engagement.

(2) Identification of needs and opportunities for modernization to help the United States Merchant Marine Academy keep pace with more modern campuses.

(3) Development of an action plan for the United States Merchant Marine Academy with specific recommendations for—

(A) improvements or updates relating to the opportunities described in paragraph (2); and

(B) systemic changes needed to help the United States Merchant Marine Academy achieve its mission of inspiring and educating the next generation of the mariner workforce on a long-term basis.

(c) DEADLINE AND REPORT.—Not later than 1 year after the date of the agreement described in subsection (a), the Academy shall prepare and submit to the Administrator of the Maritime Administration a report containing the action plan described in subsection (b)(3), including specific findings and recommendations.

SEC. 3516. GENERAL SUPPORT PROGRAM.

Section 51501 of title 46, United States Code, is amended by adding at the end the following:

''(c) NATIONAL MARITIME CENTERS OF EXCELLENCE.—The Secretary shall designate each State maritime academy as a National Maritime Center of Excellence.''.

SEC. 3517. MILITARY TO MARINER.

(a) CREDENTIALING SUPPORT.—Not later than 1 year after the date of enactment of this title, the Secretary of Defense, the Secretary of the Department in which the Coast Guard operates, the Secretary of Commerce, and the Secretary of Health and Human Services, with respect to the applicable services in their respective departments, and in coordination with one another and with the United States Committee on the Marine Transportation System, and in consultation with the Merchant Marine Personnel Advisory Committee, shall, consistent with applicable law, identify all training and experience within the applicable service that may qualify for merchant mariner credentialing, and submit a list of all identified training and experience to the United States Coast Guard National Maritime Center for a determination of whether such training and experience counts for credentialing purposes.

(b) REVIEW OF APPLICABLE SERVICE.—The United States Coast Guard Commandant shall make a determination of whether training and experience counts for credentialing purposes, as described in subsection (a), not later than 6 months after the date on which the United States Coast Guard National Maritime Center receives a submission under subsection (a) identifying a training or experience and requesting such a determination.

(c) FEES AND SERVICES.—The Secretary of Defense, the Secretary of the Department in which the Coast Guard operates, and the Secretary of Commerce, with respect to the applicable services in their respective departments, shall—

(1) take all necessary and appropriate actions to provide for the waiver of fees through the National Maritime Center license evaluation, issuance, and examination for members of the uniformed services on active duty, if a waiver is authorized and appropriate, and, if a waiver is not granted, take all necessary and appropriate actions to provide for the payment of fees for members of the uniformed services on active duty by the applicable service to the fullest extent permitted by law;

(2) direct the applicable services to take all necessary and appropriate actions to provide for Transportation Worker Identification Credential cards for members of the uniformed services on active duty pursuing or possessing a mariner credential, such as implementation of an equal exchange process for active duty service members at no or minimal cost;

(3) ensure that members of the applicable services who are to be discharged or released from active duty and who request certification or verification of sea service be provided such certification or verification no later than one month after discharge or release;

(4) ensure the applicable services have developed, or continue to operate, as appropriate, the online resource known as Credentialing Opportunities On-Line to support separating members of the uniformed services who are seeking information and assistance on merchant mariner credentialing; and

(5) not later than 1 year after the date of enactment of this section, take all necessary and appropriate actions to review and implement service-related medical certifications to merchant mariner credential requirements.

(d) ADVANCING MILITARY TO MARINER WITHIN THE EMPLOYER AGENCIES.—

(1) IN GENERAL.—The Secretary of Defense, the Secretary of the Department in which the Coast Guard operates, the Secretary of Commerce, and the Secretary of Health and Human Services shall have direct hiring authority to employ separated members of the uniformed services with valid merchant mariner licenses or sea service experience in support of United States national maritime needs, including the Army Corps of Engineers, U.S. Customs and Border Protection, and the National Oceanic and Atmospheric Administration.

(2) APPOINTMENTS OF RETIRED MEMBERS OF THE ARMED FORCES.—Except in the case of positions in the Senior Executive Service, the requirements of section 3326(b) of title 5, United States Code, shall not apply with respect to the hiring of a separated member of the uniformed services under paragraph (1).

(e) SEPARATED MEMBER OF THE UNIFORMED SERVICES.—In this section, the term ''separated member of the uniformed services'' means an individual who—

(1) is retiring or is retired as a member of the uniformed services;

(2) is voluntarily separating or voluntarily separated from the uniformed services at the end of enlistment or service obligation; or

(3) is administratively separating or has administratively separated from the uniformed services with an honorable or general discharge characterization.

SEC. 3518. SALVAGE RECOVERIES OF FEDERALLY OWNED CARGOES.

Section 57100 of title 46, United States Code, is amended by adding at the end the following:

''(h) FUNDS TRANSFER AUTHORITY RELATED TO THE USE OF NATIONAL DEFENSE RESERVE FLEET VESSELS AND THE PROVISION OF MARITIME-RELATED SERVICES.—

''(1) IN GENERAL.—When the Secretary of Transportation provides for the use of its vessels or maritime-related services and goods under a reimbursable agreement with a Federal entity, or State or local entity, authorized to receive goods and services from the Maritime Administration for programs, projects, activities, and expenses related to the National Defense Reserve Fleet or maritime-related services:

''(A) Federal entities are authorized to transfer funds to the Secretary in advance of expenditure or upon providing the goods or services ordered, as determined by the Secretary.

''(B) The Secretary shall determine all other terms and conditions under which such payments should be made and provide such goods and services using its existing or new contracts, including general agency agreements, memoranda of understanding, or similar agreements.

''(2) REIMBURSABLE AGREEMENT WITH A FEDERAL ENTITY.—

''(A) IN GENERAL.—The Maritime Administration is authorized to provide maritime-related services and goods under a reimbursable agreement with a Federal entity.

''(B) MARITIME-RELATED SERVICES DEFINED.—For the purposes of this subsection, maritime-related services includes the acquisition, procurement, operation, maintenance, preservation, sale, lease, charter, construction, reconstruction, or reconditioning (including outfitting and equipping incidental to construction, reconstruction, or reconditioning) of a merchant vessel or shipyard, ship site, terminal, pier, dock, warehouse, or other installation related to the maritime operations of a Federal entity.

''(3) SALVAGING CARGOES.—

''(A) IN GENERAL.—The Maritime Administration may provide services and purchase goods relating to the salvaging of cargoes aboard vessels in the custody or control of the Maritime Administration or its predecessor agencies and receive and retain reimbursement from Federal entities for all such costs as it may incur.

''(B) REIMBURSEMENT.—Reimbursement as provided for in subparagraph (A) may come from—

''(i) the proceeds recovered from such salvage; or

''(ii) the Federal entity for which the Maritime Administration has or will provide such goods and services, depending on the agreement of the parties involved.

''(4) AMOUNTS RECEIVED.—Amounts received as reimbursements under this subsection shall be credited to the fund or account that was used to cover the costs incurred by the Secretary or, if the period of availability of obligations for that appropriation has expired, to the appropriation of funds that is currently available to the Secretary for substantially the same purpose. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

''(5) ADVANCE PAYMENTS.—Payments made in advance shall be for any part of the estimated cost as determined by the Secretary of Transportation. Adjustments to the amounts paid in advance shall be made as agreed to by the Secretary of Transportation and the head of the ordering agency or unit based on the actual cost of goods or services provided.

''(6) BILL OR REQUEST FOR PAYMENT.—A bill submitted or a request for payment is not subject to audit or certification in advance of payment.''.

SEC. 3519. SALVAGE RECOVERIES FOR SUBROGATED OWNERSHIP OF VESSELS AND CARGOES.

Section 53909 of title 46, United States Code, is amended by adding at the end the following:

''(e) SALVAGE AGREEMENTS.—The Secretary of Transportation is authorized to enter into marine salvage agreements for the recoveries, sale, and disposal of sunken or damaged vessels, cargoes, or properties owned or insured by or on behalf of the Maritime Administration, the United States Shipping Board, the U.S. Shipping Bureau, the United States Maritime Commission, or the War Shipping Administration.

''(f) MILITARY CRAFT.—The Secretary of Transportation shall consult with the Secretary of the military department concerned prior to engaging in or authorizing any activity under subsection (e) that will disturb sunken military craft, as defined in title XIV of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (10 U.S.C. 113 note).

''(g) RECOVERIES.—Notwithstanding other provisions of law, the net proceeds from salvage agreements entered into as authorized in subsection (e) shall remain available until expended and be distributed as follows for marine insurance-related salvages:

''(1) Fifty percent of the net funds recovered shall be deposited in the war risk revolving fund and shall be available for the purposes of the war risk revolving fund.

''(2) Fifty percent of the net funds recovered shall be deposited in the Vessel Operations Revolving Fund as established by section 50301(a) of this title and shall be available until expended as follows:

''(A) Fifty percent shall be available to the Administrator of the Maritime Administration for such acquisition, maintenance, repair, reconditioning, or improvement of vessels in the National Defense Reserve Fleet as is authorized under other Federal law.

''(B) Twenty-five percent shall be available to the Administrator of the Maritime Administration for the payment or reimbursement of expenses incurred by or on behalf of State maritime academies or the United States Merchant Marine Academy for facility and training ship maintenance, repair, and modernization, and for the purchase of simulators and fuel.

''(C) The remainder shall be distributed for maritime heritage preservation to the Department of the Interior for grants as authorized by section 308703 of title 54.''.

SEC. 3520. PORT OPERATIONS, RESEARCH, AND TECHNOLOGY.

(a) SHORT TITLE.—This section may be cited as the ''Ports Improvement Act''.

(b) PORT AND INTERMODAL IMPROVEMENT PROGRAM.—Section 50302 of title 46, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) PORT AND INTERMODAL IMPROVEMENT PROGRAM.—

''(1) GENERAL AUTHORITY.—Subject to the availability of appropriations, the Secretary of Transportation shall make grants, on a competitive basis, to eligible applicants to assist in funding eligible projects for the purpose of improving the safety, efficiency, or reliability of the movement of goods through ports and intermodal connections to ports.

''(2) ELIGIBLE APPLICANT.—The Secretary may make a grant under this subsection to the following:

''(A) A State.

''(B) A political subdivision of a State, or a local government.

''(C) A public agency or publicly chartered authority established by 1 or more States.

''(D) A special purpose district with a transportation function.

''(E) An Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), without regard to capitalization), or a consortium of Indian Tribes.

''(F) A multistate or multijurisdictional group of entities described in this subsection.

''(G) A lead entity described in subparagraph (A), (B), (C), (D), (E), or (F) jointly with a private entity or group of private entities.

''(3) ELIGIBLE PROJECTS.—The Secretary may make a grant under this subsection—

''(A) for a project, or package of projects, that—

''(i) is either—

''(I) within the boundary of a port; or

''(II) outside the boundary of a port, but is directly related to port operations or to an intermodal connection to a port; and

''(ii) will be used to improve the safety, efficiency, or reliability of—

''(I) the loading and unloading of goods at the port, such as for marine terminal equipment;

''(II) the movement of goods into, out of, around, or within a port, such as for highway or rail infrastructure, intermodal facilities, freight intelligent transportation systems, and digital infrastructure systems;

''(III) environmental mitigation measures and operational improvements directly related to enhancing the efficiency of ports and intermodal connections to ports; or

''(IV) the movement of vessels in and out of the port facility by dredging a vessel berthing area, making other improvements to a vessel berth, or performing construction or maintenance dredging that is not part of a Federal channel; or

''(B) notwithstanding paragraph (6)(A)(v), to provide financial assistance to 1 or more projects under subparagraph (A) for development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, permitting, and preliminary engineering and design work.

''(4) PROHIBITED USES.—A grant award under this subsection may not be used—

''(A) to finance or refinance the construction, reconstruction, reconditioning, or purchase of a vessel that is eligible for such assistance under chapter 537, unless the Secretary determines such vessel—

''(i) is necessary for a project described in paragraph (3)(A)(ii)(III) of this subsection; and

''(ii) is not receiving assistance under chapter 537; or

''(B) for any project within a small shipyard (as defined in section 54101).

