WYDEN) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1759. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1760. Mr. MORAN (for himself, Mr. TESTER, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1761. Mr. MORAN (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1762. Mr. MURPHY (for himself, Mr. BLUMENTHAL, Ms. WARREN, Mr. MARKEY, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1763. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1764. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1765. Mr. HOEVEN (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1766. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1767. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1768. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1769. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1770. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1771. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1772. Mr. SCHATZ (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1773. Mr. SCHATZ (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1774. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1775. Mr. BLUMENTHAL (for himself, Mr. BROWN, Mr. DURBIN, Ms. HIRONO, Mr. CASEY, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1776. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1777. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1778. Ms. DUCKWORTH (for herself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

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

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

SA 1781. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1782. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1783. Mr. MENENDEZ (for himself, Mr. CRAMER, Mr. BOOKER, Mr. DAINES, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

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

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

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

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

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

SA 1789. Mr. SANDERS (for himself, Mr. GRASSLEY, Mr. WYDEN, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

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

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

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

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

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

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

TEXT OF AMENDMENTS

SA 1676. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 707(c), strike ''section 1074g(a)(9)(C)(i)'' and insert ''section 1074g(a)(9)(C)(ii)''.

SA 1677. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3985, to improve and reform policing practices, accountability, and transparency; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XII—FAIR ACT

SEC. 1201. SHORT TITLE.

This title may be cited as the ''Fifth Amendment Integrity Restoration Act of 2019'' or the ''FAIR Act''.

SEC. 1202. CIVIL FORFEITURE PROCEEDINGS.

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

(1) in subsection (b)(2)(A)—

(A) by striking '', and the property subject to forfeiture is real property that is being used by the person as a primary residence,''; and

(B) by striking '', at the request of the person, shall insure'' and inserting ''shall ensure'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''a preponderance of the evidence'' and inserting ''clear and convincing evidence'';

(B) in paragraph (2), by striking ''a preponderance of the evidence'' and inserting ''clear and convincing evidence''; and

(C) by striking paragraph (3) and inserting the following:

''(3) if the Government's theory of forfeiture is that the property was used to commit or facilitate the commission of a criminal offense, or was involved in the commission of a criminal offense, the Government shall establish, by clear and convincing evidence, that—

''(A) there was a substantial connection between the property and the offense; and

''(B) the owner of any interest in the seized property—

''(i) used the property with intent to facilitate the offense; or

''(ii) knowingly consented or was willfully blind to the use of the property by another in connection with the offense.'';

(3) in subsection (d)(2)(A), by striking ''an owner who'' and all that follows through ''upon learning'' and inserting ''an owner who, upon learning'';

(4) in subsection (f)(6), in the matter preceding paragraph (7), by inserting '', and shall award to the claimant an amount equal to 3 times the value of the property seized and a reasonable attorney's fee'' before the period at the end; and

(5) in subsection (i)—

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

(B) by redesignating subparagraphs (C) through (E) as subparagraphs (A) through (C), respectively.

SEC. 1203. DISPOSITION OF FORFEITED PROPERTY.

(a) REVISIONS TO CONTROLLED SUBSTANCES ACT.—Section 511(e) of the Controlled Substances Act (21 U.S.C. 881(e)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''civilly or'';

(B) by striking subparagraph (A); and

(C) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively;

(2) in paragraph (2)—

(A) in subparagraph (A), in the matter preceding clause (i), by striking ''subparagraph (B) of paragraph (1)'' and inserting ''paragraph (1)(A)''; and

(B) in subparagraph (B), by striking ''accordance with section 524(c) of title 28,'' and inserting ''the General Fund of the Treasury of the United States'';

(3) by striking paragraph (3);

(4) by redesignating paragraph (4) as paragraph (3); and

(5) in paragraph (3), as redesignated—

(A) in subparagraph (A), by striking ''paragraph (1)(B)'' and inserting ''paragraph (1)(A)''; and

(B) in subparagraph (B), in the matter preceding clause (i), by striking ''paragraph (1)(B) that is civilly or'' and inserting paragraph ''(1)(A) that is''.

(b) REVISIONS TO TITLE 18.—Chapter 46 of title 18, United States Code, is amended—

(1) in section 981(e)—

(A) by striking ''is authorized'' and all that follows through ''or forfeiture of the property;'' and inserting ''shall forward to the Treasurer of the United States any proceeds of property forfeited pursuant to this section for deposit in the General Fund of the Treasury or transfer such property on such terms and conditions as such officer may determine—'';

(B) by redesignating paragraphs (3), (4), (5), (6), and (7) as paragraphs (1), (2), (3), (4), and (5), respectively; and

(C) in the matter following paragraph (5), as so redesignated—

(i) by striking the first, second, third, sixth, and eighth sentences; and

(ii) by striking ''paragraphs (3), (4), and (5)'' and inserting ''paragraphs (1), (2), and (3)''; and

(2) in section 983(g)—

(A) in paragraph (3), by striking ''grossly''; and

(B) in paragraph (4), by striking ''grossly''.

(c) TARIFF ACT OF 1930.—The Tariff Act of 1930 (19 U.S.C. 1304 et seq.) is amended—

(1) in section 613A(a) (19 U.S.C. 1613b(a))—

(A) in paragraph (1)—

(i) in subparagraph (D), by inserting ''and'' after the semicolon;

(ii) in subparagraph (E), by striking ''; and'' and inserting a period; and

(iii) by striking subparagraph (F); and

(B) in paragraph (2)—

(i) by striking ''(A) Any payment'' and inserting ''Any payment''; and

(ii) by striking subparagraph (B); and

(2) in section 616 (19 U.S.C. 1616a)—

(A) in the section heading, by striking ''**TRANSFER OF FORFEITED PROPERTY**'' and inserting ''**DISMISSAL IN FAVOR OF FORFEITURE UNDER STATE LAW**'';

(B) in subsection (a), by striking ''(a) The Secretary'' and inserting ''The Secretary''; and

(C) by striking subsections (b) through (d).

(d) TITLE 31.—Section 9705 of title 31, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking subparagraph (G); and

(B) by redesignating subparagraphs (H) through (J) as subparagraphs (G) through (I), respectively; and

(2) in subsection (b)—

(A) by striking paragraphs (2) and (4); and

(B) by redesignating paragraphs (3) and (5) as paragraphs (2) and (3), respectively.

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

Section 524(c)(4) of title 28, United States Code, is amended—

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

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

SEC. 1205. STRUCTURING TRANSACTIONS TO EVADE REPORTING REQUIREMENT PROHIBITED.

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''knowingly'' after ''Public Law 91–508''; and

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

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

(3) in subsection (c), in the matter preceding paragraph (1), by inserting ''knowingly'' after ''section 5316''.

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

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

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

''(1) IN GENERAL.—Not later than 14 days after the date on which notice is provided under paragraph (2)—

''(A) a court of competent jurisdiction shall conduct a hearing on any property seized or restrained under subsection (c)(2) with respect to an alleged violation of section 5324; and

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

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

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

SEC. 1206. PROPORTIONALITY.

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

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

''(A) the seriousness of the offense;

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

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

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

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

SEC. 1207. REPORTING REQUIREMENTS.

Section 524(c)(6)(i) of title 28, United States Code, is amended by inserting ''from each type of forfeiture, and specifically identifying which funds were obtained from including criminal forfeitures and which were obtained from civil forfeitures,'' after ''deposits''.

SEC. 1208. NONJUDICIAL FORFEITURE.

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

(1) in subsection (a)—

(A) in the subsection heading, by striking ''CLAIM;'';

(B) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clause (i)—

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

(bb) by striking ''60'' and inserting ''7'';

(II) by striking clauses (ii) through (iv);

(III) by redesignating clause (v) as clause (ii); and

(IV) by striking clause (ii), as so redesginated, and inserting the following:

''(ii) If the identity or interest of a party is not determined until after the seizure or turnover but is determined before a declaration of forfeiture is entered, the Government shall determine the identity and address of the party or interest within 7 days after the seizure or turnover, and notice shall be sent to such interested party not later than 7 days after the determination by the Government of the identity and address of the party or the party's interest.'';

(ii) by striking subparagraphs (B) through (D);

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

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

(C) by striking paragraph (2);

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

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

(i) by striking ''90'' and inserting ''30''; and

(ii) by striking ''after a claim has been filed'' and inserting ''the date of the seizure'';

(2) in subsection (b)—

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

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

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

''(ii) the cost of obtaining representation would exceed the value of the seized property,

the court may authorize or appoint counsel to represent that person with respect to the claim.'';

(B) in subparagraph (1)(B), by inserting ''or appoint'' after ''authorize''; and

(C) in paragraph (2)(A), by inserting ''under paragraph (1)'' after ''counsel'';

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

(4) in subsection (e)—

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

(i) by striking ''nonjudicial''; and

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

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''declaration'' and inserting ''order''; and

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

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

(C) by striking paragraph (5);

(5) in subsection (f)(1), in the matter preceding subparagraph (A), by striking ''(a)'' and inserting ''(a)(3)(A)'';

(6) in subsection (g)(1), by striking ''(a)(4)'' and inserting ''(a)(3)''; and

(7) by adding at the end the following:

''(k)(1) Notwithstanding any other provision of law—

''(A) no Federal seizing agency may conduct nonjudicial forfeitures;

''(B) no property may be subject to forfeiture except through judicial process; and

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

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

SEC. 1209. APPLICABILITY.

The amendments made by this title shall apply to—

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

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

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

Strike section 102 and insert the following:

SEC. 102. JUSTICE FOR BREONNA TAYLOR.

(a) SHORT TITLE.—This section may be cited as the ''Justice for Breonna Taylor Act''.

(b) PROHIBITION ON NO-KNOCK WARRANTS.—

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

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

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

In section 103(b), by striking ''or 102''.

In section 104(a), by striking ''subsections (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by sections 101 and 102 of this Act, respectively'' and inserting ''subsection (h) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by section 101''.

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

At the appropriate place, insert the following:

TITLE _____—STOP MILITARIZING LAW ENFORCEMENT ACT

SEC. __01. SHORT TITLE.

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

SEC. __02. ADDITIONAL LIMITATIONS ON TRANSFER OF DEPARTMENT OF DEFENSE PERSONAL PROPERTY TO FEDERAL AND STATE LAW ENFORCEMENT AGENCIES.

(a) ADDITIONAL LIMITATIONS.—

(1) IN GENERAL.—Section 2576a of title 10, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

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

(II) in subparagraph (A), by striking '', including counter-drug and counterterrorism activities''; and

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

(B) in subsection (b)—

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

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

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

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

''(8) the recipient certifies to the Department of Defense that if the recipient determines that the property is surplus to the needs of the recipient, the recipient will return the property to the Department of Defense.'';

(C) by striking subsections (d), (e), and (f); and

(D) by adding at the end the following:

''(d) LIMITATIONS ON TRANSFERS.—The Secretary of Defense may not transfer under this section any property as follows:

''(1) Weapons, weapon parts, and weapon components, including camouflage and deception equipment, and optical sights.

''(2) Weapon system specific vehicular accessories.

''(3) Demolition materials.

''(4) Explosive ordinance.

''(5) Night vision equipment.

''(6) Tactical clothing, including uniform clothing and footwear items, special purpose clothing items, and specialized flight clothing and accessories.

''(7) Drones.

''(8) Combat, assault, and tactical vehicles, including Mine-Resistant Ambush Protected (MRAP) vehicles.

''(9) Training aids and devices.

''(10) Firearms of .50 caliber or higher, ammunition of .50 caliber or higher, grenade launchers, flash grenades, and bayonets.

''(e) APPROVAL BY LAW REQUIRED FOR TRANSFER OF PROPERTY NOT PREVIOUSLY TRANSFERRABLE.—(1) In the event the Secretary of Defense proposes to make available for transfer under this section any property of the Department of Defense not previously made available for transfer under this section, the Secretary shall submit to the appropriate committees of Congress a report setting forth the following:

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

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

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

''(2) The Secretary may not transfer any property covered by a report under this subsection unless authorized by a law enacted by Congress after the date of the receipt of the report by Congress.

''(f) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) The Secretary of Defense shall submit to the appropriate committees of Congress each year a certification in writing that each recipient to which the Secretary has transferred property under this section during the preceding fiscal year—

''(A) has provided to the Secretary documentation accounting for all property the Secretary has previously transferred to such recipient under this section; and

''(B) has complied with paragraphs (7) and (8) of subsection (b) with respect to the property so transferred during such fiscal year.

''(2) If the Secretary cannot provide a certification under paragraph (1) for a recipient, the Secretary may not transfer additional property to such recipient under this section, effective as of the date on which the Secretary would otherwise make the certification under this subsection, and such recipient shall be suspended or terminated from further receipt of property under this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

''(h) WEBSITE.—The Defense Logistics Agency shall maintain, and update on a quarterly basis, an Internet website on which the following information shall be made publicly available in a searchable format:

''(1) A description of each transfer made under this section, including transfers made before the date of the enactment of the Stop Militarizing Law Enforcement Act, set forth by State, county, and recipient agency, and including item name, item type, item model, and quantity.

''(2) A list of all property transferred under this section that is not accounted for by the Defense Logistics Agency, including—

''(A) the name of the State, county, and recipient agency;

''(B) the item name, item type, and item model;

''(C) the date on which such property became unaccounted for by the Defense Logistics Agency; and

''(D) the current status of such item.

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

''(i) DEFINITIONS.—In this section:

''(1) The term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives.

''(2) The term 'agent of a State Coordinator' means any individual to whom a State Coordinator formally delegates responsibilities for the duties of the State Coordinator to conduct inventories described in subsection (g)(2).

''(3) The term 'controlled property' means any item assigned a demilitarization code of B, C, D, E, G, or Q under Department of Defense Manual 4160.21-M, 'Defense Materiel Disposition Manual', or any successor document.

''(4) The term 'State Coordinator', with respect to a State, means the individual appointed by the governor of the State to maintain property accountability records and oversee property use by the State.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(b) RETURN OF PROPERTY TO DEPARTMENT OF DEFENSE.—Not later than one year after the date of the enactment of this Act, each Federal or State agency to which property described by subsection (d) of section 2576a of title 10, United States Code (as added by subsection (a)(1) of this section), was transferred before the date of the enactment of this Act shall return such property to the Defense Logistics Agency on behalf of the Department of Defense.

SEC. __03. USE OF DEPARTMENT OF HOMELAND SECURITY PREPAREDNESS GRANT FUNDS.

(a) DEFINITIONS.—In this section—

(1) the term ''Agency'' means the Federal Emergency Management Agency; and

(2) the term ''preparedness grant program'' includes—

(A) the Urban Area Security Initiative authorized under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604);

(B) the State Homeland Security Grant Program authorized under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605);

(C) the Port Security Grant Program authorized under section 70107 of title 46, United States Code; and

(D) any other non-disaster preparedness grant program of the Agency.

(b) LIMITATION.—The Agency may not permit awards under a preparedness grant program to be used to buy, maintain, or alter—

(1) explosive entry equipment;

(2) canines (other than bomb-sniffing canines for agencies with certified bomb technicians or for use in search and rescue operations);

(3) tactical or armored vehicles;

(4) long-range hailing and warning devices;

(5) tactical entry equipment (other than for use by specialized teams such as Accredited Bomb Squads, Tactical Entry, or Special Weapons and Tactics (SWAT) Teams); or

(6) firearms of .50 caliber or higher, ammunition of .50 caliber or higher, grenade launchers, flash grenades, or bayonets.

(c) REVIEW OF PRIOR RECEIPT OF PROPERTY BEFORE AWARD.—In making an award under a preparedness grant program, the Agency shall—

(1) determine whether the awardee has already received, and still retains, property from the Department of Defense pursuant to section 2576a of title 10, United States Code, including through review of the website maintained by the Defense Logistics Agency pursuant to subsection (h) of such section (as added by section __02(a)(1) of this Act);

(2) require that the award may not be used by the awardee to procure or obtain property determined to be retained by the awardee pursuant to paragraph (1); and

(3) require that the award only be used to procure or obtain property in accordance with use restrictions contained within the Agency's State and Local Preparedness Grant Programs' Authorized Equipment List.

(d) USE OF GRANT PROGRAM FUNDS FOR REQUIRED RETURN OF PROPERTY TO DOD.—Notwithstanding any other provision of law, the use of funds by a State or local agency to return to the Department of Defense property transferred to such State or local agency pursuant to section 2676a of title 10, United States Code, as such return is required by section __02(b) of this Act, shall be an allowable use of preparedness grant program funds by such agency.

(e) ACCOUNTABILITY MEASURES.—

(1) AUDIT OF USE OF PREPAREDNESS GRANT FUNDS.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit covering the period of fiscal year 2010 through the current fiscal year on the use of preparedness grant program funds. The audit shall assess how funds have been used to procure equipment, how the equipment has been used, and whether the grant awards have furthered the Agency's goal of improving the preparedness of State and local communities.