''(5) APPLICATIONS AND PROCESS.—

''(A) APPLICATIONS.—To be eligible for a grant under this subsection, an eligible applicant shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary considers appropriate.

''(B) SOLICITATION PROCESS.—Not later than 60 days after the date that amounts are made available for grants under this subsection for a fiscal year, the Secretary shall solicit grant applications for eligible projects in accordance with this subsection.

''(6) PROJECT SELECTION CRITERIA.—

''(A) IN GENERAL.—The Secretary may select a project described in paragraph (3) for funding under this subsection if the Secretary determines that—

''(i) the project improves the safety, efficiency, or reliability of the movement of goods through a port or intermodal connection to a port;

''(ii) the project is cost effective;

''(iii) the eligible applicant has authority to carry out the project;

''(iv) the eligible applicant has sufficient funding available to meet the matching requirements under paragraph (8);

''(v) the project will be completed without unreasonable delay; and

''(vi) the project cannot be easily and efficiently completed without Federal funding or financial assistance available to the project sponsor.

''(B) ADDITIONAL CONSIDERATIONS.—In selecting projects described in paragraph (3) for funding under this subsection, the Secretary shall give substantial weight to—

''(i) the utilization of non-Federal contributions;

''(ii) the net benefits of the funds awarded under this subsection, considering the cost-benefit analysis of the project, as applicable; and

''(iii) the public benefits of the funds awarded under this subsection.

''(C) SMALL PROJECTS.—The Secretary may waive the cost-benefit analysis under subparagraph (A)(ii), and establish a simplified, alternative basis for determining whether a project is cost effective, for a small project described in paragraph (7)(B).

''(D) RESEARCH HARBORS.—The Secretary may waive the determination under subparagraph (A)(i) for a project in a research harbor.

''(7) ALLOCATION OF FUNDS.—

''(A) GEOGRAPHIC DISTRIBUTION.—Not more than 25 percent of the amounts made available for grants under this subsection for a fiscal year may be used to make grants for projects in any 1 State.

''(B) SMALL PROJECTS.—The Secretary shall reserve 25 percent of the amounts made available for grants under this subsection each fiscal year to make grants for eligible projects described in paragraph (3)(A) that request the lesser of—

''(i) 10 percent of the amounts made available for grants under this subsection for a fiscal year; or

''(ii) $11,000,000.

''(C) DREDGING PROJECTS.—Not more than 25 percent of the amounts made available for grants under this subsection for a fiscal year may be used to make grants for projects described in paragraph (3)(A)(ii)(III).

''(D) DEVELOPMENT PHASE ACTIVITIES.—Not more than 10 percent of the amounts made available for grants under this subsection for a fiscal year may be used to make grants for development phase activities under paragraph (3)(B).

''(E) RESEARCH HARBORS.—

''(i) IN GENERAL.—Of the funds that may be used under subparagraph (C), the Secretary shall consider reserving an amount equal to not more than 5 percent of the amounts made available for grants under this subsection to make grants for projects described in paragraph (3)(A)(ii)(IV) for research harbors.

''(ii) APPLICANTS.—Notwithstanding paragraph (2), the Secretary may allow entities not described in that paragraph to be eligible applicants for grants under this subparagraph.

''(8) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(A) TOTAL PROJECT COSTS.—To be eligible for a grant under this subsection, an eligible applicant shall submit to the Secretary an estimate of the total costs of a project under this subsection based on the best available information, including any available engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(B) FEDERAL SHARE.—

''(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), the Federal share of the total costs of a project under this subsection shall not exceed 80 percent.

''(ii) DREDGING PROJECTS.—The Federal share of the total costs of a project described in paragraph (3)(A)(ii)(III) shall not exceed 50 percent.

''(iii) RURAL AREAS.—The Secretary may increase the Federal share of costs above 80 percent for a project located in a rural area.

''(9) PROCEDURAL SAFEGUARDS.—The Secretary shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

''(A) grant funds are used for the purposes for which those funds were made available;

''(B) each grantee properly accounts for all expenditures of grant funds; and

''(C) grant funds not used for such purposes and amounts not obligated or expended are returned.

''(10) CONDITIONS.—

''(A) IN GENERAL.—The Secretary shall require as a condition of making a grant under this subsection that a grantee—

''(i) maintain such records as the Secretary considers necessary;

''(ii) make the records described in clause (i) available for review and audit by the Secretary; and

''(iii) periodically report to the Secretary such information as the Secretary considers necessary to assess progress.

''(B) LABOR.—The Federal wage rate requirements of subchapter IV of chapter 31 of title 40 shall apply, in the same manner as such requirements apply to contracts subject to such subchapter, to—

''(i) each project for which a grant is provided under this subsection; and

''(ii) all portions of a project described in clause (i), regardless of whether such a portion is funded using—

''(I) other Federal funds; or

''(II) non-Federal funds.

''(11) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to affect existing authorities to conduct port infrastructure programs in—

''(A) Hawaii, as authorized by section 9008 of the SAFETEA-LU Act (Public Law 109–59; 119 Stat. 1926);

''(B) Alaska, as authorized by section 10205 of the SAFETEA-LU Act (Public Law 109–59; 119 Stat. 1934); or

''(C) Guam, as authorized by section 3512 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (48 U.S.C. 1421r).

''(12) REPORTS.—The Secretary shall make available on the website of the Department of Transportation at the end of each fiscal year an annual report that lists each project for which a grant has been provided under this subsection during that fiscal year.

''(13) ADMINISTRATION.—

''(A) ADMINISTRATIVE AND OVERSIGHT COSTS.—The Secretary may retain not more than 2 percent of the amounts appropriated for each fiscal year under this subsection for the administrative and oversight costs incurred by the Secretary to carry out this subsection.

''(B) AVAILABILITY.—

''(i) IN GENERAL.—Amounts appropriated for carrying out this subsection shall remain available until expended.

''(ii) UNEXPENDED FUNDS.—Amounts awarded as a grant under this subsection that are not expended by the grantee during the 5-year period following the date of the award shall remain available to the Secretary for use for grants under this subsection in a subsequent fiscal year.

''(14) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(i) the Committee on Commerce, Science, and Transportation of the Senate; and

''(ii) the Committee on Transportation and Infrastructure of the House of Representatives.

''(B) PORT.—The term 'port' includes—

''(i) a seaport; and

''(ii) an inland waterways port.

''(C) PROJECT.—The term 'project' includes construction, reconstruction, environmental rehabilitation, acquisition of property, including land related to the project and improvements to the land, equipment acquisition, and operational improvements.

''(D) RESEARCH HARBOR.—The term 'research harbor' includes a harbor that supports or will support a federally owned vessel operated by a State maritime academy (as defined in section 51102 of this title) or a non-Federal oceanographic research facility.

''(E) RURAL AREA.—The term 'rural area' means an area that is outside an urbanized area.

''(d) ADDITIONAL AUTHORITY OF THE SECRETARY.—In carrying out this section, the Secretary may—

''(1) receive funds from a Federal or non-Federal entity that has a specific agreement with the Secretary to further the purposes of this section;

''(2) coordinate with other Federal agencies to expedite the process established under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the improvement of port facilities to improve the efficiency of the transportation system, to increase port security, or to provide greater access to port facilities;

''(3) seek to coordinate all reviews or requirements with appropriate Federal, State, and local agencies; and

''(4) in addition to any financial assistance provided under subsection (c), provide such technical assistance to port authorities or commissions or their subdivisions and agents as needed for project planning, design, and construction.''.

(c) SAVINGS CLAUSE.—A repeal made by subsection (b) of this section shall not affect amounts apportioned or allocated before the effective date of the repeal. Such apportioned or allocated funds shall continue to be subject to the requirements to which the funds were subject under section 50302(c) of title 46, United States Code, as in effect on the day before the date of enactment of this title.

SEC. 3521. ASSESSMENT AND REPORT ON STRATEGIC SEAPORTS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this title, the Secretary of Defense shall submit to the congressional defense committees a report

on port facilities used for military purposes at ports designated by the Department of Defense as strategic seaports.

(b) ELEMENTS.—The report required by subsection (a) shall include, with respect to port facilities included in the report, the following:

(1) An assessment whether there are structural integrity or other deficiencies in such facilities.

(2) If there are such deficiencies—

(A) an assessment of infrastructure improvements to such facilities that would be needed to meet, directly or indirectly, national security and readiness requirements;

(B) an assessment of the impact on operational readiness of the Armed Forces if such improvements are not undertaken; and

(C) an identification of, to the maximum extent practical, all potential funding sources for such improvements from existing authorities.

(3) An identification of the support that would be appropriate for the Department of Defense to provide in the execution of the Secretary of Transportation's responsibilities under section 50302 of title 46, United States Code, with respect to such facilities.

(4) If additional statutory or administrative authorities would be required for the provision of support as described in paragraph (3), recommendations for legislative or administrative action to establish such authorities.

(c) CONSULTATION.—The Secretary of Defense shall prepare the report required by subsection (a) in consultation with the Maritime Administrator and the individual responsible for each port facility described in such subsection.

SEC. 3522. MARITIME TECHNICAL ASSISTANCE PROGRAM.

Section 50307 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''The Secretary of Transportation may engage in the environmental study'' and inserting ''The Maritime Administrator, on behalf of the Secretary of Transportation, shall engage in the study'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''may'' and inserting ''shall''; and

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''that are likely to achieve environmental improvements by'' and inserting ''to improve'';

(ii) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively;

(iii) by inserting before clause (i), the following:

''(A) environmental performance to meet United States Federal and international standards and guidelines, including—''; and

(iv) in clause (iii), as redesignated by clause (ii), by striking ''species; and'' and all that follows through the end of the subsection and inserting ''species; or

''(iv) reducing propeller cavitation; and

''(B) the efficiency and safety of domestic maritime industries; and

''(2) coordinate with the Environmental Protection Agency, the Coast Guard, and other Federal, State, local, or tribal agencies, as appropriate.''.

(3) in subsection (c)(2), by striking ''benefits'' and inserting ''or other benefits to domestic maritime industries''; and

(4) by adding at the end the following:

''(e) LIMITATIONS ON THE USE OF FUNDS.—. Not more than 3 percent of funds appropriated to carry out this program may be used for administrative purposes.''.

SEC. 3523. REQUIREMENT FOR SMALL SHIPYARD GRANTEES.

Section 54101(d) of title 46, United States Code, is amended—

(1) by striking ''Grants awarded'' and inserting the following:

''(1) IN GENERAL.—Grants awarded''; and

(2) by adding at the end the following:

''(2) BUY AMERICA.—

''(A) IN GENERAL.—Subject to subparagraph (B), no funds may be obligated by the Administrator of the Maritime Administration under this section, unless each product and material purchased with those funds (including products and materials purchased by a grantee), and including any commercially available off-the-shelf item, is—

''(i) an unmanufactured article, material, or supply that has been mined or produced in the United States; or

''(ii) a manufactured article, material, or supply that has been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States.

''(B) EXCEPTIONS.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), the requirements of that subparagraph shall not apply with respect to a particular product or material if the Administrator determines—

''(I) that the application of those requirements would be inconsistent with the public interest;

''(II) that such product or material is not available in the United States in sufficient and reasonably available quantities, of a satisfactory quality, or on a timely basis; or

''(III) that inclusion of a domestic product or material will increase the cost of that product or material by more than 25 percent, with respect to a certain contract between a grantee and that grantee's supplier.

''(ii) FEDERAL REGISTER.—A determination made by the Administrator under this subparagraph shall be published in the Federal Register.

''(C) DEFINITIONS.—ln this paragraph:

''(i) The term 'commercially available off-the-shelf item' means—

''(I) any item of supply (including construction material) that is—

''(aa) a commercial item, as defined by section 2.101 of title 48, Code of Federal Regulations (as in effect on the date of enactment of the Maritime Administration Authorization and Enhancement Act of 2019); and

''(bb) sold in substantial quantities in the commercial marketplace; and

''(II) does not include bulk cargo, as defined in section 40102(4) of this title, such as agricultural products and petroleum products.

''(ii) The term 'product or material' means an article, material, or supply brought to the site by the recipient for incorporation into the building, work, or project. The term also includes an item brought to the site preassembled from articles, materials, or supplies. However, emergency life safety systems, such as emergency lighting, fire alarm, and audio evacuation systems, that are discrete systems incorporated into a public building or work and that are produced as complete systems, are evaluated as a single and distinct construction material regardless of when or how the individual parts or components of those systems are delivered to the construction site.

''(iii) The term 'United States' includes the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.''.

SEC. 3524. IMPROVEMENT OF NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.

(a) ADDITIONAL MEANS OF ACHIEVEMENT OF GOALS OF PROGRAM THROUGH OCEANOGRAPHIC EFFORTS.—Section 8931(b)(2) of title 10, United States Code, is amended—

(1) in subparagraph (A)—

(A) by inserting '', creating,'' after ''identifying''; and

(B) by inserting ''science,'' after ''areas of''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) soliciting, accepting, and executing oceanographic research and observational projects funded by private grants, contracts, or cooperative agreements that contribute to such goals.''.

(b) NATIONAL OCEAN RESEARCH LEADERSHIP COUNCIL MEMBERSHIP.—Section 8932 of title 10, United States Code, is amended—

(1) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively;

(2) in subsection (b)—

(A) by striking paragraph (10);

(B) by redesignating paragraphs (11) through (14) as paragraphs (12) through (15), respectively; and

(C) by inserting after paragraph (9) the following new paragraphs:

''(10) The Director of the Bureau of Ocean Energy Management of the Department of the Interior.

''(11) The Director of the Bureau of Safety and Environmental Enforcement of the Department of the Interior.'';

(3) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''broad participation within the oceanographic community'' and inserting ''appropriate participation within the oceanographic community, which may include public, academic, commercial, and private participation or support''; and

(ii) in subparagraph (E), by striking ''peer''; and

(B) in paragraph (3), by striking subparagraph (D) and inserting the following:

''(D) Preexisting facilities''; such as regional data centers operated by the integrated ocean observing system, and expertise

(4) in subsection (e)—

(A) in the subsection heading by striking ''REPORT'' and inserting ''BRIEFING'';

(B) in the matter preceding paragraph (1), by striking ''to Congress a report'' and inserting ''to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Armed Services of the House of Representatives a briefing'';

(C) by striking ''report'' and inserting ''briefing'' each place the term appears;

(D) by striking paragraph (4) and inserting the following:

''(4) A description of the involvement of Federal agencies and non-Federal contributors participating in the program.''; and

(E) in paragraph (5), by striking ''and the estimated expenditures under such programs, projects, and activities during such following fiscal year'' and inserting ''and the estimated expenditures under such programs, projects, and activities of the program during such following fiscal year'';

(5) by inserting after subsection (e) the following:

''(f) REPORT.—Not later than March 1 of each year, the Council shall publish on a publically available website a report summarizing the briefing described in subsection (e).'';

(6) in subsection (g), as redesignated by paragraph (1)—

(A) by striking paragraph (1) and inserting the following:

''(1) The Secretary of the Navy shall establish an office to support the National Oceanographic Partnership Program. The Council shall use competitive procedures in selecting an operator for the partnership program office.''; and

(B) in paragraph (2)(B), by inserting '', where appropriate,'' before ''managing''; and

(7) by amending subsection (h), as redesignated by paragraph (1), to read as follows:

''(h) CONTRACT AND GRANT AUTHORITY.—

''(1) IN GENERAL.—To carry out the purposes of the National Oceanographic Partnership Program, the Council shall have, in addition to other powers otherwise given it under this chapter, the following authorities:

''(A) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants or cooperative agreements, and establish and manage new collaborative programs as considered appropriate, to address emerging science priorities using both donated and appropriated funds.

''(B) To authorize the program office under subsection (g), on behalf of and subject to the direction and approval of the Council, to accept funds, including fines and penalties, from other Federal and State departments and agencies.

''(C) To authorize the program office, on behalf of and subject to the direction and approval of the Council, to award grants and enter into contracts for purposes of the National Oceanographic Partnership Program.

''(D) To authorize the program office, on behalf of the Council, to solicit, accept and execute oceanographic research projects for purposes of the National Oceanographic Partnership Program that are funded by private grants, contracts, or donations.

''(E) To transfer funds to other Federal and State departments and agencies in furtherance of the purposes of the National Oceanographic Partnership Program.

''(F) To authorize one or more of the departments or agencies represented on the Council to enter into contracts and make grants, for the purpose of implementing the National Oceanographic Partnership Program and carrying out the responsibilities of the Council.

''(G) To use, with the consent of the head of the agency or entity concerned, on a nonreimbursable basis, the land, services, equipment, personnel, facilities, advice, and information provided by a Federal agency or entity, State, local government, Tribal government, territory, or possession, or any subdivisions thereof, or the District of Columbia as may be helpful in the performance of the duties of the Council.

''(2) FUNDS TRANSFERRED.—Funds identified for direct support of National Oceanographic Partnership Program grants are authorized for transfer between agencies and are exempt from section 1535 of title 31, United States Code (commonly known as the ''Economy Act of 1932'').''.

(c) OCEAN RESEARCH ADVISORY PANEL.—Section 8933(a)(4) of title 10, United States Code, is amended by striking ''State governments'' and inserting ''State and Tribal governments''.

SEC. 3525. IMPROVEMENTS TO THE MARITIME GUARANTEED LOAN PROGRAM.

(a) DEFINITIONS.—Section 53701 of title 46, United States Code, is amended—

(1) by striking paragraph (5);

(2) by redesignating paragraphs (6) through (15) as paragraphs (5) through (14), respectively; and

(3) by adding at the end the following:

''(15) VESSEL OF NATIONAL INTEREST.—The term 'Vessel of National Interest' means a vessel deemed to be of national interest that meets characteristics determined by the Administrator, in consultation with the Secretary of Defense, the Secretary of the Department in which the Coast Guard Operates, or the heads of other Federal agencies, as described in section 53703(d).''.

(b) PREFERRED LENDER.—Section 53702(a) of title 46, United States Code, is amended by adding at the end the following:

''(2) PREFERRED ELIGIBLE LENDER.—The Federal Financing Bank shall be the preferred eligible lender of the principal and interest of the guaranteed obligations issued under this chapter.''.

(c) APPLICATION AND ADMINISTRATION.—Section 53703 of title 46, United States Code, is amended—

(1) in the section heading, by striking ''**procedures**'' and inserting ''**and administration**'';

(2) by adding at the end the following:

''(c) INDEPENDENT ANALYSIS.—

''(1) IN GENERAL.—To assess and mitigate the risks due to factors associated with markets, technology, financial, or legal structures related to an application or guarantee under this chapter, the Secretary or Administrator may utilize third party experts, including legal counsel, to—

''(A) process and review applications under this chapter, including conducting independent analysis and review of aspects of an application;

''(B) represent the Secretary or Administrator in structuring and documenting the obligation guarantee;

''(C) analyze and review aspects of, structure, and document the obligation guarantee during the term of the guarantee;

''(D) recommend financial covenants or financial ratios to be met by the applicant during the time a guarantee under this chapter is outstanding that are—

''(i) based on the financial covenants or financial ratios, if any, that are then applicable to the obligor under private sector credit agreements; and

''(ii) in lieu of other financial covenants applicable to the obligor under this chapter with respect to requirements regarding long-term debt-to-equity, minimum working capital, or minimum amount of equity; and

''(E) represent the Secretary or Administrator to protect the security interests of the Government relating to an obligation guarantee.

''(2) PRIVATE SECTOR EXPERT.—Independent analysis, review, and representation conducted under this subsection shall be performed by a private sector expert in the applicable field who is selected by the Secretary or Administrator.

''(d) VESSELS OF NATIONAL INTEREST.—

''(1) NOTICE OF FUNDING.—The Secretary or Administrator may post a notice in the Federal Register regarding the availability of funding for obligation guarantees under this chapter for the construction, reconstruction, or reconditioning of a Vessel of National Interest and include a timeline for the submission of applications for such vessels.

''(2) VESSEL CHARACTERISTICS.—

''(A) IN GENERAL.—The Secretary or Administrator, in consultation with the Secretary of Defense, the Secretary of the Department in which the Coast Guard Operates, or the heads of other Federal agencies, shall develop and publish a list of vessel types that would be considered Vessels of National Interest.

''(B) REVIEW.—Such list shall be reviewed and revised every 4 years or as necessary, as determined by the Administrator.''.

(d) FUNDING LIMITS.—Section 53704 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''that amount'' and all the follows through ''$850,000,000'' and inserting ''that amount, $850,000,000''; and

(B) by striking ''facilities'' and all that follows through the end of the subsection and inserting ''facilities.''; and

(2) in subsection (c)(4)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) through (K), as subparagraphs (A) through (J), respectively.

(e) ELIGIBLE PURPOSES OF OBLIGATIONS.—Section 53706 of title 46, United States Code, is amended—

(1) in subsection (a)(1)(A)—

(A) in the matter preceding clause (i), by striking ''(including an eligible export vessel);''

(B) in clause (iv) by adding ''or'' after the semicolon;

(C) in clause (v), by striking ''; or'' and inserting a period; and

(D) by striking clause (vi); and

(2) in subsection (c)(1)—

(A) in subparagraph (A), by striking ''and'' after the semicolon;

(B) in subparagraph (B)(ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) after applying subparagraphs (A) and (B), Vessels of National Interest.''.

(f) AMOUNT OF OBLIGATIONS.—Section 53709(b) of title 46, United States Code, is amended—

(1) by striking paragraphs (3) and (6); and

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(g) CONTENTS OF OBLIGATIONS.—Section 53710 of title 46, United States Code, is amended—

(1) in subsection (a)(4)—

(A) in subparagraph (A)—

(i) by striking ''or, in the case of'' and all that follows through ''party''; and

(ii) by striking ''and'' after the semicolon; and

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) documented under the laws of the United States for the term of the guarantee of the obligation or until the obligation is paid in full, whichever is sooner.''; and

(2) in subsection (c)—

(A) in the subsection heading, by inserting ''AND PROVIDE FOR THE FINANCIAL STABILITY OF THE OBLIGOR'' after ''INTERESTS'';

(B) by striking ''provisions for the protection of'' and inserting ''provisions, which shall include—

''(1) provisions for the protection of'';

(C) by striking '', and other matters that the Secretary or Administrator may prescribe.'' and inserting, ''; and''; and

(D) by adding at the end the following:

''(2) any other provisions that the Secretary or Administrator may prescribe.''.

(h) ADMINISTRATIVE FEES.—Section 53713 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''reasonable for—'' and inserting '' reasonable for processing the application and monitoring the loan guarantee, including for—'';

(B) in paragraph (4), by striking ''; and'' and inserting ''or a deposit fund under section 53716 of this title;'';

(C) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(6) monitoring and providing services related to the obligor's compliance with any terms related to the obligations, the guarantee, or maintenance of the Secretary or Administrator's security interests under this chapter.''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''under section 53708(d) of this title'' and inserting ''under section 53703(c) of this title'';

(B) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(C) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(D) by adding at the end the following:

''(2) FEE LIMITATION INAPPLICABLE.—Fees collected under this subsection are not subject to the limitation of subsection (b).''.

(i) BEST PRACTICES; ELIGIBLE EXPORT VESSELS.—Chapter 537 of title 46, United States Code, is further amended—

(1) in subchapter I, by adding at the end the following new section:

''§ 53719. Best practices

''The Secretary or Administrator shall ensure that all standard documents and agreements that relate to loan guarantees made pursuant to this chapter are reviewed and updated every four years to ensure that such documents and agreements meet the current commercial best practices to the extent permitted by law.''; and

(2) in subchapter III, by striking section 53732.