(2) ANNUAL ACCOUNTING OF USE OF AWARD FUNDS.—Not later than one year after the date of the enactment of this Act, the Agency shall develop and implement a system of accounting on an annual basis how preparedness grant program funds have been used to procure equipment, how the equipment has been used, whether grantees have complied with restrictions on the use of equipment contained with the Authorized Equipment List, and whether the awards have furthered the Agency's goal of enhancing the capabilities of State agencies to prevent, deter, respond to, and recover from terrorist attacks, major disasters, and other emergencies.

SEC. __04. USE OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS.

(a) LIMITATION.—Section 501(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152(d)) is amended by adding at the end the following:

''(3) The purchase, maintenance, alteration, or operation of—

''(A) lethal weapons; or

''(B) less-lethal weapons.''.

(b) USE OF GRANT FUNDS FOR REQUIRED RETURN OF PROPERTY TO DOD.—Notwithstanding any other provision of law, the use of funds by a State agency or unit of local government to return to the Department of Defense property transferred to such agency or unit of local government pursuant to section 2676a of title 10, United States Code, as such return is required by section __02(b) of this Act, shall be an allowable use of grant amounts under the Edward Byrne Memorial Justice Assistance Grant Program.

SEC. __05. COMPTROLLER GENERAL REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to Congress a report on Federal agencies, including offices of Inspector General for Federal agencies, that have specialized units that receive special tactical or military-style training or use hard-plated body armor, shields, or helmets and that respond to high-risk situations that fall outside the capabilities of regular law enforcement officers, including any special weapons and tactics (SWAT) team, tactical response teams, special events teams, special response teams, or active shooter teams.

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

(1) A description of each specialized unit described under such subsection.

(2) A description of the training and weapons of each such unit.

(3) The criteria for activating each such unit and how often each such unit was activated for each year of the previous ten years.

(4) An estimate of the annual cost of equipping and operating each such unit.

(5) Any other information that is relevant to understanding the usefulness and justification for the units.

SA 1680. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3985, to improve and reform policing practices, accountability, and transparency; which was ordered to lie on the table; as follows:

Strike section 403 and insert the following:

SEC. 403. LYNCHING.

(a) OFFENSE.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''SEC. 250. LYNCHING.

''Whoever conspires with another person to violate section 249 and willfully causes or attempts to cause serious bodily injury (as defined in section 1365(h)) shall be punished in the same manner as a completed violation of such section, except that if the maximum term of imprisonment for such completed violation is less than 10 years, the person may be imprisoned for not more than 10 years.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by inserting after the item relating to section 249 the following:

''250. Lynching.''.

SA 1681. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. REPORT ON HUMANITARIAN EFFECTS OF THE DE FACTO AIR, LAND, AND SEA BLOCKADE OF YEMEN AND THE ACTIVITIES OF THE HOUTHIS, THE GOVERNMENT OF THE REPUBLIC OF YEMEN, AND THE SOUTHERN TRANSITIONAL COUNCIL.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act,

the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the humanitarian effects on the people of Yemen of—

(1) the air, land, and sea blockade of Yemen;

(2) the activities of the Ansar Allah, or the Houthis, to illicitly profit from critical commercial and humanitarian imports; and

(3) the activities of the Government of the Republic of Yemen and the Southern Transitional Council.

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

(1) Any credible information known about the estimated number of civilian deaths in Yemen that are reasonably attributable, in whole or in part, to—

(A) the air, land, and sea blockade of Yemen imposed by the Kingdom of Saudi Arabia, the Government of the United Arab Emirates, or the Saudi-led coalition since March 1, 2015; and

(B) the activities of the Houthis, the Government of the Republic of Yemen, and the Southern Transitional Council.

(2) Any credible information known about the humanitarian effects of such blockade and activities on the people of Yemen, including the effects on—

(A) food security, water, sanitation, hygiene, and public health; and

(B) the capacity of Government of Yemen to halt or reduce the transmission of Coronavirus Disease 2019 (COVID–19) in Yemen.

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

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

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

(A) the transfer of logistics support, supplies, and services under sections 2341 and 2342 of title 10, United States Code, or any other applicable law; and

(B) the total amount of such support.

(6) A description of the Department of Defense and Department of State processes in place to ensure that the provision of military support to the Kingdom of Saudi Arabia, the Government of the United Arab Emirates, or the Saudi-led coalition for military operations in Yemen is in compliance with Federal and international law of armed conflict, and a determination of whether the Secretary of Defense or the Secretary of State have made an assessment of such support in accordance with such processes.

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

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

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

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

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

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

SEC. _____. CLARIFICATION OF TERMINATION OF LEASES OF PREMISES AND MOTOR VEHICLES OF SERVICEMEMBERS WHO INCUR CATASTROPHIC INJURY OR ILLNESS OR DIE WHILE IN MILITARY SERVICE.

(a) CATASTROPHIC INJURIES AND ILLNESSES.—Paragraph (4) of section 305(a) of the Servicemembers Civil Relief Act (50 U.S.C. 3955(a)), as added by section 545 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended to read as follows:

''(4) CATASTROPHIC INJURY OR ILLNESS OF LESSEE.—

''(A) TERMINATION.—If the lessee on a lease described in subsection (b) incurs a catastrophic injury or illness during a period of military service or while performing covered service, during the one-year period beginning on the date on which the lessee incurs such injury or illness—

''(i) the lessee may terminate the lease; or

''(ii) in the case of a lessee who lacks the mental capacity to contract or to manage his or her own affairs (including disbursement of funds without limitation) due to such injury or illness—

''(I) in a case in which the lessee has a spouse, the spouse may terminate the lease;

''(II) in a case in which the lessee does not have a spouse but does have an adult dependent, the dependent may terminate the lease;

''(III) in a case in which the lessee does not have a spouse or an adult dependent, a person who has been granted a power of attorney by the lessee may terminate the lease; or

''(IV) in any other case, such other person as a court of competent jurisdiction may appoint to manage the affairs of the lessee may terminate the lease.

''(B) DEFINITIONS.—In this paragraph:

''(i) CATASTROPHIC INJURY OR ILLNESS.—The term 'catastrophic injury or illness' has the meaning given that term in section 439(g) of title 37, United States Code.

''(ii) COVERED SERVICE.—The term 'covered service' means full-time National Guard duty, active Guard and Reserve duty, or inactive-duty training (as such terms are defined in section 101(d) of title 10, United States Code).''.

(b) DEATHS.—Paragraph (3) of such section is amended by striking ''The spouse of the lessee'' and inserting ''The spouse or dependent of the lessee''.

SA 1683. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle____—Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act

SEC. ____1. SHORT TITLE.

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

SEC. ____2. ASSISTANCE FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD.

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

(1) United States officials receive or possess credible information indicating innocence of the detained individual;

(2) the individual is being detained solely or substantially because he or she is a United States national;

(3) the individual is being detained solely or substantially to influence United States Government policy or to secure economic or political concessions from the United States Government;

(4) the detention appears to be because the individual sought to obtain, exercise, defend, or promote freedom of the press, freedom of religion, or the right to peacefully assemble;

(5) the individual is being detained in violation of the laws of the detaining country;

(6) independent nongovernmental organizations or journalists have raised legitimate questions about the innocence of the detained individual;

(7) the United States mission in the country where the individual is being detained has received credible reports that the detention is a pretext for an illegitimate purpose;

(8) the individual is detained in a country where the Department of State has determined in its annual human rights reports that the judicial system is not independent or impartial, is susceptible to corruption, or is incapable of rendering just verdicts;

(9) the individual is being detained in inhumane conditions;

(10) due process of law has been sufficiently impaired so as to render the detention arbitrary; and

(11) United States diplomatic engagement is likely necessary to secure the release of the detained individual.

(b) REFERRALS TO THE SPECIAL ENVOY.—Upon a determination by the Secretary of State, based on the totality of the circumstances, that there is credible information that the detention of a United States national abroad is unlawful or wrongful, and regardless of whether the detention is by a foreign government or a nongovernmental actor, the Secretary shall transfer responsibility for such case from the Bureau of Consular Affairs of the Department of State to the Special Envoy for Hostage Affairs created pursuant to section ____3.

(c) REPORT.—

(1) ANNUAL REPORT.—

(A) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees an annual report with respect to United States nationals for whom the Secretary determines there is credible information of unlawful or wrongful detention abroad.

(B) FORM.—The report required under this paragraph shall be submitted in unclassified form, but may include a classified annex if necessary.

(2) COMPOSITION.—The report required under paragraph (1) shall include current estimates of the number of individuals so detained, as well as relevant information about particular cases, such as—

(A) the name of the individual, unless the provision of such information is inconsistent

with section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974'');

(B) basic facts about the case;

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

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

(E) a description of intended next steps.

(d) RESOURCE GUIDANCE.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act and after consulting with relevant organizations that advocate on behalf of United States nationals detained abroad and the Family Engagement Coordinator established pursuant to section ___4(c)(2), the Secretary of State shall provide resource guidance in writing for government officials and families of unjustly or wrongfully detained individuals.

(2) CONTENT.—The resource guidance required under paragraph (1) should include—

(A) information to help families understand United States policy concerning the release of United States nationals unlawfully or wrongfully held abroad;

(B) contact information for officials in the Department of State or other government agencies suited to answer family questions;

(C) relevant information about options available to help families obtain the release of unjustly or wrongfully detained individuals, such as guidance on how families may engage with United States diplomatic and consular channels to ensure prompt and regular access for the detained individual to legal counsel, family members, humane treatment, and other services;

(D) guidance on submitting public or private letters from members of Congress or other individuals who may be influential in securing the release of an individual; and

(E) appropriate points of contacts, such as legal resources and counseling services, who have a record of assisting victims' families.

SEC. ___3. SPECIAL ENVOY FOR HOSTAGE AFFAIRS.

(a) ESTABLISHMENT.—There shall be a Special Presidential Envoy for Hostage Affairs, appointed by the President, who shall report to the Secretary of State.

(b) RANK.—The Special Envoy shall have the rank and status of ambassador.

(c) RESPONSIBILITIES.—The Special Presidential Envoy for Hostage Affairs shall—

(1) lead diplomatic engagement on United States hostage policy;

(2) coordinate all diplomatic engagements and strategy in support of hostage recovery efforts, in coordination with the Hostage Recovery Fusion Cell and consistent with policy guidance communicated through the Hostage Response Group;

(3) in coordination with the Hostage Recovery Fusion Cell as appropriate, coordinate diplomatic engagements regarding cases in which a foreign government has detained a United States national and the United States Government regards such detention as unlawful or wrongful;

(4) provide senior representation from the Special Envoy's office to the Hostage Recovery Fusion Cell established under section 4 and the Hostage Response Group established under section 5; and

(5) ensure that families of United States nationals unlawfully or wrongly detained abroad receive updated information about developments in cases and government policy.

SEC. ___4. HOSTAGE RECOVERY FUSION CELL.

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

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

(1) The Department of State.

(2) The Department of the Treasury.

(3) The Department of Defense.

(4) The Department of Justice.

(5) The Office of the Director of National Intelligence.

(6) The Federal Bureau of Investigation.

(7) The Central Intelligence Agency.

(8) Other agencies as the President, from time to time, may designate.

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

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

(2) a Family Engagement Coordinator who shall—

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

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

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

(d) DUTIES.—The Hostage Recovery Fusion Cell shall—

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

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

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

(4) pursuant to policy guidance coordinated through the National Security Council—

(A) identify and recommend hostage recovery options and strategies to the President through the National Security Council or the Deputies Committee of the National Security Council;

(B) coordinate efforts by participating agencies to ensure that information regarding hostage events, including potential recovery options and engagements with families and external actors (including foreign governments), is appropriately shared within the United States Government to facilitate a coordinated response to a hostage-taking;

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

(D) provide a forum for intelligence sharing and, with the support of the Director of National Intelligence, coordinate the declassification of relevant information;

(E) coordinate efforts by participating agencies to provide appropriate support and assistance to hostages and their families in a coordinated and consistent manner and to provide families with timely information regarding significant events in their cases;

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

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

(e) ADMINISTRATION.—The Hostage Recovery Fusion Cell shall be located within the Federal Bureau of Investigation for administrative purposes.

SEC. ___5. HOSTAGE RESPONSE GROUP.

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

(b) MEMBERSHIP.—The regular members of the Hostage Response Group shall include the Director of the Hostage Recovery Fusion Cell, the Hostage Recovery Fusion Cell's Family Engagement Coordinator, the Special Envoy appointed pursuant to section ___3, and representatives from the Department of the Treasury, the Department of Defense, the Department of Justice, the Federal Bureau of Investigation, the Office of the Director of National Intelligence, the Central Intelligence Agency, and other agencies as the President, from time to time, may designate.

(c) DUTIES.—The Hostage Recovery Group shall—

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

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

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

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

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

(6) as appropriate, direct the use of resources at the Hostage Recovery Fusion Cell to coordinate the United States Government response to other hostage-takings occurring abroad in which the United States has a national interest.

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

(e) REPORTING.—The Hostage Response Group shall regularly provide recommendations on hostage recovery options and strategies to the National Security Council.

SEC. ___6. AUTHORIZATION OF IMPOSITION OF SANCTIONS.

(a) IN GENERAL.—The President may impose the sanctions described in subsection (b) with respect to any foreign person the President determines, based on credible evidence—

(1) is responsible for or is complicit in, or responsible for ordering, controlling, or otherwise directing, the hostage-taking of a

United States national abroad or the unlawful or wrongful detention of a United States national abroad; or

(2) knowingly provides financial, material, or technological support for, or goods or services in support of, an activity described in paragraph (1).

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

(1) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a) may be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subsection (a) may be subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) may—

(I) take effect immediately; and

(II) cancel any other valid visa or entry documentation that is in the alien's possession.

(2) BLOCKING OF PROPERTY.—

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

(B) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this section.

(c) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply to 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 any authorized intelligence activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.—Sanctions under subsection (b)(1) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) 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, or other applicable international obligations; or

(B) to carry out or assist law enforcement activity in the United States.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authorities and requirements to impose sanctions authorized under subsection (b)(2) shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(d) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(2) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) TERMINATION OF SANCTIONS.—The President may terminate the application of sanctions under this section with respect to a person if the President determines that—

(1) information exists that the person did not engage in the activity for which sanctions were imposed;

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

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

(4) the termination of the sanctions is in the national security interests of the United States.

(f) REPORTING REQUIREMENT.—If the President terminates sanctions pursuant to subsection (d), the President shall report to the appropriate congressional committees a written justification for such termination within 15 days.

(g) IMPLEMENTATION OF REGULATORY AUTHORITY.—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.

(h) DEFINITIONS.—In this section:

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

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

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

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

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

SEC. ___7. DEFINITIONS.

In this subtitle:

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

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

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

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

(A) a United States national as defined in section 101(a)(22) or section 308 of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22), 8 U.S.C. 1408); and

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

SEC. ___8. RULE OF CONSTRUCTION.

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

SA 1684. Ms. DUCKWORTH (for herself and Mr. SCOTT of South Carolina) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INTERAGENCY COMMITTEE ON WOMEN'S BUSINESS ENTERPRISE.

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

(1) in section 402 (15 U.S.C. 7102)—

(A) in subsection (a)—

(i) by striking paragraphs (2) and (5);

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

(iii) by adding at the end the following:

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

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

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

(2) in section 403 (15 U.S.C. 7103)—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ''the executive director of the Council and'' before ''1 representative''

(II) by adding at the end the following:

''(K) The National Aeronautics and Space Administration.

''(L) The Environmental Protection Agency.

''(M) The Deputy Director of Management of the Office of Management and Budget.

''(N) The Bureau of Labor Statistics.

''(O) The Department of Homeland Security.

''(P) The Department of Veterans Affairs.''; and

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking ''Small Business Administration Reauthorization Act of 1997'' and inserting ''Interagency Committee on Women's Business Enterprise Act of 2020''; and

(II) in subparagraph (B)—

(aa) by striking ''Small Business''; and

(bb) by striking ''National Women's Business Council established under section 405'' and inserting ''Council''; and

(B) by amending subsection (b) to read as follows:

''(b) APPOINTMENT.—

''(1) IN GENERAL.—Not later than 45 days after the date of enactment of the Interagency Committee on Women's Business Enterprise Act of 2020, the President, in consultation with the Administrator, shall appoint one of the members of the Interagency Committee to serve as chairperson.

''(2) VACANCY.—In the event that a chairperson is not appointed within the time frame required under paragraph (1), the Deputy Administrator of the Small Business Administration shall serve as acting chairperson of the Interagency Committee until a chairperson is appointed under paragraph (1).''; and

(3) in section 404 (15 U.S.C. 7104)—

(A) in the matter preceding paragraph (1), by striking ''1995'' and inserting ''2020'';

(B) in paragraph (1), by adding ''and'' at the end;

(C) in paragraph (2), by striking ''; and'' and inserting a period; and

(D) by striking paragraph (3).

SA 1685. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MICROLOAN PROGRAM.