(j) EXPRESS CONSIDERATION OF LOW-RISK APPLICATIONS.—Not later than 180 days after the date of enactment of this title, the Administrator of the Maritime Administration shall, in consultation with affected stakeholders, create a process for express processing of low-risk maritime guaranteed loan applications under chapter 537 of title 46, United States Code, based on Federal and industry best practices, including proposals to better assist applicants to submit complete applications within 6 months of the initial application.

(k) CONGRESSIONAL NOTIFICATION.—

(1) NOTIFICATION.—Not less than 60 days before reorganizing or consolidating the activities or personnel covered under chapter 537 of title 46, United States Code, the Secretary of Transportation shall notify, in writing, the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the proposed reorganization or consolidation.

(2) CONTENTS.—Each notification under paragraph (1) shall include an evaluation of, and justification for, the reorganization or consolidation.

(l) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of chapter 537 of title 46, United States Code, is amended by inserting after the item relating to section 53718 the following new item:

''53719. Best practices.''.

(2) The table of sections at the beginning of chapter 537 of title 46, United States Code, is further amended by striking the item relating to section 53732.

SEC. 3526. TECHNICAL CORRECTIONS.

(a) OFFICE OF PERSONNEL MANAGEMENT GUIDANCE.—Not later than 120 days after the date of enactment of this title, the Director of the Office of Personnel Management, in consultation with the Administrator of the Maritime Administration, shall identify key skills and competencies necessary to maintain a balance of expertise in merchant marine seagoing service and strategic sealift military service in each of the following positions within the Office of the Commandant:

(1) Commandant.

(2) Deputy Commandant.

(3) Tactical company officers.

(4) Regimental officers.

(b) SEA YEAR COMPLIANCE.—Section 3514(a)(1)(A) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 46 U.S.C. 51318 note) is amended by inserting ''domestic and international'' after ''criteria that''.

SEC. 3527. UNITED STATES MERCHANT MARINE ACADEMY'S SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM.

(a) IMPLEMENTATION OF RECOMMENDATIONS.—The Secretary of Transportation shall ensure that, not later than 180 days after the date of enactment of this title, the recommendations in the Inspector General of the Department of Transportation's report on the effectiveness of the United States Merchant Marine Academy's Sexual Assault Prevention and Response program (mandated under section 3512 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2786)), are fully implemented.

(b) REPORT.—Not later than 180 days after the date of enactment of this title, the Secretary of Transportation shall submit a report to Congress—

(1) confirming that the recommendations described in subsection (a) have been fully implemented, and explaining how those recommendations have been implemented; or

(2) if such recommendations have not been fully implemented as of the date of the report, including an explanation of why such recommendations have not been fully implemented and a description of the resources that are needed to fully implement such recommendations.

SEC. 3528. REPORT ON VESSELS FOR EMERGING OFFSHORE ENERGY INFRASTRUCTURE.

(a) IN GENERAL.—The Secretary of Transportation, in consultation with the Secretary of Energy, the Secretary of the Interior, and the heads of other relevant agencies as appropriate, shall prepare and submit a report on the need for vessels to install, operate, and maintain emerging offshore energy infrastructure, including offshore wind energy.

(b) CONTENTS.—Such report shall include—

(1) an inventory of vessels (including existing vessels and vessels that have the potential to be refurbished) to install, operate, and maintain such emerging offshore energy infrastructure;

(2) a projection of existing vessels needed to meet such emerging offshore energy needs over the next 10 years; and

(3) policy recommendations to ensure the vessel capacity to support such emerging offshore energy.

(c) TRANSMITTAL.—Not later than 6 months after the date of enactment of this title, the Secretary of Transportation shall submit such report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

Subtitle B—Maritime SAFE Act

SEC. 3531. SHORT TITLES.

(a) SHORT TITLES.—This subtitle may be cited as the ''Maritime Security and Fisheries Enforcement Act'' or the ''Maritime SAFE Act''.

SEC. 3532. DEFINITIONS.

In this subtitle:

(1) AIS.—The term ''AIS'' means Automatic Identification System (as defined in section 164.46 of title 33, Code of Federal Regulations, or a similar successor regulation).

(2) COMBINED MARITIME FORCES.—The term ''Combined Maritime Forces'' means the 33-nation naval partnership, originally established in February 2002, which promotes security, stability, and prosperity across approximately 3,200,000 square miles of international waters.

(3) EXCLUSIVE ECONOMIC ZONE.—

(A) IN GENERAL.—Unless otherwise specified by the President as being in the public interest in a writing published in the Federal Register, the term ''exclusive economic zone'' means—

(i) the area within a zone established by a maritime boundary that has been established by a treaty in force or a treaty that is being provisionally applied by the United States; or

(ii) in the absence of a treaty described in clause (i)—

(I) a zone, the outer boundary of which is 200 nautical miles from the baseline from which the breadth of the territorial sea is measured; or

(II) if the distance between the United States and another country is less than 400 nautical miles, a zone, the outer boundary of which is represented by a line equidistant between the United States and the other country.

(B) INNER BOUNDARY.—Without affecting any Presidential Proclamation with regard to the establishment of the United States territorial sea or exclusive economic zone, the inner boundary of the exclusive economic zone is—

(i) in the case of coastal States, a line coterminous with the seaward boundary of each such State (as described in section 4 of the Submerged Lands Act (43 U.S.C. 1312));

(ii) in the case of the Commonwealth of Puerto Rico, a line that is 3 marine leagues from the coastline of the Commonwealth of Puerto Rico;

(iii) in the case of American Samoa, the United States Virgin Islands, Guam, and the Northern Mariana Islands, a line that is 3 geographic miles from the coastlines of American Samoa, the United States Virgin Islands, Guam, or the Northern Mariana Islands, respectively; or

(iv) for any possession of the United States not referred to in clause (ii) or (iii), the coastline of such possession.

(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to diminish the authority of the Department of Defense, the Department of the Interior, or any other Federal department or agency.

(4) FOOD SECURITY.—The term ''food security'' means access to, and availability, utilization, and stability of, sufficient food to meet caloric and nutritional needs for an active and healthy life.

(5) GLOBAL RECORD OF FISHING VESSELS, REFRIGERATED TRANSPORT VESSELS, AND SUPPLY VESSELS.—The term ''global record of fishing vessels, refrigerated transport vessels, and supply vessels'' means the Food and Agriculture Organization of the United Nations' initiative to rapidly make available certified data from state authorities about vessels and vessel related activities.

(6) IUU FISHING.—The term ''IUU fishing'' means illegal fishing, unreported fishing, or unregulated fishing (as such terms are defined in paragraph 3 of the International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing, adopted at the 24th Session of the Committee on Fisheries in Rome on March 2, 2001).

(7) PORT STATE MEASURES AGREEMENT.—The term ''Port State Measures Agreement'' means the Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing set forth by the Food and Agriculture Organization of the United Nations, done at Rome, Italy November 22, 2009, and entered into force June 5, 2016, which offers standards for reporting and inspecting fishing activities of foreign-flagged fishing vessels at port.

(8) PRIORITY FLAG STATE.—The term ''priority flag state'' means a country selected in accordance with section 3552(b)(3)—

(A) whereby the flagged vessels of which actively engage in, knowingly profit from, or are complicit in IUU fishing; and

(B) that is willing, but lacks the capacity, to monitor or take effective enforcement action against its fleet.

(9) PRIORITY REGION.—The term ''priority region'' means a region selected in accordance with section 3552(b)(2)—

(A) that is at high risk for IUU fishing activity or the entry of illegally caught seafood into the markets of countries in the region; and

(B) in which countries lack the capacity to fully address the illegal activity described in subparagraph (A).

(10) REGIONAL FISHERIES MANAGEMENT ORGANIZATION.—The term ''Regional Fisheries Management Organization'' means an intergovernmental fisheries organization or arrangement, as appropriate, that has the competence to establish conservation and management measures.

(11) SEAFOOD.—The term ''seafood''—

(A) means marine finfish, mollusks, crustaceans, and all other forms of marine animal and plant life, including those grown, produced, or reared through marine aquaculture operations or techniques; and

(B) does not include marine mammals, turtles, or birds.

(12) TRANSNATIONAL ORGANIZED ILLEGAL ACTIVITY.—The term ''transnational organized illegal activity'' means criminal activity conducted by self-perpetuating associations of individuals who operate transnationally for the purpose of obtaining power, influence, or monetary or commercial gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption or violence or through a transnational organizational structure and the exploitation of transnational commerce or communication mechanisms.

(13) TRANSSHIPMENT.—The term ''transshipment'' means the use of refrigerated vessels that—

(A) collect catch from multiple fishing boats;

(B) carry the accumulated catches back to port; and

(C) deliver supplies to fishing boats, which allows fishing vessels to remain at sea for extended periods without coming into port.

SEC. 3533. PURPOSES.

The purposes of this subtitle are—

(1) to support a whole-of-government approach across the Federal Government to counter IUU fishing and related threats to maritime security;

(2) to improve data sharing that enhances surveillance, enforcement, and prosecution against IUU fishing and related activities at a global level;

(3) to support coordination and collaboration to counter IUU fishing within priority regions;

(4) to increase and improve global transparency and traceability across the seafood supply chain as—

(A) a deterrent to IUU fishing; and

(B) a tool for strengthening fisheries management and food security;

(5) to improve global enforcement operations against IUU fishing through a whole-of-government approach by the United States; and

(6) to prevent the use of IUU fishing as a financing source for transnational organized groups that undermine United States and global security interests.

SEC. 3534. STATEMENT OF POLICY.

It is the policy of the United States__

(1) to take action to curtail the global trade in seafood and seafood products derived from IUU fishing, including its links to forced labor and transnational organized illegal activity;

(2) to develop holistic diplomatic, military, law enforcement, economic, and capacity-building tools to counter IUU fishing;

(3) to provide technical assistance to countries in priority regions and priority flag states to combat IUU fishing, including assistance—

(A) to increase local, national, and regional level capacities to counter IUU fishing through the engagement of law enforcement and security forces;

(B) to enhance port capacity and security, including by supporting other countries in working toward the adoption and implementation of the Port State Measures Agreement;

(C) to combat corruption and increase transparency and traceability in fisheries management and trade;

(D) to enhance information sharing within and across governments and multilateral organizations through the development and use of agreed standards for information sharing; and

(E) to support effective, science-based fisheries management regimes that promote legal and safe fisheries and act as a deterrent to IUU fishing;

(4) to promote global maritime security through improved capacity and technological assistance to support improved maritime domain awareness;

(5) to engage with priority flag states to encourage the use of high quality vessel tracking technologies where existing enforcement tools are lacking;

(6) to engage with multilateral organizations working on fisheries issues, including Regional Fisheries Management Organizations and the Food and Agriculture Organization of the United Nations, to combat and deter IUU fishing;

(7) to advance information sharing across governments and multilateral organizations in areas that cross multiple jurisdictions, through the development and use of an agreed standard for information sharing;

(8) to continue to use existing and future trade agreements to combat IUU fishing;

(9) to employ appropriate assets and resources of the United States Government in a coordinated manner to disrupt the illicit networks involved in IUU fishing;

(10) to continue to declassify and make available, as appropriate and practicable, technologies developed by the United States Government that can be used to help counter IUU fishing;

(11) to recognize the ties of IUU fishing to transnational organized illegal activity, including human trafficking and illegal trade in narcotics and arms, and as applicable, to focus on illicit activity in a coordinated, cross-cutting manner;

(12) to recognize and respond to poor working conditions, labor abuses, and other violent crimes in the fishing industry;

(13) to increase and improve global transparency and traceability along the seafood supply chain as—

(A) a deterrent to IUU fishing; and

(B) an approach for strengthening fisheries management and food security; and

(14) to promote technological investment and innovation to combat IUU fishing.

PART I—PROGRAMS TO COMBAT IUU FISHING AND INCREASE MARITIME SECURITY

SEC. 3541. COORDINATION WITH INTERNATIONAL ORGANIZATIONS.

The Secretary of State, in conjunction with the Secretary of Commerce, shall coordinate with Regional Fisheries Management Organizations and the Food and Agriculture Organization of the United Nations, and may coordinate with other relevant international governmental or nongovernmental organizations, or the private sector, as appropriate, to enhance regional responses to IUU fishing and related transnational organized illegal activities.

SEC. 3542. ENGAGEMENT OF DIPLOMATIC MISSIONS OF THE UNITED STATES.

Not later than 1 year after the date of the enactment of this title, each chief of mission (as defined in section 102 of the Foreign Service Act of 1980 (22 U.S.C. 3902)) to a relevant country in a priority region or to a priority flag state may, if the Secretary of State determines such action is appropriate—

(1) convene a working group, led by Department of State officials, to examine IUU fishing, which may include stakeholders such as—

(A) United States officials from relevant agencies participating in the interagency Working Group identified in section 3551, foreign officials, nongovernmental organizations, the private sector, and representatives of local fishermen in the region; and

(B) experts on IUU fishing, law enforcement, criminal justice, transnational organized illegal activity, defense, intelligence, vessel movement monitoring, and international development operating in or with knowledge of the region; and

(2) designate a counter-IUU Fishing Coordinator from among existing personnel at the mission if the chief of mission determines such action is appropriate.

SEC. 3543. ASSISTANCE BY FEDERAL AGENCIES TO IMPROVE LAW ENFORCEMENT WITHIN PRIORITY REGIONS AND PRIORITY FLAG STATES.

(a) IN GENERAL.—The Secretary of State, in collaboration with the Secretary of Commerce and the Commandant of the Coast Guard, shall provide assistance, as appropriate, in accordance with this section.

(b) LAW ENFORCEMENT TRAINING AND COORDINATION ACTIVITIES.—The officials referred to in subsection (a) shall evaluate opportunities to provide assistance, as appropriate, to countries in priority regions and priority flag states to improve the effectiveness of IUU fishing enforcement, with clear and measurable targets and indicators of success, including—

(1) by assessing and using existing resources, enforcement tools, and legal authorities to coordinate efforts to combat IUU fishing with efforts to combat other illegal trade, including weapons, drugs, and human trafficking;

(2) by expanding existing IUU fishing enforcement training;

(3) by providing targeted, country- and region-specific training on combating IUU fishing, including in those countries that have not adopted the Port State Measures Agreement;

(4) by supporting increased effectiveness and transparency of the fisheries enforcement sectors of the governments of such countries; and

(5) by supporting increased outreach to stakeholders in the affected communities as key partners in combating and prosecuting IUU fishing.

(c) PORT SECURITY ASSISTANCE.—The officials referred to in subsection (a) shall evaluate opportunities to provide assistance, as appropriate, to countries in priority regions and priority flag states to help those states implement programs related to port security and capacity for the purposes of preventing IUU fishing products from entering the global seafood market, including by supporting other countries in working toward the adoption and implementation of the Port State Measures Agreement.

(d) CAPACITY BUILDING FOR INVESTIGATIONS AND PROSECUTIONS.—The officials referred to in subsection (a), in collaboration with the governments of countries in priority regions and of priority flag states, shall evaluate opportunities to assist those countries in designing and implementing programs in such

countries, as appropriate, to increase the capacity of IUU fishing enforcement and customs and border security officers to improve their ability—

(1) to conduct effective investigations, including using law enforcement techniques such as undercover investigations and the development of informer networks and actionable intelligence;

(2) to conduct vessel boardings and inspections at sea and associated enforcement actions;

(3) to exercise existing shiprider agreements and to enter into and implement new shiprider agreements, as appropriate, including in those countries that have not adopted the Port State Measures Agreement;

(4) to conduct vessel inspections at port and associated enforcement actions;

(5) to assess technology needs and promote the use of technology to improve monitoring, enforcement, and prosecution of IUU fishing;

(6) to conduct DNA-based and forensic identification of seafood used in trade;

(7) to conduct training on techniques, such as collecting electronic evidence and using computer forensics, for law enforcement personnel involved in complex investigations related to international matters, financial issues, and government corruption that include IUU fishing;

(8) to assess financial flows and the use of financial institutions to launder profits related to IUU fishing;

(9) to conduct training on the legal mechanisms that can be used to prosecute those identified in the investigations as alleged perpetrators of IUU fishing and other associated crimes such as trafficking and forced labor; and

(10) to conduct training to raise awareness of the use of whistleblower information and ways to incentivize whistleblowers to come forward with original information related to IUU fishing.

(e) CAPACITY BUILDING FOR INFORMATION SHARING.—The officials referred to in subsection (a) shall evaluate opportunities to provide assistance, as appropriate, to key countries in priority regions and priority flag states in the form of training, equipment, and systems development to build capacity for information sharing related to maritime enforcement and port security.

(f) COORDINATION WITH OTHER RELEVANT AGENCIES.—The Secretary of State, in collaboration with the Commandant of the Coast Guard is operating and the Secretary of Commerce, shall coordinate with other relevant agencies, as appropriate, in accordance with this section.

SEC. 3544. EXPANSION OF EXISTING MECHANISMS TO COMBAT IUU FISHING.

The Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of the Department in which the Coast Guard is operating, the Secretary of Defense, the Secretary of Commerce, the Attorney General, and the heads of other appropriate Federal agencies shall assess opportunities to combat IUU fishing by expanding, as appropriate, the use of the following mechanisms:

(1) Including counter-IUU fishing in existing shiprider agreements in which the United States is a party.

(2) Entering into shiprider agreements that include counter-IUU fishing with priority flag states and countries in priority regions with which the United States does not already have such an agreement.

(3) Including counter-IUU fishing as part of the mission of the Combined Maritime Forces.

(4) Including counter-IUU fishing exercises in the annual at-sea exercises conducted by the Department of Defense, in coordination with the United States Coast Guard.

(5) Creating partnerships similar to the Oceania Maritime Security Initiative and the Africa Maritime Law Enforcement Partnership in other priority regions.

SEC. 3545. IMPROVEMENT OF TRANSPARENCY AND TRACEABILITY PROGRAMS.

The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard, the Secretary of Commerce, and the heads of other Federal agencies, if merited, shall work, as appropriate, with priority flag states and key countries in priority regions—

(1) to increase knowledge within such countries about the United States transparency and traceability standards for imports of seafood and seafood products;

(2) to improve the capacity of seafood industries within such countries through information sharing and training to meet the requirements of transparency and traceability standards for seafood and seafood product imports, including catch documentation and trade tracking programs adopted by relevant regional fisheries management organizations;

(3) to improve the capacities of government, industry, and civil society groups to develop and implement comprehensive traceability systems that—

(A) deter IUU fishing;

(B) strengthen fisheries management; and

(C) enhance maritime domain awareness; and

(4) to support the implementation of seafood traceability standards in such countries to prevent IUU fishing products from entering the global seafood market and assess capacity and training needs in those countries.

SEC. 3546. TECHNOLOGY PROGRAMS.

The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard, the Secretary of Defense, the Secretary of Commerce, and the heads of other Federal agencies, as appropriate, shall pursue programs to expand the role of technology for combating IUU fishing, including by—

(1) promoting the use of technology to combat IUU fishing;

(2) assessing the technology needs, including vessel tracking technologies and data sharing, in priority regions and priority flag states;

(3) engaging with priority flag states to encourage the mandated use of vessel tracking technologies, including vessel monitoring systems, AIS, or other vessel movement monitoring technologies on fishing vessels and transshipment vessels at all times, as appropriate, while at sea as a means to identify IUU fishing activities and the shipment of illegally caught fish products; and

(4) building partnerships with the private sector, including universities, nonprofit research organizations, the seafood industry, and the technology, transportation and logistics sectors, to leverage new and existing technologies and data analytics to address IUU fishing.

SEC. 3547. INFORMATION SHARING.

The Director of National Intelligence, in conjunction with other agencies, as appropriate, shall develop an enterprise approach to appropriately share information and data within the United States Government or with other countries or nongovernmental organizations, or the private sector, as appropriate, on IUU fishing and other connected transnational organized illegal activity occurring in priority regions and elsewhere, including big data analytics and machine learning.

SEC. 3548. SAVINGS CLAUSE.

Nothing in this part shall create an obligation for the Secretary of the Navy when the Coast Guard is operating as a service of the Navy.

PART II—ESTABLISHMENT OF INTERAGENCY WORKING GROUP ON IUU FISHING

SEC. 3551. INTERAGENCY WORKING GROUP ON IUU FISHING.

(a) IN GENERAL.—There is established a collaborative interagency working group on maritime security and IUU fishing (referred to in this subtitle as the ''Working Group'').

(b) MEMBERS.—The members of the Working Group shall be composed of—

(1) 1 chair, who shall rotate between the Coast Guard, the Department of State, and the National Oceanographic and Atmospheric Administration on a 3-year term;

(2) 2 deputy chairs, who shall be appointed by their respective agency heads and shall be from a different Department than that of the chair, from—

(A) the Coast Guard;

(B) the Department of State; and

(C) the National Oceanic and Atmospheric Administration;

(3) 12 members, who shall be appointed by their respective agency heads, from—

(A) the Department of Defense;

(B) the United States Navy;

(C) the United States Agency for International Development;

(D) the United States Fish and Wildlife Service;

(E) the Department of Justice;

(F) the Department of the Treasury;

(G) U.S. Customs and Border Protection;

(H) U.S. Immigration and Customs Enforcement;

(I) the Federal Trade Commission;

(J) the National Institute of Food and Agriculture;

(K) the Food and Drug Administration; and

(L) the Department of Labor;

(4) 1 or more members from the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), who shall be appointed by the Director of National Intelligence; and

(5) 5 members, who shall be appointed by the President, from—

(A) the National Security Council;

(B) the Council on Environmental Quality;

(C) the Office of Management and Budget;

(D) the Office of Science and Technology Policy; and

(E) the Office of the United States Trade Representative.

(c) RESPONSIBILITIES.—The Working Group shall ensure an integrated, Federal Government-wide response to IUU fishing globally, including by—

(1) improving the coordination of Federal agencies to identify, interdict, investigate, prosecute, and dismantle IUU fishing operations and organizations perpetrating and knowingly benefitting from IUU fishing;

(2) assessing areas for increased interagency information sharing on matters related to IUU fishing and related crimes;

(3) establishing standards for information sharing related to maritime enforcement;

(4) developing a strategy to determine how military assets and intelligence can contribute to enforcement strategies to combat IUU fishing;

(5) increasing maritime domain awareness relating to IUU fishing and related crimes and developing a strategy to leverage awareness for enhanced enforcement and prosecution actions against IUU fishing;

(6) supporting the adoption and implementation of the Port State Measures Agreement in relevant countries and assessing the capacity and training needs in such countries;

(7) outlining a strategy to coordinate, increase, and use shiprider agreements between the Department of Defense or the Coast Guard and relevant countries;

(8) enhancing cooperation with partner governments to combat IUU fishing;

(9) identifying opportunities for increased information sharing between Federal agencies and partner governments working to combat IUU fishing;

(10) consulting and coordinating with the seafood industry and nongovernmental stakeholders that work to combat IUU fishing;

(11) supporting the work of collaborative international initiatives to make available certified data from state authorities about vessel and vessel-related activities related to IUU fishing;

(12) supporting the identification and certification procedures to address IUU fishing in accordance with the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826d et seq.); and

(13) publishing annual reports summarizing nonsensitive information about the Working Group's efforts to investigate, enforce, and prosecute groups and individuals engaging in IUU fishing.

SEC. 3552. STRATEGIC PLAN.

(a) STRATEGIC PLAN.—Not later than 2 years after the date of the enactment of this title, the Working Group, after consultation with the relevant stakeholders, shall submit to Congress a 5-year integrated strategic plan on combating IUU fishing and enhancing maritime security, including specific strategies with monitoring benchmarks for addressing IUU fishing in priority regions.