(a) IN GENERAL.—Section 7(m) of the Small Business Act (15 U.S.C. 636(m)) is amended—

(1) in paragraph (4)(C)(i)(II)—

(A) by striking ''has a portfolio'' and inserting ''has—

''(aa) a portfolio'';

(B) in item (aa), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(bb) a portfolio of loans made under this subsection of which not less than 25 percent is serving rural areas during the period of the intermediary's participation in the program.'';

(2) in paragraph (6), by adding at the end the following:

''(F) LOAN DURATION.—

''(i) IN GENERAL.—With respect to a loan made by an eligible intermediary under this paragraph on or after the date of enactment of this subparagraph, the duration of the loan shall be not more than 8 years.

''(ii) EXISTING BORROWERS.—With respect to a loan made by an eligible intermediary under this paragraph to a borrower before the date of enactment of this subparagraph, the duration of the loan may be extended to not more than 8 years.''; and

(3) by striking paragraph (7) and inserting the following:

''(7) PROGRAM FUNDING FOR MICROLOANS.—Under the program authorized by this subsection, the Administration may fund, on a competitive basis, not more than 300 intermediaries.''.

SA 1686. Ms. DUCKWORTH (for herself and Mr. RISCH) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. OFFICE OF SMALL BUSINESS AND DISADVANTAGED BUSINESS UTILIZATION.

Section 15(k) of the Small Business Act (15 U.S.C. 644(k)) is amended, in the matter preceding paragraph (1)—

(1) by inserting after the first sentence the following: ''If the Government Accountability Office has determined that a Federal agency is not in compliance with all of the requirements under this subsection, the Federal agency shall, not later than 120 days after that determination or 120 days after the date of enactment of this sentence, whichever is later, submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that includes the reasons why the Federal agency is not in compliance and the specific actions that the Federal agency will take to comply with the requirements under this subsection.''; and

(2) by striking ''The management of each such office'' and inserting ''The management of each Office of Small Business and Disadvantaged Business Utilization''.

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

At the appropriate place, insert the following:

SEC. ___. ELIGIBILITY OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR CERTAIN SMALL BUSINESS ADMINISTRATION PROGRAMS.

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

(1) in section 7(m)(7)(B) (15 U.S.C. 636(m)(7)(B))—

(A) by striking ''and American Samoa'' each place such term appears and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''; and

(B) in clause (i)(I)(bb), by striking ''1/55'' and inserting ''1/56'';

(2) in section 21(a) (15 U.S.C. 648(a))—

(A) in paragraph (1), by inserting before ''The Administration shall require'' the following new sentence: ''The previous sentence shall not apply to an applicant that has its principal office located in the Commonwealth of the Northern Mariana Islands.''; and

(B) in paragraph (4)(C)(ix), by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''; and

(3) in section 34(a)(9) (15 U.S.C. 657d(a)(9)), by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''.

SA 1688. Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mrs. GILLIBRAND, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X of division A, add the following:

SEC. 1_____. REPEAL OF REQUIREMENT TO SELL CERTAIN FEDERAL PROPERTY IN PLUM ISLAND, NEW YORK.

(a) REPEAL OF REQUIREMENT IN PUBLIC LAW 110–329.—Section 540 of the Department of Homeland Security Appropriations Act, 2009 (division D of Public Law 110–329; 122 Stat. 3688) is repealed.

(b) REPEAL OF REQUIREMENT IN PUBLIC LAW 112–74.—Section 538 of the Department of Homeland Security Appropriations Act, 2012 (6 U.S.C. 190 note; division D of Public Law 112–74) is repealed.

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

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

SEC. 320. RESTRICTION ON PROCUREMENT BY DEFENSE LOGISTICS AGENCY OF CERTAIN ITEMS CONTAINING PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

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

(b) DEFINITIONS.—In this section:

(1) COVERED ITEM.—The term ''covered item'' means—

(A) non-stick cookware or food service ware for use in galleys or dining facilities;

(B) food packaging materials;

(C) furniture or floor waxes;

(D) carpeting, rugs, or upholstered furniture;

(E) personal care items;

(F) dental floss; and

(G) sunscreen.

(2) PERFLUOROALKYL SUBSTANCE.—The term ''perfluoroalkyl substance'' means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

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

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

SA 1690. Mr. BLUMENTHAL (for himself, Ms. BALDWIN, Ms. WARREN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MODIFICATIONS TO THE INSURRECTION ACT OF 1807.

(a) CERTIFICATIONS TO CONGRESS.—Chapter 13 of title 10, United States Code (commonly known as the ''Insurrection Act of 1807''), is amended—

(1) in section 251—

(A) by striking ''Whenever'' and inserting the following:

''(a) AUTHORITY.—Whenever''; and

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

''(b) CERTIFICATION TO CONGRESS.—Whenever the President invokes the authority under this section, not later than 48 hours after such invocation of authority, the President shall certify to Congress that the legislature or the governor of the State concerned has requested the aid described in subsection (a) to suppress an insurrection.'';

(2) in section 252—

(A) by striking ''Whenever'' and inserting the following:

''(a) AUTHORITY.—Whenever''; and

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

''(b) CERTIFICATION TO CONGRESS.—

''(1) Whenever the President invokes the authority under this section, not later than 48 hours after such invocation of authority, the President shall certify to Congress that the State concerned is unable or unwilling to suppress an unlawful obstruction, combination, or assemblage, or rebellion against the authority of the United States described in subsection (a).

''(2) A certification under paragraph (1) shall include the following:

''(A) A description of the circumstances necessitating such invocation of authority.

''(B) Demonstrable evidence that the State concerned is unable or unwilling to suppress such unlawful obstruction, combination, or assemblage, or rebellion against the authority of the United States, and a legal justification for resorting to the authority under this section to so suppress.

''(C) A description of the mission, scope, and duration of use of members of the armed forces under this section.''; and

(3) in section 253—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) in the matter preceding subparagraph (A), as so redesignated, by striking ''The President'' and inserting the following:

''(a) AUTHORITY.—(1) The President'';

(C) in the undesignated matter following subparagraph (B), as so redesignated, by striking ''In any situation covered by clause (1)'' and inserting the following new paragraph (2):

''(2) RULE OF CONSTRUCTION.—In any situation covered by subparagraph (A)''; and

(D) by adding at the end the following new subsection:

''(b) CERTIFICATION TO CONGRESS.—

''(1) Whenever the President invokes the authority under this section, not later than 48 hours after such invocation of authority, the President shall certify to Congress that the State concerned is unable or unwilling to suppress an insurrection, domestic violence, an unlawful combination, or a conspiracy described in subsection (a).

''(2) A certification under paragraph (1) shall include the following:

''(A) A description of the circumstances necessitating such invocation of authority.

''(B) Demonstrable evidence that the State concerned is unable or unwilling to suppress such insurrection, domestic violence, unlawful combination, or conspiracy, and a legal justification for resorting to the authority under this section to so suppress.

''(C) A description of the mission, scope, and duration of use of members of the armed forces under this section.''.

(b) INVOCATION OF AUTHORITY FOR PROTECTION OF CIVIL RIGHTS.—Section 253 of title 10, United States Code, as amended by subsection (a)(3), is further amended, in subsection (a)(1)(B), as so designated, by striking ''the laws of the United States or'' and inserting ''Federal or State law to protect the civil rights of the people of the United States under the Constitution and''.

(c) CONSULTATION WITH CONGRESS.—

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

''§ 256. Consultation with Congress

''The President, in every possible instance, shall consult with Congress before invoking the authority under section 251, 252, or 253.''.

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

''256. Consultation with Congress.''.

SA 1691. Mr. BLUMENTHAL (for himself, Ms. BALDWIN, Mrs. GILLIBRAND, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MODIFICATIONS TO THE INSURRECTION ACT OF 1807.

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

''§ 251. Federal aid for State governments

''(a) AUTHORITY.—Whenever there is an insurrection in any State against its government, the President may, upon the request of the governor of the State concerned, call into Federal service such of the militia of the other States, in the number requested by the governor of the State concerned, and use such of the armed forces, as the President considers necessary to suppress the insurrection.

''(b) CERTIFICATION TO CONGRESS.—The President may not invoke the authority under this section unless the President, the Secretary of Defense, and the Attorney General certify to Congress that the governor of the State concerned has requested the aid described in subsection (a) to suppress an insurrection.''.

(b) USE OF MILITIA AND ARMED FORCES TO ENFORCE FEDERAL AUTHORITY.—Section 252 of title 10, United States Code, is amended to read as follows:

''§ 252. Use of militia and armed forces to enforce Federal authority

''(a) AUTHORITY.—Whenever unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any State by the ordinary course of judicial proceedings, the President may call into Federal service such of the militia of any State, and use such of the armed forces, as the President considers necessary to enforce those laws or to suppress the rebellion.

''(b) CERTIFICATION TO CONGRESS.—

''(1) The President may not invoke the authority under this section unless the President, the Secretary of Defense, and the Attorney General certify to Congress that the State concerned is unable or unwilling to suppress an unlawful obstruction, combination, or assemblage, or rebellion against the authority of the United States described in subsection (a).

''(2) A certification under paragraph (1) shall include the following:

''(A) A description of the circumstances necessitating the invocation of the authority under this section.

''(B) Demonstrable evidence that the State concerned is unable or unwilling to suppress such unlawful obstruction, combination, or assemblage, or rebellion against the authority of the United States, and a legal justification for resorting to the authority under this section to so suppress.

''(C) A description of the mission, scope, and duration of use of members of the armed forces under this section.''.

(c) INTERFERENCE WITH STATE AND FEDERAL LAW.—Section 253 of title 10, United States Code, is amended to read as follows:

''§ 253. Interference with State and Federal law

''(a) AUTHORITY.—(1) The President, by using the militia or the armed forces, or both, or by any other means, shall take such measures as the President considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it—

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

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

''(2) In any situation covered by paragraph (1)(A), the State shall be considered to have denied the equal protection of the laws secured by the Constitution.

''(b) CERTIFICATION TO CONGRESS.—

''(1) The President may not invoke the authority under this section unless the President, the Secretary of Defense, and the Attorney General certify to Congress that the State concerned is unable or unwilling to suppress an insurrection, domestic violence, an unlawful combination, or a conspiracy described in subsection (a).

''(2) A certification under paragraph (1) shall include the following:

''(A) A description of the circumstances necessitating the invocation of the authority under this section.

''(B) Demonstrable evidence that the State concerned is unable or unwilling to suppress such insurrection, domestic violence, unlawful combination, or conspiracy, and a legal justification for resorting to the authority under this section to so suppress.

''(C) A description of the mission, scope, and duration of use of members of the armed forces under this section.''.

(d) CONSULTATION WITH CONGRESS.—

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

''§ 256. Consultation

''The President, in every possible instance, shall consult with Congress before invoking the authority under section 251, 252, or 253.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 13 of title 10, United States Code, is amended by adding at the end the following:

''256. Consultation.''.

(e) TERMINATION AND EXTENSION OF AUTHORITY.—

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

"§ 257. Termination of authority and expedited procedures for extension by joint resolution of Congress

''(a) DEFINITIONS.—In this section:

''(1) 14-DAY PERIOD.—With respect to an invocation of authority under section 251, 252, or 253, the term '14-day period' means, as applicable—

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

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

''(2) JOINT RESOLUTION.—The term 'joint resolution' means a joint resolution—

''(A) that is introduced with respect to the invocation of authority under section 251, 252, or 253 during the 14-day period;

''(B) which does not have a preamble;

''(C) the title of which is as follows: 'Joint resolution relating to the extension of authority for purposes of _____ of title 10, United States Code', the blank space being filled in with whether the extension relates to the provision of Federal aid for State governments under section 251, the use of militia and armed forces to enforce Federal authority under section 252, or the suppression of interference with State and Federal law under section 253; and

''(D) the matter after the resolving clause of which is as follows: 'That Congress extends the authority to _____, invoked by the President on _____.', the first blank space being filled in with whether the extension relates to the provision of Federal aid for State governments, the use of militia and armed forces to enforce Federal authority, or the suppression of interference with State and Federal law, and the second blank space being filled in with the date on which the President invoked such authority.

''(b) JOINT RESOLUTION ENACTED.—Notwithstanding any other provision of this section, if, not later than the last day of the 14-day period, there is enacted into law a joint resolution, the period of such authority shall be extended for a period to be determined by Congress and expressed in the joint resolution.

''(c) JOINT RESOLUTION NOT ENACTED.—Notwithstanding any other provision of this section, if a joint resolution is not enacted on or before the last day of the 14-day period—

''(1) such authority invoked by the President shall terminate; and

''(2) the President may not, at any time after the 14-day period, re-invoke authority under section 251, 252, or 253, unless there has been a material and significant change in factual circumstances, and such circumstances are provided in a new certification to Congress.

''(d) EXPEDITED CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

''(1) RECONVENING.—Upon invocation by the President of the authority under section 251, 252, or 253, the Speaker of the House of Representatives, if the House of Representatives would otherwise be adjourned, shall notify the Members of the House of Representatives that, pursuant to this section, the House of Representatives shall convene not later than 3 calendar days after the date of such invocation.

''(2) REPORTING AND DISCHARGE.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House of Representatives not later than 7 calendar days after the last day of the 14-day period, there is enacted into law a joint resolution. If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

''(3) PROCEEDING TO CONSIDERATION.—

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

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

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

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

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

''(iv) the motion shall not be debatable; and

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

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

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

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

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

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

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

''(e) EXPEDITED CONSIDERATION IN SENATE.—

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

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

''(3) PROCEEDING TO CONSIDERATION.—

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

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

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

''(ii) the motion is not debatable;

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

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

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

''(4) FLOOR CONSIDERATION.—

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

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

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

''(iii) a motion further to limit debate is in order and not debatable;

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

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

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

''(C) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of this subsection or the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

''(f) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

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

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

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

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

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

''(2) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce or consider a joint resolution under this subsection, the joint resolution of the other House shall be entitled to expedited floor procedures under this section.

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

''(4) CONSIDERATION AFTER PASSAGE.—

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

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

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

''(B) VETOES.—If the President vetoes the joint resolution, consideration of a veto message in the Senate under this section shall be not more than 2 hours equally divided between the majority and minority leaders or their designees.

''(g) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—Subsections (d) and (e) and paragraphs (1), (2), (3), and (4)(B) of subsection (f) are enacted by Congress—

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

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

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 13 of title 10, United States Code, as amended by subsection (d), is further amended by adding at the end the following:

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

(f) JUDICIAL REVIEW FOR INJURY RESULTING FROM USE OF THE ARMED FORCES.—

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

''§ 258. Judicial review

''(a) IN GENERAL.—Notwithstanding, and without prejudice to, any other provision of law, any individual or entity (including a State or local government) that is injured by, or has a credible fear of injury from, the use of members of the armed forces under this chapter may bring a civil action for declaratory or injunctive relief. In any action under this section, the district court shall have jurisdiction to decide any question of law or fact arising under this chapter, including challenges to the legal basis for members of the armed forces to be acting under this chapter.

''(b) EXPEDITED CONSIDERATION.—It shall be the duty of the applicable district court of the United States and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under this section.

''(c) APPEALS.—

''(1) IN GENERAL.—The Supreme Court of the United States shall have jurisdiction of an appeal from a final decision of a district court of the United States in a civil action brought under this section.

''(2) FILING DEADLINE.—A party shall file an appeal under paragraph (1) not later than 30 days after the court issues a final decision under subsection (a).''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 13 of title 10, United States Code, as amended by subsection (e), is further amended by adding at the end the following:

''258. Judicial review.''.

(g) RESTRICTION ON DIRECT PARTICIPATION BY MILITARY PERSONNEL.—Section 275 of title 10, United States Code, is amended to read as follows:

''§ 275. Restriction on direct participation by military personnel

''(a) IN GENERAL.—No activity (including the provision of any equipment or facility or the assignment or detail of any personnel) under this title shall include or permit direct participation by a member of the Army, Navy, Air Force, or Marine Corps in a search, seizure, arrest, or other similar activity unless participation in such activity by such member is otherwise expressly authorized by law.

''(b) REGULATIONS.—The Secretary of Defense shall prescribe such regulations as may be necessary to ensure compliance with subsection (a).''.

SA 1692. Ms. HIRONO (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. EXEMPTION FROM IMMIGRANT VISA LIMIT.

Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

''(F) Aliens who—

''(i) are eligible for a visa under paragraph (1) or (3) of section 203(a); and

''(ii) have a parent (regardless of whether the parent is living or dead) who was naturalized pursuant to—

''(I) section 405 of the Immigration Act of 1990 (Public Law 101–649; 8 U.S.C. 1440 note); or

''(II) title III of the Act of October 14, 1940 (54 Stat. 1137, chapter 876), as added by section 1001 of the Second War Powers Act, 1942 (56 Stat. 182, chapter 199).''.

SA 1693. Mr. MORAN (for himself, Mr. UDALL, Mrs. BLACKBURN, Mr. BOOZMAN, Mrs. CAPITO, and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. 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 1694. Mr. MORAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. STUDY ON UNEMPLOYMENT RATE OF FEMALE VETERANS WHO SERVED ON ACTIVE DUTY IN THE ARMED FORCES AFTER SEPTEMBER 11, 2001.

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Bureau of Labor Statistics of the Department of Labor, shall conduct a study on why Post-9/11 Veterans who are female are at higher risk of unemployment than all other groups of female veterans and their non-veteran counterparts.