(b) IDENTIFICATION OF PRIORITY REGIONS AND PRIORITY FLAG STATES.—

(1) IN GENERAL.—The strategic plan submitted under subsection (a) shall identify priority regions and priority flag states to be the focus of assistance coordinated by the Working Group under section 3551.

(2) PRIORITY REGION SELECTION CRITERIA.—In selecting priority regions under paragraph (1), the Working Group shall select regions that—

(A) are at high risk for IUU fishing activity or the entry of illegally caught seafood into their markets; and

(B) lack the capacity to fully address the issues described in subparagraph (A).

(3) PRIORITY FLAG STATES SELECTION CRITERIA.—In selecting priority flag states under paragraph (1), the Working Group shall select countries—

(A) the flagged vessels of which actively engage in, knowingly profit from, or are complicit in IUU fishing; and

(B) that lack the capacity to police their fleet.

SEC. 3553. REPORTS.

Not later than 5 years after the submission of the 5-year integrated strategic plan under section 3552, and 5 years after, the Working Group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on the Judiciary of the Senate, the Committee on Natural Resources of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that contains—

(1) a summary of global and regional trends in IUU fishing;

(2) an assessment of the extent of the convergence between transnational organized illegal activity, including human trafficking and forced labor, and IUU fishing;

(3) an assessment of the topics, data sources, and strategies that would benefit from increased information sharing and recommendations regarding harmonization of data collection and sharing;

(4) an assessment of assets, including military assets and intelligence, which can be used for either enforcement operations or strategies to combat IUU fishing;

(5) summaries of the situational threats with respect to IUU fishing in priority regions and an assessment of the capacity of countries within such regions to respond to those threats;

(6) an assessment of the progress of countries in priority regions in responding to those threats as a result of assistance by the United States pursuant to the strategic plan developed under section 3552, including—

(A) the identification of—

(i) relevant supply routes, ports of call, methods of landing and entering illegally caught product into legal supply chains, and financial institutions used in each country by participants engaging in IUU fishing; and

(ii) indicators of IUU fishing that are related to money laundering;

(B) an assessment of the adherence to, or progress toward adoption of, international treaties related to IUU fishing, including the Port State Measures Agreement, by countries in priority regions;

(C) an assessment of the implementation by countries in priority regions of seafood traceability or capacity to apply traceability to verify the legality of catch and strengthen fisheries management;

(D) an assessment of the capacity of countries in priority regions to implement shiprider agreements;

(E) an assessment of the capacity of countries in priority regions to increase maritime domain awareness; and

(F) an assessment of the capacity of governments of relevant countries in priority regions to sustain the programs for which the United States has provided assistance under this subtitle;

(7) an assessment of the capacity of priority flag states to track the movement of and police their fleet, prevent their flagged vessels from engaging in IUU fishing, and enforce applicable laws and regulations; and

(8) an assessment of the extent of involvement in IUU fishing of organizations designated as foreign terrorist organizations under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 3554. GULF OF MEXICO IUU FISHING SUBWORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this title, the Administrator of the National Oceanic and Atmospheric Administration, in coordination with the Coast Guard and the Department of State, shall establish a subworking group to address IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico.

(b) FUNCTIONS.—The subworking group established under subsection (a) shall identify—

(1) Federal actions taken and policies established during the 5-year period immediately preceding the date of the enactment of this title with respect to IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico, including such actions and policies related to—

(A) the surveillance, interdiction, and prosecution of any foreign nationals engaged in such fishing; and

(B) the application of the provisions of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826d et seq.) to any relevant nation, including the status of any past or ongoing consultations and certification procedures;

(2) actions and policies, in addition to the actions and policies described in paragraph (1), each of the Federal agencies described in subsection (a) can take, using existing resources, to combat IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico; and

(3) any additional authorities that could assist each such agency in more effectively addressing such IUU fishing.

(c) REPORT.—Not later than 1 year after the IUU Fishing Subworking Group is established under subsection (a), the group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives that contains—

(1) the findings identified pursuant to subsection (b); and

(2) a timeline for each of the Federal agencies described in subsection (a) to implement each action or policy identified pursuant to subsection (b)(2).

PART III—COMBATING HUMAN TRAFFICKING IN CONNECTION WITH THE CATCHING AND PROCESSING OF SEAFOOD PRODUCTS

SEC. 3561. FINDING.

Congress finds that human trafficking is a pervasive problem in the catching and processing of certain seafood products imported into the United States, particularly seafood products obtained through illegal, unreported, and unregulated fishing.

SEC. 3562. ADDING THE SECRETARY OF COMMERCE TO THE INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

Section 105(b) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(b)) is amended by inserting ''the Secretary of Commerce,'' after ''the Secretary of Education,''.

SEC. 3563. HUMAN TRAFFICKING IN THE SEAFOOD SUPPLY CHAIN REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, the Administrator of the National Oceanic and Atmospheric Administration and the Commissioner of the Food and Drug Administration shall jointly submit a report to Congress that describes the existence of human trafficking in the supply chains of seafood products imported into the United States.

(b) REPORT ELEMENTS.—The report required under subsection (a) shall include—

(1) a list of the countries at risk for human trafficking in their seafood catching and processing industries, and an assessment of such risk for each listed country;

(2) a description of the quantity and economic value of seafood products imported into the United States from the countries on the list compiled pursuant to paragraph (1);

(3) a description and assessment of the methods, if any, in the countries on the list compiled pursuant to paragraph (1) to trace and account for the manner in which seafood is caught;

(4) a description of domestic and international enforcement mechanisms to deter illegal practices in the catching of seafood in the countries on the list compiled pursuant to paragraph (1); and

(5) such recommendations as the Administrator and the Commissioner jointly consider appropriate for legislative or administrative action to enhance and improve actions against human trafficking in the catching and processing of seafood products outside of United States waters.

PART IV—AUTHORIZATION OF APPROPRIATIONS

SEC. 3571. AUTHORIZATION OF APPROPRIATIONS.

(a) FUNDING.—Amounts made available to carry out this subtitle shall be derived from

amounts appropriated or otherwise made available to the relevant agencies and departments.

(b) NO INCREASE IN CONTRIBUTIONS.—Nothing in this subtitle shall be construed to authorize an increase in required or voluntary contributions paid by the United States to any multilateral or international organization.

SEC. 3572. ACCOUNTING OF FUNDS.

By not later than 180 days after the date of enactment of this title, the head of each Federal agency receiving or allocating funds to carry out activities under this subtitle shall, to the greatest extent practicable, prepare and submit to Congress a report that provides an accounting of all funds made available under this subtitle to the Federal agency.

SA 626. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. JOHN S. MCCAIN COMMISSION ON THE SUSTAINABILITY OF THE ALL-VOLUNTEER FORCE.

(a) ESTABLISHMENT OF COMMISSION.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established a commission to carry out a comprehensive examination on the sustainability and underpinnings of the all-volunteer nature of the Armed Forces from the perspective of members of the Armed Forces and veterans, with respect to all phases of the lives of such members and veterans, from service in the Armed Forces through civilian life, including recruiting, retention, transition, and enduring vigilance.

(B) DESIGNATION.—The commission established by subparagraph (A) shall be known as the ''John S. McCain Commission on the Sustainability of the All-Volunteer Force'' (in this section referred to as the ''Commission'').

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Commission shall be composed of 12 members of whom—

(i) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(ii) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(iii) one shall be appointed by the Chairman of the Committee on Veterans' Affairs of the Senate;

(iv) one shall be appointed by the Ranking Member of the Committee on Veterans' Affairs of the Senate;

(v) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives;

(vi) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives;

(vii) one shall be appointed by the Chairman of Committee on Veterans' Affairs of the House of Representatives;

(viii) one shall be appointed by the Ranking Member of the Committee on Veterans' Affairs of the House of Representatives;

(ix) one member appointed by the majority leader of the Senate;

(x) one member appointed by the minority leader of the Senate;

(xi) one member appointed by the Speaker of the House of Representatives; and

(xii) one member appointed by the minority leader of the House of Representatives.

(B) LIMITATIONS.—A member of the Commission appointed under subparagraph (A)—

(i) shall be a citizen of the United States;

(ii) may not be a member of Congress; and

(iii) may not be an employee of the Federal Government.

(C) REQUIREMENTS.—The members of the Commission appointed under subparagraph (A) shall have appropriate and diverse experiences, expertise, and historical perspectives on veterans, military, organizational, and managerial matters.

(D) VETERAN STATUS.—To the extent practicable, the members appointed under subparagraph (A) shall be veterans.

(E) NONVOTING MEMBERS.—In addition to the members appointed under subparagraph (A), the following shall be nonvoting members of the Commission:

(i) The Under Secretary for Benefits of the Department of Veterans Affairs.

(ii) The Under Secretary of Defense for Personnel and Readiness.

(iii) The Assistant Secretary of Labor for Veterans' Employment and Training.

(iv) The Associate Administrator for the Office of Veterans Business Development at the Small Business Administration.

(F) LIAISONS.—

(i) GOVERNMENT LIAISONS.—The Secretary of Veterans Affairs, the Secretary of Defense, the Secretary of Labor and the Administrator of the Small Business Administration shall each designate at least one officer or employee of the Veterans Benefits Administration, Department of Defense, the Department of Labor, and the Small Business Administration, respectively, to serve as a liaison to the Commission.

(ii) NONGOVERNMENT LIAISONS.—Personnel associated with nongovernmental organizations with expertise or experience in the purpose and scope of the Commission may be assigned to support and serve the duties of the Commission.

(G) APPOINTMENT DATE.—The appointments of the members of the Commission shall be made not later than 60 days after the date of the enactment of this Act.

(H) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.—If one or more appointments under clauses (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), or (ix) of subparagraph (A) is not made by the appointment date specified in subparagraph (G)—

(i) the authority to make such appointment or appointments shall expire; and

(ii) the number of members of the Commission shall be reduced to the number so appointed.

(3) PERIOD OF APPOINTMENT.—Members of the Commission shall be appointed for the life of the Commission.

(4) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(5) MEETINGS.—

(A) INITIAL MEETING.—The Commission shall hold its first meeting not later than 30 days after a majority of members are appointed to the Commission.

(B) MEETING.—

(i) IN GENERAL.—The Commission shall regularly meet at the call of the chairperson of the Commission.

(ii) TELECOMMUNICATIONS TECHNOLOGY.—Meetings of the Commission may be carried out through the use of telephonic or other appropriate telecommunication technology if the Commission determines that such technology will allow the Commission to communicate simultaneously.

(6) CHAIRPERSON AND VICE CHAIRPERSON.—A chairperson and vice chairperson of the Commission shall be selected from among the members of the Commission jointly by—

(A) the Chairman of the Committee on Armed Services of the Senate;

(B) the Ranking Member of the Committee on Armed Services of the Senate;

(C) the Chairman of the Committee on Veterans' Affairs of the Senate;

(D) the Ranking Member of the Committee on Veterans' Affairs of the Senate;

(E) the Chairman of the Committee on Armed Services of the House of Representatives;

(F) the Ranking Member of the Committee on Armed Services of the House of Representatives;

(G) the Chairman of Committee on Veterans' Affairs of the House of Representatives;

(H) the Ranking Member of the Committee on Veterans' Affairs of the House of Representatives;

(I) the majority leader of the Senate;

(J) the minority leader of the Senate;

(K) the Speaker of the House of Representatives; and

(L) the minority leader of the House of Representatives.

(7) PANELS.—

(A) IN GENERAL.—The Commission may establish panels composed of less than the full membership of the Commission for the purpose of carrying out the Commission's duties.

(B) ACTIONS.—The actions of a panel established by the Commission shall be subject to the review and control of the Commission.

(C) FINDINGS AND DETERMINATIONS.—Any findings and determinations made by a panel established by the Commission shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(b) DUTIES.—

(1) GENERAL DUTIES.—

(A) REVIEW OF THE ALL-VOLUNTEER FORCE.—

(i) IN GENERAL.—The Commission shall review the adequacy and effectiveness of all aspects of the lifecycle of members of the Armed Forces as a critical aspect of the all-volunteer nature of the Armed Forces, including recruiting, retention, and the assistance services provided by government and nongovernmental entities to members of the Armed Forces in making the transition and adjustment to and throughout civilian life.

(ii) HOLISTIC FOCUS ON CARE.—The review required by clause (i) shall include a holistic focus on care from inception into the Department of Defense until death.

(iii) LINES OF EFFORT.—The review required by clause (i) shall include establishment of particular lines of effort with a focus on the Department of Defense, the Department of Veterans Affairs, and nongovernmental organizations.

(B) IDENTIFICATION OF BEST PRACTICES AND CRITICAL FAILURES.—

(i) LIST.—

(I) IN GENERAL.—The Commission shall identify and compile a list of best practices and critical failures in meeting the needs of national security, members of the Armed Forces, and veterans at each phase of a transition from service in the Armed Forces to and throughout civilian life.

(II) RESOURCES.—In carrying out subclause (I), the Commission shall identify contemporary resource owners, both government and nongovernment, who affect the population of members of the Armed Forces and veterans, and identify how such resources flow to recipients.

(ii) REQUIREMENT.—In carrying out clause (i), the Commission shall—

(I) analyze the Department of Defense National Resource Directory and the Department of Veterans Affairs databases that map

the benefits available to veterans and their families; and

(II) determine where such directory and database fall short of meeting the transition needs of such veterans and families throughout civilian life.

(C) EVALUATION.—The Commission shall evaluate proposals for improving recruiting, retention and transition assistance and benefits programs, including proposals for alternative means of providing resources furnished by such programs.

(D) RECOMMENDATIONS.—The Commission shall develop recommendations for legislative or administrative action to improve sustainability of the all-volunteer nature of the Armed Forces.

(2) REPORTS.—

(A) INTERIM REPORT.—Not later than 90 days after the date on which all members of the Commission have been appointed under subsection (b)(2), the Commission shall submit to the appropriate committees of Congress a report setting forth a plan for the work of the Commission.

(B) FINAL REPORT.—Not later than two years after the date of the first meeting of the Commission, the Commission shall submit to the appropriate committees of Congress a report setting for the activities, findings, and recommendations of the Commission, including such recommendations for legislative or administrative action as the Commission may consider appropriate.

(c) POWERS OF THE COMMISSION.—

(1) HEARINGS.—the Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out the duties of the Commission.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any department or agency of the Federal Government such information as the Commission considers necessary to carry out the duties of the Commission. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(3) INFORMATION FROM NONGOVERNMENTAL ORGANIZATIONS.—In carrying out its duties, the Commission may seek guidance and information through the consultation with foundations, veteran services organizations, nonprofit groups, faith-based organizations, private and public institutions of higher education, and such other organizations as the Commission determines appropriate.

(4) COMMISSION RECORDS.—The Commission shall keep an accurate and complete record of the actions and meetings of the Commission. Such records shall be made available for public inspection and the Comptroller General of the United States may audit and examine such records.

(d) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Commission may be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in performing the duties of the Commission.

(2) TRAVEL AND TRAVEL EXPENSES.—The members of the Commission may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) STAFF.—

(A) IN GENERAL.—The chairperson of the Commission may, without regard to civil services laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) COMPENSATION.—The chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil services status or privilege.

(5) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(e) TERMINATION OF THE COMMISSION.—The Commission shall terminate 30 days after the date the Commission submits the final report under subsection (b)(3)(B). Members of the Commission may be consulted as necessary by the Departments of Defense and Veterans Affairs to carry out the strategy submitted under subsection (b)(4).

(f) FUNDING.—

(1) IN GENERAL.—The Secretary of Defense shall, upon the request of the chairperson of the Commission, make available to the Commission such amounts as the Commission may require to carry out its duties under this section. The Secretary shall make such amounts available from amounts appropriated for the Department of Defense, except that such amounts may not be from amounts appropriated for the Transition Assistance Program (TAP), or any similar program.

(2) AVAILABILITY.—Any sums made available to the Commission under paragraph (1) shall remain available, without fiscal year limitation, until the termination of the Commission.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

(2) ARMED FORCES AND VETERANS.—The terms ''Armed Forces'' and ''veteran'' have the meanings given such terms in section 101 of title 38, United States Code.

SEC. ____. NATIONAL STRATEGY FOR SUSTAINMENT OF THE ALL-VOLUNTEER FORCE.

(a) STRATEGY REQUIRED.—Not later than 90 days after the date on which the John S. McCain Commission on the Sustainability of the All-Volunteer Force submits the final report under section 2(b)(2)(B), the Secretary of Defense and the Secretary of Veterans Affairs, in consultation with the Commission, shall submit to the appropriate committees of Congress a comprehensive strategy on sustaining the all-volunteer nature of the Armed Forces with emphasis on recruiting, retention, transition and enduring vigilance for the life-cycle of members of the Armed Forces, veterans, and their families.

(b) ELEMENTS.—The strategy submitted under subsection (a) shall include the following:

(1) An action plan for implementing the recommendations developed by the Commission on such solutions and remedies for sustaining the all-volunteer nature of the Armed Forces for the contemporary military.

(2) A feasible timeframe for implementing changes in the Department of Defense and the Department of Veterans Affairs, department-wide, that the Commission considers necessary to improve the transition of members of the Armed Forces and veterans from service in the Armed Forces to civilian life.

(3) A plan to engage with nongovernmental organizations to maximize civil initiatives and continuity of engagement on issues relevant to such transition.

(4) A plan to update, expand, and maximize the capabilities of the National Resource Directory, including recommendations for the proper proponent of the Directory, the enactment of real-time updating, and full availability to those in need.

(c) DESIGNATION.—The strategy submitted under subparagraph (A) shall be known as the ''National Strategy for Sustainment of the All-Volunteer Force''.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

(2) ARMED FORCES AND VETERANS.—The terms ''Armed Forces'' and ''veteran'' have the meanings given such terms in section 101 of title 38, United States Code.

SA 627. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 342. REPORT ON MIDWEST INTEGRATED AIRSPACE CORRIDOR.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) the current and future needs for established Military Operating Areas (MOA) for manned or unmanned aircraft;

(2) the training and readiness benefits of a single, continuous east-west airspace corridor involving Colorado, Oklahoma, and Kansas that would facilitate the controlled airspace of military manned or unmanned aircraft to replicate real-world operations; and

(3) the training and readiness benefits of a single, continuous north-south airspace corridor involving North Dakota, South Dakota, Nebraska, and Kansas that may intersect and be used in conjunction with the east-west airspace corridor.

SA 628. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. _____. CYBERSECURITY COORDINATOR AT NATIONAL SECURITY COUNSEL.

Section 101 of the National Security Act of 1947 (50 U.S.C. 3021 et seq.) is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following:

''(h) CYBERSECURITY COORDINATOR.—

''(1) IN GENERAL.—The President shall designate an employee of the National Security Council to be the Cybersecurity Coordinator.

''(2) REPORTING.—The Cybersecurity Coordinator shall report directly to the President.

''(3) RESPONSIBILITIES.—The responsibilities of the Cybersecurity Coordinator are as follows:

''(A) To coordinate the interagency process for addressing the defense of information infrastructure operated by agencies in the case of a large-scale attack on information infrastructure.

''(B) To review agency information security programs and ensure that they are complementary.

''(C) To ensure each agency provides reporting on the adequacy of protections for privacy and civil liberties.

''(D) To ensure, in consultation with the agencies, that the efforts of agencies related to the development of regulations, rules, requirements, or other actions applicable to the national information infrastructure are complimentary.

''(E) To coordinate, certify, and provide guidance for the budgetary process for each agency so that resources are streamlined and consistent across the necessary agencies.

''(F) To provide a report of information security vulnerabilities presented by each agency, as well as a review of the compliance efforts of each agency.

''(G) To ensure information security resilience and compliance for each agency.

''(H) To establish a national strategy for improving agency information security.''.

SA 629. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

SEC. _____. PILOT PROGRAM ON CYBER THREAT DETECTION IN A REAL ENVIRONMENT.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of using leading commercial technologies to identify cyber threats within moments and enabling personnel of the Security Operations Center to investigate issues almost immediately thereafter and then isolate or remediate any issues within an hour of detection.

(b) REPORT.—At the end of the pilot program required by subsection (a), the Secretary shall submit to the congressional defense committees a report on the security outcomes of the pilot program against a control group using traditional security protocols elsewhere in the Department of Defense.

SA 630. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

SEC. _____. REQUIRING DEFENSE CONTRACTORS WITH INFORMATION SYSTEMS THAT HAVE BEEN INFILTRATED OR BREACHED BY NATION STATE ADVERSARIES TO IMPROVE CYBSECURITY MEASURES.

The Secretary of Defense may not enter into a contract with a contractor or subcontractor at any tier who the Secretary determines has an information system that has been infiltrated or breached by a nation state adversary unless the contractor or subcontractor adopts within one year of the infiltration or breach cybersecurity measures related to the infiltration or breach that are equivalent to those of the Department of Defense.

SA 631. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1207. PROHIBITION ON SALES AND TRANSFERS TO SAUDI ARABIA AND THE UNITED ARAB EMIRATES.

(a) RESTRICTION ON TRANSFER.—Except as provided in subsection (c), during the period beginning on the date of the enactment of this Act and ending on September 30, 2020, the United States Government—

(1) may not sell, transfer, or authorize licenses for export to a covered foreign country for any item designated under Category III, IV, VII, or VIII on the United States Munitions List pursuant to section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)); and

(2) shall suspend any licenses or other approvals that were issued before the date of the enactment of this Act for the export to a covered foreign country of any item designated under Category IV of the United States Munitions List.

(b) PROHIBITION ON TRANSFER OF COMPONENTS OR TECHNOLOGIES.—Except as provided in subsection (c), beginning on the date of the enactment of this Act—

(1) any entity in the United States shall not sell or transfer intellectual property, electronic components, or related technologies to a covered foreign country for any item designated under Category IV of the United States Munitions List; and

(2) any licenses or other approvals that were issued before the date of the enactment of this Act for assembly or production in a covered foreign country for any item designated under Category IV of the United States Munitions List shall be void.

(c) EXCEPTION.—The prohibitions under subsections (a) and (b) shall not apply to sales, transfers, or export licenses relating to ground-based missile defense systems.

(d) DEFINITIONS.—In this section:

(1) COVERED FOREIGN COUNTRY.—The term ''covered foreign country'' means Saudi Arabia and the United Arab Emirates.

(2) ENTITY IN THE UNITED STATES.—The term ''entity in the United States'' means an officer or employee of the United States Government acting in an official capacity or a person engaged in the business of brokering activities with respect to the manufacture, export, import, or transfer of any defense article or defense service in the United States.

(3) GROUND-BASED MISSILE DEFENSE SYSTEMS.—The term ''ground-based missile defense system'' mean an anti-ballistic missile system for intercepting or destroying an incoming short-, medium-, or long-range ballistic missile.

SA 632. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.

(a) PILOT PROGRAM.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (mm), by adding at the end the following:

''(7) SBIR AND STTR PROGRAMS.—

''(A) DEFINITION.—In this paragraph, the term 'covered Federal agency' means a Federal agency that—

''(i) is required to conduct an SBIR program; and

''(ii) elects to use the funds allocated to the SBIR program of the Federal agency for the purposes described in paragraph (1).

''(B) REQUIREMENT.—Each covered Federal agency shall provide an amount equal to 15 percent of the funds that are used for the purposes described in paragraph (1) to the Administration—

''(i) for the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (vv); and

''(ii) to support the Office of the Administration that administers the SBIR program and the STTR program, subject to agreement from other agencies about how the funds will be used, in carrying out those programs and the program described in clause (i).