(2) CONDUCT OF STUDY.—

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

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

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

(ii) foundations; and

(iii) entities in the private sector.

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

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

(B) Geographic location upon such separation.

(C) Educational level upon such separation.

(D) The percentage of such veterans who enrolled in an education or employment

training program of the Department of Veterans Affairs or the Department of Labor after such separation.

(E) Industries that have employed such veterans.

(F) Military occupational specialties available to such veterans.

(G) Barriers to employment of such veterans.

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

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

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

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

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

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

(b) REPORT.—

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

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

(A) The analyses conducted under subsection (a)(3).

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

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

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

SA 1695. Mr. MORAN (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE_____—DECLASSIFICATION REFORM

SEC. ___1. SHORT TITLE.

This title may be cited as the ''Declassification Reform Act of 2020''.

SEC. ___2. DEFINITIONS.

In this title:

(1) CLASSIFICATION.—The term ''classification'' means the act or process by which information is determined to be classified information.

(2) CLASSIFIED NATIONAL SECURITY INFORMATION OR CLASSIFIED INFORMATION.—The term ''classified national security information'' or ''classified information'' means information that has been determined pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or any predecessor or successor order, to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

(3) DECLASSIFICATION.—The term ''declassification'' means the authorized change in the status of information from classified information to unclassified information.

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

SEC. ___3. EXECUTIVE AGENT FOR DECLASSIFICATION.

(a) ESTABLISHMENT.—There is in the executive branch of the Federal Government an Executive Agent for Declassification who shall be responsible for promoting programs, processes, and systems relating to declassification, including developing technical solutions for automating declassification review, and directing resources for such purposes in the Federal Government.

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

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

(1) To promote programs, processes, and systems with the goal of ensuring that declassification activities keep pace with classification activities and that classified information is declassified at such time as it no longer meets the standard for classification.

(2) To promote the establishment of a federated declassification system to streamline, modernize, and oversee declassification across Executive agencies.

(3) To provide guidance on resources to develop, coordinate, and implement a federated declassification system that includes technologies that automate declassification review and promote consistency in declassification determinations across the executive branch of the Federal Government.

(4) To work with the Director of the Office of Management and Budget in developing a line item for declassification in each budget of the President that is submitted for a fiscal year under section 1105(a) of title 31, United States Code.

(5) To identify and support the development of—

(A) best practices for declassification among Executive agencies; and

(B) goal oriented declassification pilot programs.

(6) To promote technological and automated solutions relating to declassification, with human input as necessary for key policy decisions.

(7) To promote feasible, sustainable, and interoperable programs, processes, and systems to facilitate a federate declassification system.

(8) To coordinate the implementation across Executive agencies of the most effective programs and approaches relating to declassification.

(9) In coordination with the Administrator of the Office of Federal Procurement Policy, develop acquisition and contracting policies relating to declassification and review agency compliance therewith.

(10) In coordination with the Information Security Oversight Office in the National Archives and Records Administration—

(A) to issue policies and directives to the heads of Executive agencies relating to directing resources and making technological investments in declassification that include support for a federated declassification system;

(B) to ensure implementation of the policies and directives issued under subparagraph (A);

(C) to collect information on declassification practices and policies across Executive agencies, including challenges to effective declassification, training, accounting, and costs associated with classification and declassification;

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

(E) to develop accurate and relevant metrics for judging the success of declassification policies and directives.

(d) CONSULTATION WITH EXECUTIVE COMMITTEE ON DECLASSIFICATION PROGRAMS AND TECHNOLOGY.—In making decisions under this section, the Executive Agent for Declassification shall consult with the Executive Committee on Declassification Programs and Technology established under section 5(a).

(e) COORDINATION WITH THE NATIONAL DECLASSIFICATION CENTER.—In implementing a federated declassification system, the Executive Agent for Declassification shall act in coordination with the National Declassification Center established by section 3.7(a) of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information).

SEC. ___ ___4. EXECUTIVE COMMITTEE ON DECLASSIFICATION PROGRAMS AND TECHNOLOGY.—

(a) ESTABLISHMENT.—There is established a committee to provide advice and guidance to the Executive Agent for Declassification on matters relating to declassification programs and technology.

(b) DESIGNATION.—The committee established by subsection (a) shall be known as the ''Executive Committee on Declassification Programs and Technology'' (in this section referred to as the ''Committee'').

(c) MEMBERSHIP.—

(1) COMPOSITION.—The Committee shall be composed of the following:

(A) The Director of National Intelligence.

(B) The Under Secretary of Defense for Intelligence.

(C) The Secretary of Energy.

(D) The Secretary of State.

(E) The Director of the National Declassification Center.

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

(G) The Director of the Office of Management and Budget.

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

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

SEC. ___5. ADVISORY BODIES FOR EXECUTIVE AGENT FOR DECLASSIFICATION.

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

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

(2) The Office of the Historian of the Department of State.

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

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

(b) MATTERS PERTAINING TO THE PUBLIC INTEREST DECLASSIFICATION BOARD.—

(1) CONTINUITY OF MEMBERSHIP.—Subsection (c)(2) of section 703 of the Public Interest Declassification Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note) is amended by adding at the end the following:

''(E) Notwithstanding the other provisions of this paragraph, a member whose term has expired may continue to serve until a successor is appointed.''.

(2) MEETINGS.—Subsection (e) of such section is amended, in the second sentence, by inserting ''appointed'' before ''members''.

SEC. ___6. REPORTING.

(a) ANNUAL REPORT.—Not later than the end of the first full fiscal year beginning after the date of the enactment of this Act and not less frequently than once each fiscal year, the Executive Agent for Declassification shall submit to Congress and make available to the public a report on the implementation of declassification programs and processes in the most recently completed fiscal year.

(b) COORDINATION.—The report shall be coordinated with the Annual Report of the Information Security Oversight Office in the National Archives and Records Administration pursuant to Section 5.2(b)(8) of Executive Order 13526.

(c) CONTENTS.—Each report submitted and made available under subsection (a) shall include, for the period covered by the report, the following:

(1) The costs incurred by the Federal Government for classification and declassification.

(2) A description of information systems of the Federal Government and technology programs, processes, and systems of Executive agencies related to declassification.

(3) A description of the policies and directives issued by the Executive Agent for Declassification and other activities of the Executive Agent for Declassification.

(4) A description of the challenges posed to Executive agencies in implementing the policies and directives of the Executive Agent for Declassification relating to declassification as well as the policies of the Executive agencies.

(5) A description of pilot programs and new investments in programs, processes, and systems relating to declassification and metrics of effectiveness for such programs, processes, and systems.

(6) A description of progress and challenges in achieving the goal described in section 4(c)(1).

SEC. ___7. AUTHORIZATION OF APPROPRIATIONS.

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

SA 1696. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. CROSS-FUNCTIONAL TEAMS AND RELATED MATTERS.

(a) REQUIREMENT FOR CIVILIAN LEADERSHIP OF CFTS.—The Secretary of Defense shall ensure that the leadership of each cross-functional team in the Department of Defense is composed solely of civilian officers or employees of the Department.

(b) ACQUISITION CERTIFICATIONS FOR LEADERSHIP OF ACQUISITION CFTS.—The Secretary shall ensure that any civilian or senior military personnel of the Department who are assigned to a leadership position within a defense acquisition organization or cross-functional team possess appropriate acquisition certifications (as determined in accordance with the Defense Acquisition Workforce Improvement Act (DAWIA)).

(c) REPORTING BY ARMY FUTURES COMMAND.—The Secretary of the Army shall ensure each of that following:

(1) That the Army Futures Command reports directly to the Assistant Secretary of the Army for Acquisition, Logistics, and Technology.

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

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

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

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

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

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

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

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

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

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

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

SEC. _____. ESTABLISHMENT OF ENERGETICS PROGRAM OFFICE.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish an program office in the Department of the Navy to coordinate innovative energetics research and to ensure a robust and sustained energetics material enterprise.

(b) DESIGNATION.—The program office established under subsection (a) shall be known as the ''Energetics Program Office''.

SA 1700. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. CONTRACT FINANCE RATES.

Section 2307(a) of title 10, United States Code is amended by adding at the end the following new paragraph:

''(3)(A) The Secretary of Defense may not establish a contract finance rate for a payment that is lower than any other government agency.

''(B)(i) The Secretary of Defense may not initiate a regulatory change to a contract finance rate until the Secretary provides the congressional defense committees with a notice of determination of need to adjust the customary rates. At a minimum, this notice shall include—

''(I) a justification for the rate change, together with the data and analysis relied upon to inform the determination; and

''(II) an assessment of how the rate change will lead to a more effective acquisition process and a healthier industrial base.

''(ii) The Secretary shall ensure the notice of determination of need required under clause (i) is published in the Federal Register not later than 5 business days after the notice is provided to the congressional defense committees.''.

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

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

Subtitle ___—Enhancing Human Rights Protections in Arms Sales

SEC. ___. SHORT TITLE.

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

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

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

(1) determine when United States military assistance and arms transfers are used to commit gross violations of internationally recognized human rights;

(2) determine when United States military assistance and arms transfers are used to undermine international peace and security or contribute to gross violations of internationally recognized human rights, including acts of gender-based violence and acts of violence against children, violations of international humanitarian law, terrorism, mass atrocities, or transnational organized crime;

(3) detect other violations of United States law concerning United States military or security assistance, cooperation, and arms

transfers, including the diversion of such assistance or the use of such assistance by security force or police units credibly implicated in gross violations of internationally recognized human rights;

(4) train partner militaries, security, and police forces on methods for preventing civilian causalities; and

(5) determine whether individuals or units that have received United States military, security, or police training or have participated or are scheduled to participate in joint exercises with United States forces have later been credibly implicated in gross violations of internationally recognized human rights.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 1702. Mr. CARDIN (for himself, Mr. YOUNG, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military 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—Promotion of Democracy and Human Rights in Burma

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Burma Human Rights and Freedom Act of 2020''.

SEC. 1292. DEFINITIONS.

In this subtitle:

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

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

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

(2) CRIMES AGAINST HUMANITY.—The term ''crimes against humanity'' includes, when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack—

(A) murder;

(B) deportation or forcible transfer of population;

(C) torture;

(D) rape, sexual slavery, or any other form of sexual violence of comparable severity;

(E) persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender or other grounds that are universally recognized as impermissible under international law; and

(F) enforced disappearance of persons.

(3) GENOCIDE.—The term ''genocide'' means any offense described in section 1091(a) of title 18, United States Code.

(4) TRANSITIONAL JUSTICE.—The term ''transitional justice'' means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes—

(A) to redress legacies of atrocities; and

(B) to promote long-term, sustainable peace.

(5) WAR CRIME.—The term ''war crime'' has the meaning given the term in section 2441(c) of title 18, United States Code.

SEC. 1293. STATEMENT OF POLICY.

It is the policy of the United States that—

(1) the pursuit of a calibrated engagement strategy is essential to support the establishment of a peaceful, prosperous, and democratic Burma that includes respect for the human rights of all its people regardless of ethnicity and religion; and

(2) the guiding principles of such a strategy include—

(A) support for meaningful legal and constitutional reforms that remove remaining restrictions on civil and political rights and institute civilian control of the military, civilian control of the government, and the constitutional provision reserving 25 percent of parliamentary seats for the military, which provides the military with veto power over constitutional amendments;

(B) the establishment of a fully democratic, pluralistic, civilian controlled, and representative political system that includes regularized free and fair elections in which all people of Burma, including the Rohingya, can vote;

(C) the promotion of genuine national reconciliation and conclusion of a credible and sustainable nationwide ceasefire agreement, political accommodation of the needs of ethnic Shan, Kachin, Chin, Karen, and other ethnic groups, safe and voluntary return of displaced persons to villages of origins, and constitutional change allowing inclusive permanent peace;

(D) independent and international investigations into credible reports of war crimes, crimes against humanity, including sexual and gender-based violence and genocide, perpetrated against ethnic minorities like the Rohingya by the government, military, and security forces of Burma, violent extremist groups, and other combatants involved in the conflict;

(E) accountability for determinations of war crimes, crimes against humanity, including sexual and gender-based violence and genocide perpetrated against ethnic minorities like the Rohingya by the Government, military, and security forces of Burma, violent extremist groups, and other combatants involved in the conflict;

(F) strengthening the government's civilian institutions, including support for greater transparency and accountability;

(G) the establishment of professional and nonpartisan military, security, and police forces that operate under civilian control;

(H) empowering local communities, civil society, and independent media;

(I) promoting responsible international and regional engagement;

(J) strengthening respect for and protection of human rights and religious freedom;

(K) addressing and ending the humanitarian and human rights crises, including by supporting the return of the displaced Rohingya to their homes and granting or restoring full citizenship for the Rohingya population; and

(L) promoting broad-based, inclusive economic development and fostering healthy and resilient communities.

SEC. 1294. AUTHORIZATION OF APPROPRIATIONS FOR HUMANITARIAN ASSISTANCE AND RECONCILIATION.

There is authorized to be appropriated not less than $220,500,000 for fiscal year 2021 for humanitarian assistance and reconciliation activities for ethnic groups and civil society organizations in Burma, Bangladesh, Thailand, and the region. The assistance may include—

(1) assistance for the victims of the Burmese military's crimes against humanity targeting Rohingya and other ethnic minorities in Rakhine State, Kachin, and Shan States, including those displaced in Burma, Bangladesh, Thailand, and the region;

(2) support for voluntary resettlement or repatriation in Burma, pending a genuine repatriation agreement that is developed and negotiated with Rohingya involvement and consultation;

(3) assistance to promote ethnic and religious tolerance, to combat gender-based violence, and to support victims of violence and destruction in Rakhine, Kachin, and Shan States, including victims of gender-based violence and unaccompanied minors;

(4) support for formal education for children currently living in the camps, and opportunities to access higher education in Bangladesh;

(5) support for programs to investigate and document allegations of war crimes and crimes against humanity, including sexual and gender-based violence and genocide committed in Burma;

(6) assistance to ethnic groups and civil society in Burma to help sustain ceasefire agreements and further prospects for reconciliation and sustainable peace; and

(7) promotion of ethnic minority inclusion and participation in Burma's political processes.

SEC. 1295. MULTILATERAL ASSISTANCE.

The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support projects in Burma that—

(1) provide for accountability and transparency, including the collection, verification and publication of beneficial ownership information related to extractive industries and on-site monitoring during the life of the project;

(2) will be developed and carried out in accordance with best practices regarding environmental conservation, cultural protection, and empowerment of local populations, including free, prior, and informed consent of affected indigenous communities;

(3) do not provide incentives for, or facilitate, forced displacement; and

(4) do not partner with or otherwise involve enterprises owned or controlled by the armed forces.

SEC. 1296. SENSE OF CONGRESS ON RIGHT OF RETURNEES AND FREEDOM OF MOVEMENT.

(a) RIGHT OF RETURN.—It is the sense of Congress that the Government of Burma, in collaboration with the regional and international community, including the United Nations High Commissioner for Refugees, should—

(1) ensure the dignified, safe, sustainable, and voluntary return of all those displaced from their homes, especially from Rakhine State, without an unduly high burden of proof, and the opportunity to obtain appropriate compensation to restart their lives in Burma;

(2) ensure that those returning are granted or restored full citizenship and all the rights that adhere to citizenship in Burma;

(3) offer to those who do not want to return meaningful opportunity to obtain appropriate compensation or restitution;

(4) not place returning Rohingya in internally displaced persons camps or ''model villages'', but instead make efforts to reconstruct Rohingya villages as and where they were;

(5) facilitate the return of any funds collected by the Government by harvesting the land previously owned and tended by Rohingya farmers for them upon their return;

(6) fully implement all of the recommendations of the Advisory Commission on Rakhine State; and

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

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

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

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

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

SEC. 1297. MILITARY COOPERATION.

(a) PROHIBITION.—Except as provided under subsection (b), the President may not furnish any security assistance or engage in any military-to-military programs with the armed forces of Burma, including training or observation or participation in regional exercises, until the Secretary of State, in consultation with the Secretary of Defense, certifies to the appropriate congressional committees that the Burmese military has demonstrated significant progress in abiding by international human rights standards and is undertaking meaningful and significant security sector reform, including transparency and accountability to prevent future abuses, as determined by applying the following criteria:

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

(2) The military supports efforts to carry out meaningful and comprehensive independent and international investigations of credible reports of abuses and is holding accountable those in the Burmese military responsible for human rights violations.

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

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

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

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

(b) EXCEPTIONS.—

(1) CERTAIN EXISTING AUTHORITIES.—The Department of Defense may continue to conduct consultations based on the authorities under section 1253 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 22 U.S.C. 2151 note).

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

(c) MILITARY REFORM.—The certification required under subsection (a) shall include a written justification in classified and unclassified form describing the Burmese military's efforts to implement reforms, end impunity for human rights violations, and increase transparency and accountability.

(d) RULE OF CONSTRUCTION.—Nothing in this subtitle shall be construed to authorize Department of Defense assistance to the Government of Burma except as provided in this section.

(e) REPORT.—

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

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

(A) A description and assessment of the Government of Burma's strategy for—

(i) security sector reform, including as it relates to an end to involvement in the illicit trade in jade, rubies, and other natural resources;

(ii) reforms to end corruption and illicit drug trafficking; and

(iii) constitutional reforms to ensure civilian control of the Government.

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

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

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

(ii) steps taken to demonstrate respect for internationally-recognized human rights standards and implementation of and adherence to the laws of war; and

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

(D) An assessment of progress on the peaceful settlement of armed conflicts between the Government of Burma and ethnic minority groups, including actions taken by the military of Burma to adhere to ceasefire agreements, allow for safe and voluntary returns of displaced persons to their villages of origin, and withdraw forces from conflict zones.

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

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

(f) CIVILIAN CHANNELS.—Any program initiated under this section shall use appropriate civilian government channels with the democratically elected Government of Burma.

(g) REGULAR CONSULTATIONS.—Any new program or activity in Burma initiated under this section shall be subject to prior consultation with the appropriate congressional committees.

SEC. 1298. TRADE RESTRICTIONS.

(a) REINSTATEMENT OF IMPORT RESTRICTIONS ON JADEITE AND RUBIES FROM BURMA.—

(1) IN GENERAL.—Section 3A of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61; 50 U.S.C. 1701 note) is amended by adding at the end the following:

''(i) TERMINATION.—Notwithstanding section 9, this section shall remain in effect until the President determines and certifies to the appropriate congressional committees that the Government of Burma has taken measures to reform the gemstone industry in Burma, including measures to require—

''(1) the disclosure of the ultimate beneficial ownership of entities in that industry; and

''(2) the publication of project revenues, payments, and contract terms relating to that industry.''.

(2) CONFORMING AMENDMENTS.—Section 3A of the Burmese Freedom and Democracy Act of 2003 is further amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''until such time'' and all that follows through ''2008'' and inserting ''beginning on the date that is 15 days after the date of the enactment of the Burma Human Rights and Freedom Act of 2020''; and

(ii) in paragraph (3), by striking ''the date of the enactment of this Act'' and inserting ''the date of the enactment of the Burma Human Rights and Freedom Act of 2020''; and

(B) in subsection (c)(1), by striking ''until such time'' and all that follows through ''2008'' and inserting ''beginning on the date that is 15 days after the date of the enactment of the Burma Human Rights and Freedom Act of 2020''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

(b) REVIEW OF ELIGIBILITY FOR GENERALIZED SYSTEM OF PREFERENCES.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the President shall submit to the committees specified in paragraph (2) a report that includes a detailed review of the eligibility of Burma for preferential duty treatment under the Generalized System of Preferences under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.).

(2) COMMITTEES SPECIFIED.—The committees specified in this paragraph are—

(A) the Committee on Appropriations, the Committee on Finance, and the Committee on Foreign Relations of the Senate; and

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

SEC. 1299. VISA BAN AND ECONOMIC SANCTIONS WITH RESPECT TO MILITARY OFFICIALS RESPONSIBLE FOR HUMAN RIGHTS VIOLATIONS.

(a) LIST REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of—

(A) senior officials of the military and security forces of Burma that the President determines have knowingly played a direct and significant role in the commission of gross violations of human rights, war crimes, or crimes against humanity (including sexual or gender-based violence), in Burma, including against the Rohingya minority population; and

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

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

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

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

(ii) who—

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

(II) failed to take adequate steps to prevent such violations or crimes or punish the subordinates responsible for such violations or crimes; and

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

(3) UPDATES.—Not later than one year after the date of the enactment of this Act, and not less frequently than every 180 days thereafter, the President shall submit to the appropriate congressional committees an updated version of the list required by paragraph (1).

(b) SANCTIONS.—

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

(2) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—The Secretary of the Treasury shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of a person included in the most recent list required by subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this paragraph.

(3) AUTHORITY FOR ADDITIONAL FINANCIAL SANCTIONS.—The Secretary of the Treasury may, in consultation with the Secretary of State, prohibit or impose strict conditions on the opening or maintaining in the United States of a correspondent account or payable-through account by a foreign financial institution that the President determines has, on or after the date of the enactment of this Act, knowingly conducted or facilitated a significant transaction or transactions on behalf of a person included in the most recent list required by subsection (a) or included on the SDN list pursuant to subsection (c).

(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to apply with respect to any transaction with a nongovernmental humanitarian organization in Burma.

(c) CONSIDERATION OF INCLUSIONS IN SDN LIST.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall—

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

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

(2) INDIVIDUALS SPECIFIED.—The individuals specified in this paragraph are—

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

(i) Senior General Min Aung Hlaing;

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

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

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

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

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

(ii)(I) knew, or should have known, that the official's subordinates were committing such violations or crimes; and

(II) failed to take adequate steps to prevent such violations or crimes or punish the subordinates responsible for such violations or crimes; or

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

(d) TERMINATION OF SANCTIONS.—The President may terminate the application of sanctions under this section with respect to an individual placed on the list required by subsection (a) under paragraph (1)(A) of that subsection, or an entity placed on that list because the entity is owned or controlled by such an individual, if the President determines and reports to the appropriate congressional committees not later than 15 days before the termination of the sanctions that—

(1) the individual has—

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

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

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

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

(2) removing the individual or entity from the list is in the national interest of the United States.

(e) EXCEPTIONS.—

(1) HUMANITARIAN ASSISTANCE.—A requirement to impose sanctions under this section shall not apply with respect to the provision of medicine, medical equipment or supplies, food, or any other form of humanitarian or human rights-related assistance provided to Burma in response to a humanitarian crisis.

(2) UNITED NATIONS HEADQUARTERS AGREEMENT.—Subsection (b)(1) shall not apply to the admission of an individual to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, or under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other international obligations of the United States.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under this section shall not include the authority to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, 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.

(f) WAIVER.—The President may waive a requirement of this section if the Secretary of State, in consultation with the Secretary of the Treasury, determines and reports to the appropriate congressional committees that the waiver is important to the national security interest of the United States.

(g) 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 paragraph (2) or (3) of subsection (b) or any regulation, license, or order issued to carry out either such paragraph 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.

(h) REPORT TO CONGRESS ON DIPLOMATIC ENGAGEMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on diplomatic efforts to impose coordinated sanctions with respect to persons sanctioned under—

(1) section 1299; or

(2) section 1263 of the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) for activities described in subsection (a) of that section in or with respect to Burma.

(i) 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) 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.

(3) SDN LIST.—The term ''SDN list'' means the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury.

(4) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 595.315 of title 31, Code of Federal Regulations (as in effect on

the day before the date of the enactment of this Act).

SEC. 1299A. STRATEGY FOR PROMOTING ECONOMIC DEVELOPMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, the Secretary of the Treasury, and the Administrator of the United States Agency for International Development shall jointly submit to the appropriate congressional committees a strategy to support sustainable, inclusive, and broad-based economic development, in accordance with the priorities of disadvantaged communities in Burma and in consultation with relevant civil society and local stakeholders, and to improve economic conditions and government transparency.

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

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

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

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

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

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

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

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

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

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

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

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report detailing the credible reports of crimes against humanity and serious human rights abuses committed against the Rohingya and other ethnic minorities in Burma, including credible reports of war crimes, crimes against humanity, and genocide, and on potential transnational justice mechanisms in Burma.

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

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

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

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

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

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

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

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

(A) to train investigators within and outside of Burma and Bangladesh on how to document, investigate, develop findings of, and identify and locate alleged perpetrators of such crimes in Burma;

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

(C) to document, collect, preserve, and protect evidence of reports of such crimes in Burma, including support for Burmese and Bangladeshi, foreign, and international nongovernmental organizations, the United Nations Human Rights Council's investigative team, and other entities; and

(3) A detailed study of the feasibility and desirability of potential transitional justice mechanisms for Burma, including a hybrid or ad hoc tribunal as well as other international justice and accountability options. The report should be produced in consultation with Rohingya representatives and those of other ethnic minorities who have suffered grave human rights abuses.

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

SEC. 1299C. TECHNICAL ASSISTANCE AUTHORIZED.

(a) IN GENERAL.—The Secretary of State, in consultation with the Department of Justice and other appropriate Federal departments and agencies, is authorized to provide appropriate assistance to support entities that, with respect to credible reports of war crimes, crimes against humanity, including sexual and gender-based violence, and genocide perpetrated by the military, security forces, and Government of Burma, Buddhist militias, and all other armed groups fighting in Rakhine State—

(1) identify suspected perpetrators of such crimes;

(2) collect, document, and protect evidence of crimes and preserve the chain of custody for such evidence;

(3) conduct criminal investigations; and

(4) support investigations by third-party states, as appropriate.

(b) ADDITIONAL ASSISTANCE.—The Secretary of State, after consultation with appropriate Federal departments and agencies and the appropriate congressional committees, and taking into account the findings of the transitional justice study required under section 1299B(b)(3), is authorized to provide assistance to support the creation and operation of transitional justice mechanisms for Burma.

SEC. 1299D. SENSE OF CONGRESS ON PRESS FREEDOM.

In order to promote freedom of the press in Burma, it is the sense of Congress that—

(1) Reuters journalists Wa Lone and Kyaw Soe Oo should be immediately released and should have access to lawyers and their families; and

(2) the Government of Burma should repeal the Official Secrets Act, a colonial-era law that was used to arrest these journalists, as well as other laws that are used to arrest journalists and undermine press freedom around the world.

SEC. 1299E. MEASURES RELATING TO MILITARY COOPERATION BETWEEN BURMA AND NORTH KOREA.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—The President may, with respect to any person described in paragraph (2)—

(A) impose the sanctions described in paragraph (1) or (3) of section 1299(b); or

(B) include that person on the SDN list (as defined in section 1299(i)).

(2) PERSONS DESCRIBED.—A person described in this paragraph is an official of the Government of Burma or an individual or entity acting on behalf of that Government that the President determines purchases or otherwise acquires defense articles from the Government of North Korea or an individual or entity acting on behalf of that Government.

(b) RESTRICTION ON FOREIGN ASSISTANCE.—The President may terminate or reduce the provision of United States foreign assistance to Burma if the President determines that the Government of Burma does not verifiably and irreversibly eliminate all purchases or other acquisitions of defense articles by persons described in subsection (a)(2) from the Government of North Korea or individuals or entities acting on behalf of that Government.

(c) DEFENSE ARTICLE DEFINED.—In this section, the term ''defense article'' has the meaning given that term in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

SEC. 1299F. NO AUTHORIZATION FOR THE USE OF MILITARY FORCE.

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

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

At the end of title XII, add the following:

Subtitle H—United States National Security Interests in Europe

SEC. 1291. SHORT TITLE.

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

SEC. 1292. FINDINGS; SENSE OF CONGRESS.

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

(1) The 2017 National Security Strategy states, ''[t]he United States will deepen collaboration with our European allies and partners to confront forces threatening to

undermine our common values, security interests, and shared vision. The United States and Europe will work together to counter Russian subversion and aggression, and the threats posed by North Korea and Iran. We will continue to advance our shared principles and interests in international forums.''.

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

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

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

(5) As of June 2020, the United States presence in various locations in the Federal Republic of Germany, including in Stuttgart at the United States European Command and the United States Africa Command, consists of—

(A) approximately—

(i) 35,000 members of the Armed Forces;

(ii) 10,000 Department of Defense civilian employees; and

(iii) 2,000 defense contractors;

(B) personnel of the Department of State and other United States Government agencies; and

(C) the dependents of individuals described in subparagraphs (A) and (B).

(6) The United States presence in Europe, including in the Federal Republic of Germany—

(A) protects and defends the United States and United States allies and partners by deterring conflict with the Russian Federation and other adversaries;

(B) strengthens and supports the North Atlantic Treaty Organization alliance and critical partnerships in Europe; and

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

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

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

(1) the United States should continue to maintain and strengthen the bilateral relationship with the Federal Republic of Germany and the relationships with other European allies;

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

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

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

(a) IN GENERAL.—Except as provided in subsection (b), notwithstanding any other provision of law, no Federal funds are authorized to be appropriated, obligated, expended, or otherwise made available to take any action—

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

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

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

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

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

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

(B) not later 180 days before initiating an action described in subsection (a), the President submits to the appropriate committees of Congress notice of such intent that includes—

(i) a justification for the action;

(ii) the number of members of the United States Armed Forces or civilian employees of the Department of Defense to be withdrawn or reduced, as applicable;

(iii) a description of the United States Armed Forces assets to be withdrawn or reduced, as applicable;

(iv) a description of any base or facility of the United States Armed Forces in Europe to be subject to closure or change of status, as applicable;

(v) an explanation of the national security benefit of the action to the United States and the North Atlantic Treaty Organization; and

(vi) a plan to offset the reduction in United States and North Atlantic Treaty Organization conventional deterrence against Russian Federation aggression caused by the action; and

(C) the action is expressly authorized by a joint resolution of Congress or an Act of Congress enacted after the date of the declaration described in subparagraph (A).

(c) PUBLIC TESTIMONY.—Not later than 14 days after the submittal of the notice required by subparagraph (B), the Secretary of State and the Secretary of Defense shall testify before the appropriate committees of Congress in public session on such withdrawal or reduction.

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

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President, in consultation with the Secretary of State, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff, shall submit to the appropriate committees of Congress, a report that details the decisionmaking process used to arrive at the decision to withdraw members of the Armed Forces from the Federal Republic of Germany announced on June 15, 2020.

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

(1) An assessment of whether any withdrawal of or reduction in United States Armed Forces personnel in the Federal Republic of Germany was ordered by a Presidential directive.

(2) A description of the interagency process undertaken to inform the decision outlined in any such Presidential directive or other document calling for such a withdrawal or reduction.

(3) A description of the communications with the North Atlantic Treaty Organization, the Government of the Federal Republic of Germany, or other North Atlantic Treaty Organization member countries about the potential decision to change United States force posture in the Federal Republic of Germany.

(4) An analysis of the United States national security implications of the proposed withdrawal or reduction of United States Armed Forces presence in the Federal Republic of Germany.

SEC. 1295. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.

In this subtitle, the term ''appropriate committees of Congress'' means—

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

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

SA 1704. Mr. MENENDEZ (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1216. CONGRESSIONAL OVERSIGHT OF UNITED STATES TALKS WITH TALIBAN OFFICIALS AND AFGHANISTAN'S COMPREHENSIVE PEACE PROCESS.

(a) DEFINITIONS.—In this section:

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

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

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

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

(3) THE TALIBAN.—The term ''the Taliban''—

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

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

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

(b) OVERSIGHT OF PEACE PROCESS AND OTHER AGREEMENTS.—

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

(2) SUBMISSION TO CONGRESS OF ANY FUTURE DEALS INVOLVING THE TALIBAN.—The Secretary of State shall submit to the appropriate congressional committees, within 5 days of conclusion and on an ongoing basis thereafter, any future agreement or arrangement involving the Taliban in any manner, as well as materials relevant to any future agreement or arrangement involving the Taliban in any manner.

(3) DEFINITIONS.—In this subsection, the terms ''materials relevant to the February 29 Agreement'' and ''materials relevant to any future agreement or arrangement'' include all annexes, appendices, and instruments for implementation of the February 29 Agreement or a future agreement or arrangement, as well as any understandings or expectations related to the Agreement or a future agreement or arrangement.

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

(1) IN GENERAL.—

(A) REPORT.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 120 days thereafter, the President shall submit to the appropriate congressional committees a report verifying whether the key tenets of the February 29 Agreement, or future agreements, and accompanying implementing frameworks are being preserved and honored.

(B) BRIEFING.—At the time of each report submitted under subparagraph (A), the Secretary of State shall direct a Senate-confirmed Department of State official and other appropriate officials to brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the contents of the report. The Director of National Intelligence shall also direct an appropriate official to participate in the briefing.