''(8) PILOT PROGRAM.—

''(A) IN GENERAL.—Of amounts provided to the Administration under paragraph (7), not less than $5,000,000 shall be used to provide awards under the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (vv) for each fiscal year in which the program is in effect.

''(B) DISBURSEMENT FLEXIBILITY.—The Administration may use any unused funds made available under subparagraph (A) as of April 1 of each fiscal year for awards to carry out paragraph (7)(B)(ii)) after providing written notice to—

''(i) the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate; and

''(ii) the Committee on Small Business and the Committee on Appropriations of the House of Representatives.''; and

(2) by adding at the end the following:

''(vv) REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'eligible entity' means—

''(i) a research institution; and

''(ii) a small business concern;

''(B) the term 'eligible State' means—

''(i) a State that the Administrator determines is in the bottom half of States, based on the average number of annual SBIR program awards made to companies in the State for the preceding 3 years for which the Administration has applicable data; and

''(ii) an EPSCoR State that—

''(I) is a State described in clause (i); or

''(II) is—

''(aa) not a State described in clause (i); and

''(bb) invited to participate in a regional collaborative;

''(C) the term 'EPSCoR State' means a State that participates in the Established Program to Stimulate Competitive Research of the National Science Foundation, as established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g);

''(D) the term 'pilot program' means the Regional SBIR State Collaborative Initiative Pilot Program established under paragraph (2);

''(E) the term 'regional collaborative' means a collaborative consisting of eligible entities that are located in not less than 3 eligible States; and

''(F) the term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

''(2) ESTABLISHMENT.—The Administrator shall establish a pilot program, to be known as the Regional SBIR State Collaborative Initiative Pilot Program, under which the Administrator shall provide awards to regional collaboratives to address the needs of small business concerns in order to be more competitive in the proposal and selection process for awards under the SBIR program and the STTR program and to increase technology transfer and commercialization.

''(3) GOALS.—The goals of the pilot program are—

''(A) to create regional collaboratives that allow eligible entities to work cooperatively to leverage resources to address the needs of small business concerns;

''(B) to grow SBIR program and STTR program cooperative research and development and commercialization through increased awards under those programs;

''(C) to increase the participation of States that have historically received a lower level of awards under the SBIR program and the STTR program;

''(D) to utilize the strengths and advantages of regional collaboratives to better leverage resources, best practices, and economies of scale in a region for the purpose of increasing awards and increasing the commercialization of the SBIR program and STTR projects;

''(E) to increase the competitiveness of the SBIR program and the STTR program;

''(F) to identify sources of outside funding for applicants for an award under the SBIR program or the STTR program, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs; and

''(G) to offer increased one-on-one engagements with companies and entrepreneurs for SBIR program and STTR program education, assistance, and successful outcomes.

''(4) APPLICATION.—

''(A) IN GENERAL.—A regional collaborative that desires to participate in the pilot program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

''(B) INCLUSION OF LEAD ELIGIBLE ENTITIES AND COORDINATOR.—A regional collaborative shall include in an application submitted under subparagraph (A)—

''(i) the name of each lead eligible entity from each eligible State in the regional collaborative, as designated under paragraph (5)(A); and

''(ii) the name of the coordinator for the regional collaborative, as designated under paragraph (6).

''(C) AVOIDANCE OF DUPLICATION.—A regional collaborative shall include in an application submitted under subparagraph (A) an explanation as to how the activities of the regional collaborative under the pilot program would differ from other State and Federal outreach activities in each eligible State in the regional collaborative.

''(5) LEAD ELIGIBLE ENTITY.—

''(A) IN GENERAL.—Each eligible State in a regional collaborative shall designate 1 eligible entity located in the eligible State to serve as the lead eligible entity for the eligible State.

''(B) AUTHORIZATION BY GOVERNOR.—Each lead eligible entity designated under subparagraph (A) shall be authorized to act as the lead eligible entity by the Governor of the applicable eligible State.

''(C) RESPONSIBILITIES.—Each lead eligible entity designated under subparagraph (A) shall be responsible for administering the activities and program initiatives described in paragraph (7) in the applicable eligible State.

''(6) REGIONAL COLLABORATIVE COORDINATOR.—Each regional collaborative shall designate a coordinator from amongst the eligible entities located in the eligible States in the regional collaborative, who shall serve as the interface between the regional collaborative and the Administration with respect to measuring cross-State collaboration and program effectiveness and documenting best practices.

''(7) USE OF FUNDS.—Each regional collaborative that is provided an award under the pilot program may, in each eligible State in which an eligible entity of the regional collaborative is located—

''(A) establish an initiative under which first-time applicants for an award under the SBIR program or the STTR program are reviewed by experienced, national experts in the United States, as determined by the lead eligible entity designated under paragraph (5)(A);

''(B) engage national mentors on a frequent basis to work directly with applicants for an award under the SBIR program or the STTR program, particularly during Phase II, to assist with the process of preparing and submitting a proposal;

''(C) create and make available an online mechanism to serve as a resource for applicants for an award under the SBIR program or the STTR program to identify and connect with Federal labs, prime government contractor companies, other industry partners, and regional industry cluster organizations;

''(D) conduct focused and concentrated outreach efforts to increase participation in the SBIR program and the STTR program by small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals (as defined in section 8(d)(3)(C)), and historically black colleges and universities;

''(E) administer a structured program of training and technical assistance—

''(i) to prepare applicants for an award under the SBIR program or the STTR program—

''(I) to compete more effectively for Phase I and Phase II awards; and

''(II) to develop and implement a successful commercialization plan;

''(ii) to assist eligible States focusing on transition and commercialization to win Phase III awards from public and private partners;

''(iii) to create more competitive proposals to increase awards from all Federal sources, with a focus on awards under the SBIR program and the STTR program; and

''(iv) to assist first-time applicants by providing small grants for proof of concept research; and

''(F) assist applicants for an award under the SBIR program or the STTR program to identify sources of outside funding, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs.

''(8) AWARD AMOUNT.—The Administrator shall provide an award to each eligible State in which an eligible entity of a regional collaborative is located in an amount that is not more than $300,000 to carry out the activities described in paragraph (7).

''(9) DURATION OF AWARD.—An award provided under the pilot program shall be for a period of not more than 1 year, and may be renewed by the Administrator for 1 additional year.

''(10) TERMINATION.—The pilot program shall terminate on September 30, 2022.

''(11) REPORT.—

''(A) IN GENERAL.—Not later than September 30, 2023, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the pilot program, which shall include—

''(i) an assessment of the pilot program and the effectiveness of the pilot program in meeting the goals described in paragraph (3);

''(ii) an assessment of the best practices, including an analysis of how the pilot program compares to a single State approach; and

''(iii) recommendations as to whether any aspect of the pilot program should be extended or made permanent.

''(B) INFORMATION REQUIRED.—Not later than March 30, 2023, the head of each Federal agency that participates in the pilot program shall submit to the Administrator any information that is necessary for the Administrator to carry out the duties of the Administrator under subparagraph (A).''.

SA 633. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle F of title X, insert the following:

SEC. ___. CIVIL ACTIONS AGAINST FOREIGN STATES FOR DEATHS BY TORTURE.

(a) IN GENERAL.—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605B the following:

''§ 1605C. Torture exception

''(a) DEFINITIONS.—In this section—

''(1) the term 'armed forces' has the meaning given that term in section 101 of title 10;

''(2) the term 'national of the United States' has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)); and

''(3) the term 'torture' has the meaning given that term in section 3 of the Torture Victim Protection Act of 1991 (28 U.S.C. 1350 note).

''(b) EXCEPTION TO IMMUNITY.—In addition to any other exception to immunity under this chapter, a foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case in which money damages are sought against the foreign state relating to the death of a national of the United States or a member of the armed forces who was in the custody of the foreign state that was caused by an act of torture of the foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency.

''(c) RETROACTIVE APPLICATION.—A civil action relating to a death described in subsection (b) that occurred before the date of enactment of this section may be brought under this section if the civil action is commenced not later than 5 years after the date of enactment of this section.

''(d) PRIVATE RIGHT OF ACTION.—A foreign state and any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, shall be liable for a death described in subsection (b) to a legal representative of a national of the United States or a member of the armed forces.''.

(b) ATTACHMENT OF PROPERTY.—Section 1610(a)(7) of title 28, United States Code, is amended by inserting '', 1605C,'' after ''1605A''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605B the following:

''1605C. Torture exception.''.

SA 634. Mr. CASSIDY (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 729. REVIEW OF RECORDS OF FORMER MEMBERS OF THE ARMED FORCES WHO DIE BY SUICIDE WITHIN ONE YEAR OF SEPARATION FROM THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly and retrospectively review the records of each former member of the Armed Forces who died by suicide within one year of separation from the Armed Forces during the five-year period preceding the date of the enactment of this Act.

(b) ELEMENTS.—The review required by subsection (a) with respect to a former member of the Armed Forces shall include consideration of the following:

(1) Whether or not the Department of Defense had previously identified the former member as being at risk for suicide and if so, what risk factors were present and how those risk factors correlated to the circumstances of the death of the former member.

(2) If the former member was eligible to receive health care services from the Department of Veterans Affairs.

(3) If the former member received health care services, including mental health care services and Readjustment Counseling Services, from a facility of the Department of Veterans Affairs, following their separation from the Armed Forces.

(4) If the former member had received a mental health waiver during service in the Armed Forces.

(5) The employment status, housing status, marital status, age, rank within the Armed Forces (such as enlisted and officer), and branch of the Armed Services of the former member.

(6) If support services, specified by the type of service (such as employment, mental health, etc.), were provided to the former member during the one-year period after separation from the Armed Forces, disaggregated by—

(A) services from the Department of Defense;

(B) services from the Department of Veterans Affairs; and

(C) services provided by another entity.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the aggregate results of the review performed under subsection (a).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) The Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) The Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SA 635. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. ____. MODIFICATION OF DEFENSE UNIVERSITY RESEARCH INSTRUMENTATION PROGRAM.

The Secretary of Defense shall take such actions as may be necessary to ensure that the amount of a grant awarded under the Defense University Research Instrumentation Program is $10,000,000 for a proposal to acquire a transmission electron microscope to be used for purposes relating to quantum engineering, bioengineering, national defense priorities, and aerospace.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They 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 AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, June 13, 2019, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, June 13, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, June 13, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, June 05, 2019, at 10 a.m., to conduct a hearing pending legislation and the following nominations: Ada E. Brown, to be United States District Judge for the Northern District of Texas, Jason K. Pulliam, to be United States District Judge for the Western District of Texas, Steven D. Grimberg, to be United States District Judge for the Northern District of Georgia, David John Novak, to be United States District Judge for the Eastern District of Virginia, Matthew H. Solomson, of Maryland, and David Austin Tapp, of Kentucky, both to be a Judge of the United States Court of Federal Claims, Daniel Aaron Bress, of California, to be United States Circuit Judge for the Ninth Circuit, Mary S. McElroy, to be United States District Judge for the District of Rhode Island, Gary Richard Brown, Diane Gujarati, Eric Ross Komitee, and Rachel P. Kovner, all to be a United States District Judge for the Eastern District of New York, Lewis J. Liman, and Mary Kay Vyskocil, both to be a United States District Judge for the Southern District of New York, John L. Sinatra, Jr., to be United States District Judge for the Western District of New York, Stephanie Dawkins Davis, to be United States District Judge for the Eastern District of Michigan, Stephanie A. Gallagher, to be United States District Judge for the District of Maryland, Martha Maria Pacold, Mary M. Rowland, and Steven C. Seeger, all to be a United States District Judge for the Northern District of Illinois, Frank William Volk, to be United States District Judge for the Southern District of West Virginia, William D. Hyslop, to be United States Attorney for the Eastern District of Washington, Gary B. Burman, to be United States Marshal for the Western District of Kentucky, Randall P. Huff, to be United States Marshal for the District of Wyoming, and Edward W. Felten, of New Jersey, to be a Member of the Privacy and Civil Liberties Oversight Board.