(2) ELEMENTS.—The report and briefing required under paragraph (1) shall include—

(A) an assessment—

(i) of the Taliban's compliance with counterterrorism guarantees, including guarantees to deny safe haven and freedom of movement to al-Qaeda and other terrorist threats from operating on territory under its influence; and

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

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

(C) an assessment of whether Taliban officials have made a complete, transparent, public, and verifiable breaking of all ties with al-Qaeda;

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

(E) an assessment of the relationship between the Taliban and any other terrorist group that is assessed to threaten the security of the United States or its allies, including any change in conduct since February 29, 2020;

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

(G) an assessment of threats emanating from Afghanistan against the United States homeland and United States partners, and a description of how the United States Government is responding to those threats;

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

(I) an assessment of the viability of any intra-Afghan governing agreement;

(J) an assessment as to whether the terms of any reduction in violence or ceasefire are being met by all sides in the conflict;

(K) a detailed overview of any United States and NATO presence remaining in Afghanistan and any planned changes to such force posture;

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

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

(N) an assessment of the status of the rule of law and governance structures at the central, provincial, and district levels of government;

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

(P) an assessment of illicit narcotics production in Afghanistan, its linkages to terrorism, corruption, and instability, and policies to counter illicit narcotics flows;

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

(R) an assessment of the number of Taliban and Afghan prisoners and any plans for the release of such prisoners from either side;

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

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

(U) a detailed overview of national-level efforts to promote transitional justice, including forensic efforts and documentation of war crimes, mass killings, or crimes against humanity, redress to victims, and reconciliation activities;

(V) A detailed overview of United States support for Government of Afghanistan and civil society efforts to promote peace and justice at the local level and how these efforts are informing government-level policies and negotiations;

(W) an assessment of the progress made by the Afghanistan Ministry of Interior and the Office of the Attorney General to address gross violations of human rights (GVHRs) by civilian security forces, Taliban, and non-government armed groups, including—

(i) a breakdown of resources provided by the Government of Afghanistan towards these efforts; and

(ii) a summary of assistance provided by the United States Government to support these efforts; and

(X) an overview of civilian casualties caused by the Taliban, non-government armed groups, and Afghan National Defense and Security Forces, including—

(i) an estimate of the number of destroyed or severely damaged civilian structures;

(ii) a description of steps taken by the Government of Afghanistan to minimize civilian casualties and other harm to civilians and civilian infrastructure;

(iii) an assessment of the Government of Afghanistan's capacity and mechanisms for investigating reports of civilian casualties; and

(iv) an assessment of the Government of Afghanistan's efforts to hold local militias accountable for civilian casualties.

(3) COUNTERTERRORISM STRATEGY.—In the event that the Taliban does not meet its counterterrorism obligations under the February 29 Agreement, the report and briefing required under this subsection shall include information detailing the United States' counterterrorism strategy in Afghanistan and Pakistan.

(4) FORM.—The report required under subparagraph (A) of paragraph (1) shall be submitted in unclassified form, but may include a classified annex, and the briefing required under subparagraph (B) of such paragraph shall be conducted at the appropriate classification level.

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

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

SA 1705. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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

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

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

(1) The United States' planned contributions to the Coalition for Epidemic Preparedness Innovations (in this section referred to as the ''Coalition'') and the mechanisms for United States participation in the Coalition.

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

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

(A) the Global Health Security Strategy required by section 7058(c)(3) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141);

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

(C) any other relevant policy and planning process.

(d) UNITED STATES CONTRIBUTIONS.—There is authorized to be appropriated $200,000,000 to carry out global health security, for contributions to the Coalition for Epidemic Preparedness Innovations.

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

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

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

SA 1706. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 603. BASIC NEEDS ALLOWANCE FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

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

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

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

''(b) MEMBERS ENTITLED TO ALLOWANCE.—

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

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

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

''(2) EXCLUSION OF BAH FROM GROSS HOUSEHOLD INCOME.—In determining the gross household income of a member for a year for purposes of paragraph (1)(B) there shall be excluded any basic allowance for housing (BAH) received by the member (and any dependents of the member in the member's household) during such year under section 403 of this title.

''(3) HOUSEHOLD WITH MORE THAN ONE ELIGIBLE MEMBER.—In the event a household contains two or more members entitled to receive the allowance under subsection (a) for a year, only one allowance shall be paid under that subsection for such year to such member among such members as such members shall jointly elect.

''(c) AMOUNT OF ALLOWANCE; MONTHS CONSTITUTING YEAR OF PAYMENT.—

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

''(A) the aggregate amount equal to—

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

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

''(B) divided by 12.

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

''(d) NOTICE OF ELIGIBILITY.—

''(1) PRELIMINARY NOTICE OF ELIGIBILITY.—Not later than December 31 each year, the Director of the Defense Finance and Accounting Service shall notify, in writing, each member of the armed forces whose aggregate amount of basic pay and compensation for service in the armed forces during such year is estimated to not exceed the amount equal to 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the member's household for such year of the member's potential entitlement to the allowance described in subsection (a) for the following year.

''(2) INFORMATION TO DETERMINE ENTITLEMENT.—Not later than January 31 each year, each member seeking to receive the allowance for such year (whether or not subject to a notice for such year under paragraph (1)) shall submit to the Director such information as the Director shall require for purposes of this section in order to determine whether or not such member is entitled to receive the allowance for such year.

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

''(e) ELECTION NOT TO RECEIVE ALLOWANCE.—

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

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

''(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations for the administration of this section. Such regulations shall specify the income to be included in, and excluded from, the gross household income of members for purposes of this section.''.

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

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

SA 1707. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 382. PROHIBITION ON HOUSING OF ANIMALS AT ALAMOGORDO PRIMATE FACILITY AT HOLLOMAN AIR FORCE BASE, NEW MEXICO.

(a) IN GENERAL.—On and after September 1, 2020, or the date of the enactment of this Act, whichever occurs later, the Secretary of the Air Force may not grant any permit to an individual or entity to house a nonhuman primate or other animal at the Alamogordo Primate Facility at Holloman Air Force Base, New Mexico.

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

(1) the amount paid by the Department of the Air Force for electricity, gas, water, and disposal of wastewater at Alamogordo Primate Facility during the period beginning on October 1, 2009, and ending on September 30, 2019;

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

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

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

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

SA 1708. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. MARITIME SECURITY AND DOMAIN AWARENESS.

(a) PROGRESS REPORT ON MARITIME SECURITY.—

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

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

(B) Entry 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 agreements.

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

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

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

(2) ELEMENT.—The report required by paragraph (1) shall include a description of specific steps taken by the Secretary of the Navy with respect to each mechanism described in paragraph (1), including a detailed description of any security cooperation engagement undertaken to combat IUU fishing

by such mechanisms and resulting coordination between the Department of the Navy and the Coast Guard.

(b) ASSESSMENT OF SERVICE COORDINATION ON MARITIME DOMAIN AWARENESS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall enter into an agreement with the Secretary of the department in which the Coast Guard is operating, in consultation with the Secretary of Commerce, to assess the available commercial solutions for collecting, sharing, and disseminating among United States maritime services and partner countries maritime domain awareness information relating to illegal maritime activities, including IUU fishing.

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

(A) build on the ongoing Coast Guard assessment related to autonomous vehicles;

(B) consider appropriate commercially and academically available technological solutions; and

(C) consider any limitation related to affordability, exportability, maintenance, and sustainment requirements and any other factor that may constrain the suitability of such solutions for use in a joint and combined environment, including the potential provision of such solutions to one or more partner countries.

(3) SUBMITTAL TO CONGRESS.—Not later than one year after entering into an agreement under paragraph (1), the Secretary of the Navy shall submit to the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate and the Committee on Armed Services, the Committee on Natural Resources, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives the assessment prepared in accordance with the agreement.

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

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

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

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

(B) A consideration of—

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

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

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

(3) FORM.—The report required by paragraph (1) shall be in unclassified form, but may include a classified annex.

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

SA 1709. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 377 and insert the following:

SEC. 377. COMMISSION ON THE NAMING OF ASSETS OF THE DEPARTMENT OF DEFENSE THAT COMMEMORATE THE CONFEDERATE STATES OF AMERICA OR ANY PERSON WHO SERVED VOLUNTARILY WITH THE CONFEDERATE STATES OF AMERICA.

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

(b) MEMBERSHIP.—

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

(A) two shall be appointed by the President;

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

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

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

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

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

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

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

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

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

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

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

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

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

(6) Ensure that input from State and local stakeholders is substantially reflected in the criteria developed under paragraphs (2) and (3), nominations made under paragraph (4), and procedures developed under paragraph (5), including by—

(A) conducting public hearings on such criteria, nominations, and procedures in the States that would be affected by any renaming or removal; and

(B) soliciting input on such criteria, nominations, and procedures from the State entities, local government entities, military families, veterans service organizations, military service organizations, community organizations, and other non-government entities that would be affected by any renaming or removal.

(e) PROCEDURES.—

(1) HEARINGS.—Not later than 14 days before a hearing to be conducted under subsection (d)(6)(A), the Commission shall publish on a website of the Department of Defense—

(A) an announcement of such hearing; and

(B) an agenda for the hearing and a list of materials relevant to the topics to be discussed at the hearing.

(2) SOLICITATION OF INPUT.—Not later than 60 days before soliciting input under subsection (d)(6)(B) with respect to a renaming or removal, the Commission shall provide notice to State entities, local government entities, military families, veterans service organizations, military service organizations, community organizations, and other non-government entities that would be affected by the renaming or removal to provide those individuals and entities time to consider and comment on the criteria, nominations, and procedures being developed under subsection (d).

(f) EXEMPTION FOR GRAVE MARKERS.—

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

(2) GRAVE MARKERS DEFINED.—For purposes of this subsection, the term ''grave marker'' has the meaning given that term by the Commission.

(g) BRIEFINGS AND REPORTS.—

(1) BRIEFING.—Not later than October 1, 2021, the Commission shall brief the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives detailing the progress of the Commission in carrying out the requirements of the Commission under subsection (d).

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

(A) A list of assets of the Department of Defense to be renamed or removed.

(B) The costs associated with the renaming or removal of such assets.

(C) A description of the criteria used to nominate such assets for renaming or removal.

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

(h) FUNDING.—

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

(2) OFFSET.—The amount authorized to be appropriated by this Act for fiscal year 2021 for Operation and Maintenance, Army, sub activity group 434, other personnel support is hereby reduced by $2,000,000.

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

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

At the appropriate place, insert the following:

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

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

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

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

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

(4) by adding at the end the following:

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

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

''(ii) to test the security of connected programmable data logic controllers, supervisory control and data acquisition servers, and other cyber connected industrial equipment; and

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

SA 1711. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CYBERSECURITY REPORTING REQUIREMENTS FOR PUBLICLY TRADED COMPANIES.

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

''(18) CRITICAL INFORMATION SYSTEM.—The term 'critical information system' means a set of activities—

''(A) involving people, processes, data, or technology; and

''(B) that enable an issuer to obtain, generate, use, and communicate transactions and information in pursuit of the core business objectives of the issuer.

''(19) INFORMATION SECURITY CONTROL.—The term 'information security control' means a safeguard or countermeasure that is—

''(A) prescribed for an information system or an organization; and

''(B) designed to—

''(i) protect the confidentiality, integrity, and availability of information; and

''(ii) meet a set of defined security requirements.

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

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

(1) IN GENERAL.—Section 302 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7241) is amended—

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

(B) in subsection (a)—

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

(ii) in paragraph (4)—

(I) in subparagraph (A), by inserting '', including information security controls'' after ''internal controls'';

(II) in subparagraph (B), by inserting '', including information security controls,'' after ''internal controls'';

(III) in subparagraph (C), by inserting '', including information security controls,'' after ''internal controls''; and

(IV) in subparagraph (D), by inserting '', including information security controls,'' after ''internal controls'';

(iii) in paragraph (5)(A), by inserting ''and all significant cybersecurity risks in the critical information systems of the issuer'' after ''internal controls''; and

(iv) in paragraph (6)—

(I) by inserting '', including information security controls,'' after ''significant changes in internal controls'';

(II) by inserting '', including information security controls,'' after ''could significantly affect internal controls''; and

(III) by striking ''significant deficiencies and'' and inserting the following: ''cybersecurity risks, significant deficiencies, and''.

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

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

(c) MANAGEMENT ASSESSMENTS OF INTERNAL CONTROLS AND CRITICAL INFORMATION SYSTEMS.—

(1) IN GENERAL.—Section 404 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7262) is amended—

(A) in the section heading, by inserting ''**AND CRITICAL INFORMATION SYSTEMS**'' after ''**CONTROLS**'';

(B) in subsection (a)—

(i) in paragraph (1), by striking ''and'' at the end;

(ii) in paragraph (2), by striking ''of the issuer for financial reporting.'' and inserting the following: ''of the issuer for financial reporting and for maintaining internal information security controls; and''; and

(iii) by adding at the end the following:

''(3) state the responsibility of management for establishing and maintaining adequate internal information security controls, which shall include penetration testing, as applicable.'';

(C) by redesignating subsection (c) as subsection (d);

(D) by inserting after subsection (b) the following:

''(c) INFORMATION SECURITY CONTROL EVALUATION AND REPORTING.—With respect to the internal information security control assessment required by subsection (a), any third-party information security firm that prepares or issues a cyber or information security risk assessment for the issuer, other than an issuer that is an emerging growth company (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)), shall attest to, and report on, the assessment made by the management of the issuer. An attestation made under this subsection shall be made in accordance with standards for attestation engagements issued or adopted by the Board. Any such attestation shall not be the subject of a separate engagement.'';

(E) in subsection (d), as so redesignated, by striking ''Subsection (b)'' and inserting ''Subsections (b) and (c)''; and

(F) by adding at the end the following:

''(e) GUIDANCE ON INFORMATION SECURITY REPORTING.—The Commission shall issue guidance regarding how to describe information security issues under this section in a manner that does not compromise the security controls of the applicable reporting entity.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201 note) is amended by striking the item relating to section 404 and inserting the following:

''Sec. 404. Management assessment of internal controls and critical information systems.''.

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

At the appropriate place, insert the following:

SEC. ___. JOINT COLLABORATIVE ENVIRONMENT.

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

(1) integrate the unclassified and classified cyber threat intelligence, malware forensics, and data from network sensor programs of the Federal Government;

(2) enable cross-correlation of threat data at the speed and scale necessary for rapid detection and identification of cyber threats;

(3) enable query and analysis by appropriate operators across the Federal Government; and

(4) facilitate a whole-of-government, comprehensive understanding of the cyber threats facing the Federal Government and critical infrastructure networks in the United States.

(b) DEVELOPMENT.—

(1) INITIAL EVALUATION.—Not later than 180 days after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency and the Director of the National Security Agency shall—

(A) identify all existing Federal sources of classified and unclassified cyber threat information; and

(B) evaluate all programs, applications, or platforms of the Federal Government that are intended to detect, identify, analyze, and monitor cyber threats against the United States or critical infrastructure.

(2) DESIGN.—Not later than 1 year after the evaluation required under paragraph (1), the Director of the Cybersecurity and Infrastructure Security Agency and the Director of the National Security Agency shall design the structure of a common platform for sharing and fusing existing government information, insights, and data related to cyber threats and threat actors, which shall, at a minimum—

(A) account for appropriate data standards and interoperability requirements;

(B) enable integration of current applications, platforms, data, and information, to include classified information;

(C) ensure accessibility by such Federal agencies as the Director of the Cybersecurity and Infrastructure Security Agency and the Director for the National Security Agency determine necessary;

(D) account for potential private sector participation and partnerships;

(E) enable unclassified data to be integrated with classified data;

(F) anticipate the deployment of analytic tools across classification levels to leverage all relevant data sets, as appropriate;

(G) identify tools and analytical software that can be applied and shared to manipulate, transform, and display data and other identified needs; and

(H) anticipate the integration of new technologies and data streams, including data from Federal Government-sponsored voluntary network sensors or network-monitoring programs for the private sector or for State, local, Tribal, and territorial governments.

(c) OPERATION.—The information sharing environment established pursuant to subsection (a) shall be jointly managed by—

(1) the Director of the Cybersecurity and Infrastructure Security Agency, who shall have responsibility for unclassified information and data streams; and

(2) the Director of the National Security Agency, who shall have responsibility for all classified information and data streams.

(d) POST-DEPLOYMENT ASSESSMENT.—Not later than 2 years after the deployment of the information sharing environment requirement under subsection (a), the Director of the Cybersecurity and Infrastructure Security Agency and the Director of the National Security Agency shall jointly assess the means by which the sharing environment can be expanded to include critical infrastructure information sharing organizations and, to the maximum extent practicable, begin the process of such expansion.

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

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

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

(3) DATA STREAMS.—The Council shall identify, designate, and periodically update Federal programs required to participate in or be interoperable with the information sharing environment described in subsection (a), including—

(A) Federal Government network-monitoring and intrusion detection programs;

(B) cyber threat indicator-sharing programs;

(C) Federal Government-sponsored network sensors or network-monitoring programs for the private sector or for State, local, Tribal, and territorial governments;

(D) incident response and cybersecurity technical assistance programs; and

(E) malware forensics and reverse-engineering programs.

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

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

(f) PRIVACY AND CIVIL LIBERTIES.—

(1) GUIDELINES OF ATTORNEY GENERAL.—Not later than 60 days after the date of enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal agencies and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1), develop, submit to Congress, and make available to the public interim guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal agency obtained in connection with activities authorized under this section.

(2) FINAL GUIDELINES.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal agencies and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1) and such private entities with industry expertise as the Attorney General considers relevant, promulgate final guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized under this section.

(B) PERIODIC REVIEW.—The Attorney General shall, in coordination with heads of the appropriate Federal agencies and in consultation with the officers and private entities described in subparagraph (A), periodically, but not less frequently than once every 2 years, review the guidelines promulgated under subparagraph (A).

(3) CONTENT.—The guidelines required under paragraphs (1) and (2) shall, consistent with the need to protect information systems from cybersecurity threats and mitigate cybersecurity threats—

(A) limit the effect on privacy and civil liberties of activities by the Federal Government under this section;

(B) limit the receipt, retention, use, and dissemination of cyber threat indicators containing personal information or information that identifies specific persons, including by establishing—

(i) a process for the timely destruction of such information that is known not to be directly related to uses authorized under this title; and

(ii) specific limitations on the length of any period in which a cyber threat indicator may be retained;

(C) include requirements to safeguard cyber threat indicators containing personal information or information that identifies specific persons from unauthorized access or acquisition, including appropriate sanctions for activities by officers, employees, or agents of the Federal Government in contravention of such guidelines;

(D) include procedures for notifying entities and Federal agencies if information received pursuant to this section is known or determined by a Federal agency receiving such information not to constitute a cyber threat indicator;

(E) protect the confidentiality of cyber threat indicators containing personal information or information that identifies specific persons to the greatest extent practicable and require recipients to be informed that such indicators may only be used for purposes authorized under this section; and

(F) include steps that may be needed so that dissemination of cyber threat indicators is consistent with the protection of classified and other sensitive national security information.

(g) OVERSIGHT OF GOVERNMENT ACTIVITIES.—

(1) BIENNIAL REPORT ON PRIVACY AND CIVIL LIBERTIES.—Not later than 2 years after the date of enactment of this Act and not less frequently than once every year thereafter, the Privacy and Civil Liberties Oversight Board shall submit to Congress and the President a report providing—

(A) an assessment of the effect on privacy and civil liberties by the type of activities carried out under this section; and

(B) an assessment of the sufficiency of the policies, procedures, and guidelines established pursuant to subsection (f) in addressing concerns relating to privacy and civil liberties.

(2) BIENNIAL REPORT BY INSPECTORS GENERAL.—

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

(B) CONTENTS.—Each report submitted under subparagraph (A) shall include the following:

(i) A review of the types of cyber threat indicators shared with Federal agencies.

(ii) A review of the actions taken by Federal agencies as a result of the receipt of such cyber threat indicators.

(iii) A list of Federal entities receiving such cyber threat indicators.

(iv) A review of the sharing of such cyber threat indicators among Federal agencies to identify inappropriate barriers to sharing information.

(3) RECOMMENDATIONS.—Each report submitted under this subsection may include such recommendations as the Privacy and Civil Liberties Oversight Board, with respect to a report submitted under paragraph (1), or the Inspectors General referred to in paragraph (2)(A), with respect to a report submitted under paragraph (2), may have for improvements or modifications to the authorities under this section.

(4) FORM.—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex.

(h) CRITICAL INFRASTRUCTURE.—In this section, the term ''critical infrastructure'' has the meaning given that term in section 1016(e) of the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c(e).

SA 1713. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. ___. CYBER STATE OF DISTRESS.

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

''Subtitle C—Cyber State of Distress

''SEC. 2231. CYBER STATE OF DISTRESS.

''(a) DEFINITIONS.—In this section:

''(1) ASSET RESPONSE.—The term 'asset response' means activities including—

''(A) furnishing technical and advisory assistance to entities affected by a cyber incident to protect their assets, mitigate vulnerabilities, and reduce the related impacts;

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

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

''(D) facilitating information sharing and operational coordination with threat response; and

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

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

''(3) INCIDENT.—The term 'incident' has the meaning given the term in section 2209.

''(4) SIGNIFICANT CYBER INCIDENT.—The term 'significant cyber incident' means an incident that is, or group of related cyber incidents that together are, reasonably likely to result in significant harm to the national security, foreign policy, or economic health or financial stability of the United States.

''(b) DECLARATION.—

''(1) IN GENERAL.—The Secretary may declare a cyber state of distress in accordance with this section if the Secretary determines that—

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

''(B) there is a near-term risk of a significant cyber incident.

''(2) COORDINATION OF ACTIVITIES.—Upon declaration of a cyber state of distress under paragraph (1), the Secretary shall—

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

''(B) harmonize the activities described in subparagraph (A) with asset response activities of private entities and State and local governments to the maximum extent practicable; and

''(C) harmonize the activities described in subparagraph (A) with Federal, State, local, Tribal, and territorial law enforcement investigations and threat response activities.

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

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

''(5) PUBLICATION.—Not later than 72 hours after the Secretary makes a declaration pursuant to paragraph (1), the Secretary shall publish the declaration in the Federal Register.

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

''(7) SUPERSEDING DECLARATIONS.—A declaration made pursuant to paragraph (1) shall have no effect if the President declares a major disaster pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) in the same area covered by the declaration made pursuant to paragraph (1).

''(c) ADVANCE ACTIVITIES.—The Secretary shall—

''(1) assess the Federal resources available to respond to a cyber state of distress declared pursuant to paragraph (1); and

''(2) take actions to arrange or procure such additional resources as the Secretary determines necessary, including entering into standby contracts for private sector cybersecurity services or incident responders.

''(d) CYBER RESPONSE AND RECOVERY FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury a fund to be known as the Cyber Response and Recovery Fund.

''(2) USE OF FUNDS.—Amounts in the Fund shall be available to carry out—

''(A) activities related to a cyber state of distress declared by the Secretary pursuant to subsection (b)(1); and

''(B) advance activities undertaken by the Secretary pursuant to subsection (c).

''(3) EXPENDITURES FROM THE FUND.—The cost of any assistance provided pursuant to this section shall be reimbursed out of funds appropriated to the Fund and made available to carry out this section.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by adding at the end the following:

''Subtitle C—Cyber State of Distress

''Sec. 2231. Cyber state of distress.''.

SA 1714. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NATIONAL RISK MANAGEMENT ACT.

(a) SHORT TITLE.—This section may be cited as the ''National Risk Management Act''.

(b) DEFINITIONS.—In this section:

(1) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given that term in section 1016 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (42 U.S.C. 5195c).

(2) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(3) DIRECTOR.—The term ''Director'' means the Director of the Cybersecurity and Infrastructure Security Agency of the Department.

(4) NATIONAL CRITICAL FUNCTION.—The term ''national critical function'' means a function of the government or the private sector that is so vital to the United States that the disruption, corruption, or dysfunction of the function would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(6) SECTOR RISK MANAGEMENT AGENCY.—The term ''Sector Risk Management Agency'' means an agency designated under subsection (e).

(c) NATIONAL RISK MANAGEMENT CYCLE.—

(1) RISK IDENTIFICATION AND ASSESSMENT.—

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

(B) CONSULTATION.—In developing the process required under subparagraph (A), the Secretary shall consult with Sector Risk Management Agencies and critical infrastructure owners and operators.

(C) PUBLICATION.—Not later than 180 days after the date of enactment of this Act, the Secretary shall publish procedures for process developed pursuant to subparagraph (A) in the Federal Register.

(D) REPORT.—Not later than 1 year after the date of enactment of this Act, and once every 4 years thereafter, the Secretary shall submit to the President a report on the risks identified by the process established pursuant to subparagraph (A).

(2) NATIONAL CRITICAL INFRASTRUCTURE RESILIENCE STRATEGY.—

(A) IN GENERAL.—Not later than 1 year after the Secretary submits each report required under paragraph (1), the President shall submit to majority and minority leaders of the Senate and the Speaker and the minority leader of the House of Representatives a National Critical Infrastructure Resilience Strategy designed to address the risks identified by the Secretary.

(B) ELEMENTS.—In each strategy submitted under this paragraph, the President shall:

(i) Identify, assess, and prioritize areas of risk to critical infrastructure that would compromise, disrupt, or impede their ability to support the national critical functions of national security, economic security, or public health and safety.

(ii) Assess the implementation of the previous National Critical Infrastructure Resilience Strategy, as applicable.

(iii) Identify and outline current and proposed national-level actions, programs, and efforts to be taken to address the risks identified.

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

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

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

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

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

(d) CRITICAL INFRASTRUCTURE SECTOR DESIGNATION.—

(1) INITIAL REVIEW.—Not later than 180 days after the date of enactment of this section, the Secretary shall—

(A) review the critical infrastructure sector model and corresponding designations for Sector Risk Management Agencies in effect on the date of enactment of this Act; and

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

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

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

(2) PERIODIC REVIEW.—Not later than 1 year before the submission of each strategy required under subsection (c)(2), the Secretary, in consultation with the Director, shall—

(A) review the current list of critical infrastructure sectors and the assignment of Sector Risk Management Agencies, as set forth in Presidential Policy Directive–21, or any successor document; and

(B) recommend to the President—

(i) any additions or deletions to the list of critical infrastructure sectors; and

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

(3) UPDATE.—

(A) IN GENERAL.—Not later than 180 days after the date on which the Secretary makes a recommendation under paragraph (2), the President shall—

(i) review the recommendation and update, as appropriate, the designation of critical infrastructure sectors and each sector's corresponding Sector Risk Management Agency; or

(ii) submit a report to the majority and minority leaders of the Senate and the Speaker and minority leader of the House of Representatives explaining the basis for rejecting the recommendations of the Secretary.

(B) LIMITATION.—The President—

(i) may not designate more than 1 department or agency as the Sector Risk Management Agency for each critical infrastructure sector; and

(ii) may only designate an agency under this subsection if the agency is referenced in section 205 of the Chief Financial Officers Act of 1990 (42 U.S.C. 901).

(4) PUBLICATION.—Any designation of critical infrastructure sectors shall be published in the Federal Register.

(e) SECTOR RISK MANAGEMENT AGENCIES.—

(1) IN GENERAL.—Any reference to a Sector-Specific Agency in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Sector Risk Management Agency of the relevant critical infrastructure sector.

(2) COORDINATION.—In carrying out this section, the head of each Sector Risk Management Agency shall—

(A) coordinate with the Secretary and the head of other relevant Federal departments and agencies;

(B) collaborate with critical infrastructure owners and operators; and

(C) as appropriate, coordinate with independent regulatory agencies, and State, local, Tribal, and territorial entities.

(3) RESPONSIBILITIES.—The head of each Sector Risk Management Agency shall utilize the specialized expertise of the agency about the assigned critical infrastructure sector and authorities of the agency under applicable law to support and carry out activities for its assigned sector related to—

(A) sector risk management, including—

(i) establishing and carrying out programs to assist critical infrastructure owners and operators within their assigned sector in identifying, understanding, and mitigating threats, vulnerabilities, and risks to their region, sector, systems or assets; and

(ii) recommending resilience measures to mitigate the consequences of destruction, compromise, and disruption of their systems and assets;

(B) sector risk identification and assessment, including—

(i) identifying, assessing, and prioritizing risks to critical infrastructure within their sector, considering physical and cyber threats, vulnerabilities, and consequences; and

(ii) supporting national risk assessment efforts led by the Department, including identifying, assessing, and prioritizing cross-sector and national-level risks;

(C) sector coordination, including—

(i) serving as a day-to-day Federal interface for the dynamic prioritization and coordination of sector-specific activities and their responsibilities under this section;

(ii) serving as the government coordinating council chair for their assigned sector; and

(iii) participating in cross-sector coordinating councils, as appropriate;

(D) threat and vulnerability information sharing, including—

(i) facilitating access to, and exchange of, information and intelligence necessary to strengthen the resilience of critical infrastructure, including through the sector's information sharing and analysis center;

(ii) facilitating the identification of intelligence needs and priorities of critical infrastructure in coordination with the Director of National Intelligence and the heads of other Federal departments and agencies, as appropriate;

(iii) providing the Director ongoing, and where practicable, real-time awareness of identified threats, vulnerabilities, mitigations, and other actions related to the security of critical infrastructure; and

(iv) supporting the reporting requirements of the Department under applicable law by providing, on an annual basis, sector-specific critical infrastructure information;

(E) incident management, including—

(i) supporting incident management and restoration efforts during or following a security incident;

(ii) supporting the Cybersecurity and Infrastructure Security Agency, as requested, in conducting vulnerability assessments and asset response activities for critical infrastructure; and

(iii) supporting the Attorney General and law enforcement agencies with efforts to detect and prosecute threats to and attacks against critical infrastructure;

(F) emergency preparedness, including—

(i) coordinating with critical infrastructure owners and operators in the development of planning documents for coordinated action in response to an incident or emergency;

(ii) conducting exercises and simulations of potential incidents or emergencies; and

(iii) supporting the Department and other Federal departments or agencies in developing planning documents or conducting exercises or simulations relevant to their assigned sector;

(G) participation in national risk management efforts, including—

(i) supporting the Secretary in the risk identification and assessment activities carried out pursuant to subsection (c);

(ii) supporting the President in the development of the National Critical Infrastructure Resilience Strategy pursuant to subsection (c); and

(iii) implementing the National Critical Infrastructure Resilience Strategy pursuant to subsection (c).

(4) STATUS OF INFORMATION.—Information shared with a Sector Risk Management Agency in furtherance of the responsibilities outlined in paragraph (3)(B)(ii) shall be treated as protected critical infrastructure information under section 214 of the Homeland Security Act of 2002 (6 U.S.C. 673).

(f) REPORTING AND AUDITING.—Not later than 2 years after the date of enactment of this Act, and once every 4 years thereafter, the Comptroller General of the United States shall submit a report to appropriate Committees of Congress on the effectiveness of Sector Risk Management Agencies in carrying out their responsibilities under subsection (e).

SA 1715. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. BUREAU OF CYBER STATISTICS.

(a) DEFINITIONS.—In this section—

(1) the term ''Bureau'' means the Bureau of Cyber Statistics of the Department of Commerce established under subsection (b);

(2) the term ''Director'' means the Director of the Bureau; and

(3) the term ''statistical purpose''—

(A) means the description, estimation, or analysis of the characteristics of groups without identifying the individuals or organizations that comprise those groups; and

(B) includes the development, implementation, or maintenance of methods, technical or administrative procedures, or information resources that support the duties and functions of the Director under subsection (d).

(b) ESTABLISHMENT.—There is established within the Department of Commerce the Bureau of Cyber Statistics.

(c) DIRECTOR.—

(1) IN GENERAL.—The Bureau shall be headed by a Director, who shall—

(A) report to the Secretary of Commerce; and

(B) be appointed by the President.

(2) AUTHORITY.—The Director shall—

(A) have final authority for all cooperative agreements and contracts entered into by the Bureau;

(B) be responsible for the integrity of data and statistics collected and retained by the Bureau; and

(C) protect against improper or illegal use or disclosure of data and statistics collected and retained the Bureau, consistent with the procedures developed under subsection (g).

(3) QUALIFICATIONS.—The Director—

(A) shall have experience in statistical programs; and

(B) may not—

(i) engage in any other employment while serving as the Director; or

(ii) hold any office in, or act in any capacity for, any organization, agency, or institution with which the Bureau enters into any contract or other arrangement under this section.

(d) DUTIES AND FUNCTIONS.—The Director shall—

(1) collect and analyze—

(A) information concerning cybersecurity, including data relating to cyber incidents, cyber crime, and any other area the Director determines appropriate; and

(B) data that shall serve as a national indication with respect to the prevalence, rates, extent, distribution, attributes, and number of all relevant cyber incidents, as determined by the Director, in support of national policy and decision making;

(2) compile, collate, analyze, publish, and disseminate uniform national cyber statistics concerning any area that the Director determines appropriate;

(3) in coordination with the Director of the National Institute of Standards and Technology, recommend national standards, metrics, and measurement criteria for cyber statistics and for ensuring the reliability and validity of statistics collected under this section;

(4) conduct or support research relating to methods of gathering or analyzing cyber statistics;

(5) enter into cooperative agreements or contracts with public agencies, institutions of higher education, and private organizations for purposes relating to this section;

(6) provide appropriate information to the President, Congress, Federal agencies, the private sector, and the general public on cyber statistics;

(7) communicate with State and local governments concerning cyber statistics;

(8) as needed, confer and cooperate with Federal statistical agencies to carry out the purposes of this section, including by entering into cooperative data sharing agreements that comply with all laws and regulations applicable to the disclosure and use of data; and

(9) request from any person or entity information, data, and reports as may be required to carry out the purposes of this section.

(e) FURNISHING OF INFORMATION, DATA, OR REPORTS BY FEDERAL DEPARTMENTS AND AGENCIES.—A Federal department or agency that the Director requests to provide information, data, or reports under subsection (c)(9) shall provide to the Bureau such information as the Director determines necessary to carry out the purposes of this section.

(f) PROTECTION OF INFORMATION.—

(1) IN GENERAL.—No officer, employee, or agent of the Federal Government may, without the consent of the individual or the applicable agency, or the individual who is the subject of the submission or who provides the submission—

(A) use any submission that is furnished for exclusively statistical purposes under this section for any purpose other than the statistical purposes for which the submission is furnished;

(B) make any publication or media transmittal of the data contained in the submission described in subparagraph (A) if that publication or transmittal would permit information concerning individual entities or incidents to be reasonably inferred by either direct or indirect means; or

(C) permit anyone other than a sworn officer, employee, agent, or contractor of the Bureau to examine a submission described in subsection (e) or (g).

(2) IMMUNITY FROM LEGAL PROCESS.—Any submission (including any data derived from a submission) that is collected and retained by the Bureau, or an officer, employee, agent, or contractor of the Bureau, for exclusively statistical purposes under this section shall be immune from legal process and shall not, without the consent of the individual, entity, agency, or other person that is the subject of the submission (or that provides the submission), be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to provide immunity from legal process for a submission (including any data derived from a submission) if the submission is in the possession of any person, agency, or entity other than the Bureau or an officer, employee, agent, or contractor of the Bureau, or if the submission is independently collected, retained, or produced for purposes other than the purposes of this section.

(g) PRIVATE SECTOR SUBMISSION OF DATA.—

(1) STANDARDS FOR SUBMISSION OF INFORMATION.—Not later than 2 years after the date of enactment of this Act, and after consultation with relevant stakeholders, the Director shall develop criteria and standardized procedures with respect to private entities submitting to the Bureau data relating to cyber incidents.

(2) PRIVATE SECTOR SUBMISSION.—After the development of the criteria and standards required under paragraph (1), the Director shall publish the processes for the submissions described in that paragraph and shall begin accepting those submissions.

(3) REPORT.—Not later than 1 year after the date on which the Director begins accepting submissions under paragraph (2), the Director shall submit to Congress a report detailing—

(A) the rate of submissions by private entities;

(B) an assessment of the procedures for the submissions described in subparagraph (A); and

(C) an overview of mechanisms for ensuring the collection of data relating to cyber incidents from private entities that collect and retain that type of data as part of their core business activity.

(h) STATUS OF DIRECTOR POSITION.—Section 5315 of title 5, United States Code, is amended by inserting after the item relating to the Director of the Bureau of the Census the following:

''Director, Bureau of Cyber Statistics, Department of Commerce.''.

SA 1716. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. BUREAU OF CYBERSPACE SECURITY AND EMERGING TECHNOLOGIES.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) in subsection (c)(1) by striking ''24'' and inserting ''25'';

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

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

''(g) BUREAU OF CYBERSPACE SECURITY AND EMERGING TECHNOLOGIES.—

''(1) IN GENERAL.—There is established, within the Department of State, the Bureau of Cyberspace Security and Emerging Technologies (referred to in this subsection as the 'Bureau'). The President shall appoint, by and with the advice and consent of the Senate, an Assistant Secretary (referred to in this subsection as the 'Assistant Secretary'), who shall head the Bureau.

''(2) DUTIES.—

''(A) IN GENERAL.—The Assistant Secretary shall—

''(i) carry out the responsibilities described in subparagraph (B); and

''(ii) perform such other duties and exercise such powers as the Secretary shall prescribe.

''(B) PRINCIPAL RESPONSIBILITIES.—The Assistant Secretary shall—

''(i) serve as the principal cyberspace policy official within the Department of State and as the adviser to the Secretary for cyberspace issues;

''(ii) lead the Department of State's diplomatic cyberspace efforts, which may include—

''(I) the promotion of human rights, democracy, and the rule of law (including freedom of expression, innovation, communication, and economic prosperity);

''(II) respecting privacy; and

''(III) guarding against deception, fraud, and theft;

''(iii) advocate for norms of responsible behavior in cyberspace and confidence building measures, deterrence, international responses to cyber threats, Internet freedom, digital economy, cybercrime, and capacity building;

''(iv) promote an open, interoperable, reliable, and secure information and communications technology infrastructure globally;

''(v) represent the Secretary in interagency efforts to develop and advance the policy priorities of the United States relating to cyberspace and emerging technologies; and

''(vi) consult, as appropriate, with other executive branch agencies with related functions.

''(3) QUALIFICATIONS.—The Assistant Secretary shall be an individual of demonstrated competency in the fields of—

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

''(B) international diplomacy.

''(4) ORGANIZATIONAL PLACEMENT.—

''(A) INITIAL PLACEMENT.—During the 4-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, the Assistant Secretary shall report to—

''(i) the Under Secretary for Political Affairs; or

''(ii) an official of the Department of State holding a higher position than the Under Secretary for Political Affairs, if so directed by the Secretary.

''(B) PERMANENT PLACEMENT.—After the conclusion of the period described in subparagraph (A), the Assistant Secretary shall report to—

''(i) an appropriate Under Secretary of the Department of State; or

''(ii) an official of the Department of State holding a higher position than Under Secretary.''.

SA 1717. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe 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. _____. STRATEGY TO SECURE FOUNDATIONAL INTERNET PROTOCOLS AND E-MAIL.

(a) DEFINITIONS.—In this section:

(1) BORDER GATEWAY PROTOCOL.—The term ''border gateway protocol'' means a protocol designed to optimize routing of information exchanged through the internet.

(2) DOMAIN NAME SYSTEM.—The term ''domain name system'' means a system that stores information associated with domain names in a distributed database on networks.

(3) DOMAIN-BASED MESSAGE AUTHENTICATION, REPORTING, AND CONFORMANCE (DMARC).—The terms ''domain-based message authentication, reporting, and conformance'' and ''DMARC'' mean an e-mail authentication, policy, and reporting protocol that verifies the authenticity of the sender of an e-mail and blocks and reports fraudulent accounts.

(4) INFORMATION AND COMMUNICATIONS TECHNOLOGY INFRASTRUCTURE PROVIDERS.—The term ''information and communications technology infrastructure providers'' means all systems that enable connectivity and operability of internet service, backbone, cloud, web hosting, content delivery, domain name system, and software-defined networks and other systems and services.

(b) CREATION OF A STRATEGY TO SECURE FOUNDATIONAL INTERNET PROTOCOLS AND E-MAIL.—

(1) PROTOCOL SECURITY STRATEGY.—

(A) IN GENERAL.—Not later than December 31, 2020, the National Telecommunications and Information Administration, in coordination with the Secretary of Homeland Security, shall submit to Congress a strategy to secure the border gateway protocol and the domain name system.

(B) STRATEGY REQUIREMENTS.—The strategy required under subparagraph (A) shall—

(i) articulate the security and privacy benefits of implementing border gateway protocol and domain name system security as well as the burdens of implementation and the entities on whom those burdens will most likely fall;

(ii) identify key United States and international interested entities;

(iii) outline identified security measures that could be used to secure or provide authentication for the border gateway protocol and domain name system;

(iv) identify any barriers to implementing border gateway protocol and domain name system security at scale;

(v) propose a strategy to implement identified security measures at scale, accounting for barriers to implementation and balancing benefits and burdens, where feasible; and

(vi) provide an initial estimate of the total cost to government and implementing entities in the private sector of implementing border gateway protocol and domain name system security and propose recommendations for defraying these costs, if applicable.

(C) CONSULTATION.—In developing the strategy under subparagraph (A), the National Telecommunications and Information Administration, in coordination with the Secretary of Homeland Security, shall consult with information and communications technology infrastructure providers, civil society organizations, relevant non-profits, and academic experts.

(2) DMARC STRATEGY.—

(A) IN GENERAL.—Not later than December 31, 2021, the Secretary of Homeland Security shall submit to Congress a strategy to implement a domain-based message authentication, reporting, and conformance standard across all United States-based e-mail providers.

(B) REPORT REQUIREMENTS.—The strategy required by subparagraph (A) shall—

(i) articulate the security and privacy benefits of implementing the domain-based message authentication, reporting, and conformance standard at scale, as well as the burdens of implementation and the entities on whom those burdens will most likely fall;

(ii) identify key United States and international interested entities;

(iii) identify any barriers to implementing the domain-based message authentication, reporting, and conformance standard at scale across all United States-based e-mail providers; and

(iv) propose a strategy to implement the domain-based message authentication, reporting, and conformance standard at scale across all United States-based e-mail providers, accounting for barriers to implementation and balancing benefits and burdens, where feasible.

(C) COST ESTIMATE.—The strategy required under subparagraph (A) shall include—

(i) an initial estimate of the total cost to the Federal Government and private sector implementing entities of implementing the domain-based message authentication, reporting, and conformance standard at scale across all United States-based e-mail providers; and

(ii) recommendations for defraying the cost described in clause (i), if applicable.

(D) CONSULTATION.—In developing the strategy pursuant to subparagraph (A), the Secretary of Homeland Security shall consult with the information technology sector.

SA 1718. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the title X, add the following:

Subtitle __—National Cybersecurity Certification and Labeling

SEC. __01. DEFINITIONS.

In this subtitle:

(1) ACCREDITED CERTIFYING AGENT.—The term ''accredited certifying agent'' means any person who is accredited by the National Cybersecurity Certification and Labeling Authority as a certifying agent for the purposes of certifying a specific class of critical information and communications technology.

(2) CERTIFICATION.—The term ''certification'' means a seal or symbol provided by the National Cybersecurity Certification and Labeling Authority or an accredited certifying agent, that results from passage of a comprehensive evaluation of an information and communications technology that establishes the extent to which a particular design and implementation meets a set of specified security standards.

(3) CRITICAL INFORMATION AND COMMUNICATIONS TECHNOLOGY.—The term ''critical information and communications technology'' means information and communications technology that is in use in critical infrastructure sectors and that underpins national critical functions as determined by the Secretary of Homeland Security.

(4) LABEL.—The term ''label'' means a clear, visual, and easy to understand symbol or list that conveys specific information about a product's security attributes, characteristics, functionality, components, or other features

SEC. __02. NATIONAL CYBERSECURITY CERTIFICATION AND LABELING AUTHORITY AND PROGRAM.

(a) ESTABLISHMENT.—There is established a National Cybersecurity Certification and Labeling Authority (hereinafter referred to as the ''Authority'') for the purpose of administering a voluntary program, which the Authority shall establish, for the certification and labeling of critical information and communications technologies.

(b) ACCREDITATION OF CERTIFYING AGENTS.—As part of the program established and administered under subsection (a), the Authority shall define and publish a process whereby nongovernmental entities may apply to become accredited agents for the certification of specific critical information and communications technologies.

(c) IDENTIFICATION OF STANDARDS, FRAMEWORKS, AND BENCHMARKS.—As part of the program established and administered under subsection (a), the Authority shall work in close coordination with the Secretary of Commerce, the Secretary of Homeland Security, and subject matter experts from the Federal Government, academia, nongovernmental organizations, and the private sector to identify and harmonize common security standards, frameworks, and benchmarks against which the security of critical information and communications technologies may be measured.

(d) PRODUCT CERTIFICATION.—As part of the program established and administered under subsection (a), the Authority, in consultation with the Secretary of Commerce, the Secretary of Homeland Security, and other experts from the Federal Government, academia, nongovernmental organizations, and the private sector, shall—

(1) develop, and disseminate to accredited certifying agents, guidelines to standardize the presentation of certifications to communicate the level of security for critical information and communications technologies;

(2) develop, or permit agents accredited under subsection (b) to develop, certification criteria for critical information and communications technologies based on identified security standards, frameworks, and benchmarks, through the work conducted pursuant to subsection (c);

(3) issue, or permit agents accredited under subsection (b) to issue, certifications for products and services that meet and comply with security standards, frameworks, and benchmarks **[**endorsed by the Authority through the work conducted under title (e)(3)(b) of this statute**]**/**[***the standards, frameworks, and benchmarks identified under subsection (c)***]**;

(4) permit a manufacturer or distributor of a [covered product]/[*critical information and communication technology*] to display a certificate reflecting the extent to which the covered product meets [established and identified cybersecurity and data security benchmarks]/[*the standards, frameworks, and benchmarks identified under subsection (c)*];

(5) remove the certification of a [covered product]/[*critical information and communication technology*] as a [covered product]/[*critical information and communication technology*] certified under the program if the manufacturer of the certified [covered product]/[*critical information and communication technology*] falls out of conformity with the [benchmarks established under paragraph (e)(2) for the covered product]/[*the standards, frameworks, and benchmarks identified under subsection (c)*];

(6) work to enhance public awareness of the Authority's certificates and labeling, including through public outreach, education, research and development, and other means; and

(7) publicly display a list of certified [products]/[*critical information and communication technology*], along with their respective certification information.

(e) CERTIFICATIONS.—

(1) IN GENERAL.—Certifications issued under the program established and administered under subsection (a) shall remain valid for one year from the date of issuance.

(2) CLASSES OF CERTIFICATION.—In [developing —*Note: Subsection (c) says ''identified and harmonized'' not ''developed''*] the [guidelines and criteria —*Note: Subsection (c) uses ''standards, frameworks, and benchmarks''*] under subsection (c), the Authority shall designate at least three classes of certifications, including—

(A) for products and services that product manufacturers and service providers of critical information and communications attest meet the criteria for certification under the program established and administered under subsection (a), attestation-based certification;

(B) for products that have undergone a security evaluation and testing process by a qualifying third party, accreditation-based certification; and

(C) for products that have undergone a security evaluation and testing process by a qualifying third party, test-based certification.

(f) PRODUCT LABELING.—The Authority, in consultation with the Secretary of Commerce, the Secretary of Homeland Security, and other experts from the Federal Government, academia, nongovernmental organizations, and the private sector, shall—

(1) collaborate with the private sector to standardize language and define a labeling schema to provide transparent information on the security characteristics and constituent components of a software or hardware product [*that includes critical information and communication technology*]; and

(2) establish a mechanism by which product developers can provide this information for both product labeling and public posting.

(g) ENFORCEMENT.—

(1) PROHIBITION.—It shall be unlawful for a person—

(A) to falsely attested to, or falsify an audit or test for, a security standard, framework, or benchmark for certification;

(B) to intentionally mislabel a product; or

(C) to failed to maintain a security standard, framework, or benchmark to which the person has attested [*for a security standard, framework, or benchmark for certification*].

(2) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(A) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of paragraph (1) shall be treated as an unfair and deceptive act or practice in violation of a regulation under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)) regarding unfair or deceptive acts or practices.

(B) POWERS OF COMMISSION.—

(i) IN GENERAL.—The Federal Trade Commission shall enforce this subsection in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this subsection.

(ii) PRIVILEGES AND IMMUNITIES.—Any person who violates this subsection shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

SEC. __03. SELECTION OF THE AUTHORITY.

(a) SELECTION.—The Secretary of Commerce, in coordination with the Secretary of Homeland Security, shall issue a notice of funding opportunity and select, on a competitive basis, a nonprofit, nongovernmental organization to serve as the National Cybersecurity Certification and Labeling Authority (in this section referred to as the ''Authority'') for period of five years.

(b) ELIGIBILITY FOR SELECTION.—The Secretary of Commerce may only select an organization to serve as the Authority if such organization—

(1) is a nongovernmental, not-for-profit that is—

(A) exempt from taxation under section 501(a) of the Internal Revenue Code of 1986; and

(B) described in sections 501(c)(3) and 170(b)(1)(A)(vi) of that Code;

(2) has a demonstrable track record of work on cybersecurity and information security standards, frameworks, and benchmarks; and

(3) possesses requisite staffing and expertise, with demonstrable prior experience in technology security or safety standards, frameworks, and benchmarks, as well as certification.

(c) APPLICATION.—The Secretary shall establish a process by which a nonprofit, nongovernmental organization that seeks to be selected as the Authority may apply for consideration.

(d) PROGRAM EVALUATION.—Not later than the date that is four years after the initial selection pursuant subsection (a), and every four years thereafter, the Secretary of Commerce, in consultation with the Secretary of Homeland Security, shall—

(1) assess the effectiveness of the labels and certificates produced by the Authority, including—

(A) assessing the costs to businesses that manufacture [covered products]/[*critical information and communication technologies*] participating in the Authority's program;

(B) evaluating the level of participation in the Authority's program by businesses that manufacture [covered products]/[*critical information and communication technologies*]; and

(C) assessing the level of public awareness and consumer awareness of the labels under the Authority's program;

(2) audit the impartiality and fairness of the activities of the Authority;

(3) issue a public report on the assessment most recently carried out under paragraph (1) and the audit most recently carried out under paragraph (2); and

(4) brief Congress on the findings of the Secretary of Commerce with respect to the most recent assessment under paragraph (1) and the most recent audit under paragraph (2).

(e) RENEWAL.—After the initial selection pursuant to subsection (a), the Secretary of Commerce, in consultation with the Secretary of Homeland Security, shall, every five years—

(1) accept applications from nonprofit, nongovernmental organizations seeking selection as the Authority; and

(2) following competitive consideration of all applications—

(A) renew the selection of the existing Authority; or

(B) select another applicant organization to serve as the Authority.

SEC. __04. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this subtitle. Such funds shall remain available until expended.

SA 1719. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. _____. STRENGTHENING PROCESSES FOR IDENTIFYING CRITICAL INFRASTRUCTURE CYBERSECURITY INTELLIGENCE NEEDS AND PRIORITIES.

(a) CRITICAL INFRASTRUCTURE CYBERSECURITY INTELLIGENCE NEEDS AND PRIORITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency and the heads of appropriate Sector-Specific Agencies (as defined in section 2201 of the Homeland Security Act of 2002 (6 U.S.C. 651)), shall establish a formal process to solicit and compile critical infrastructure input to inform national intelligence collection and analysis priorities.

(2) RECURRENT INPUT.—Not later than 30 days following the establishment of the process required pursuant to paragraph (1), and biennially thereafter, the Director of National Intelligence, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall solicit information from critical infrastructure utilizing the process established pursuant to paragraph (1).

(b) INTELLIGENCE NEEDS EVALUATION AND PLANNING.—Utilizing the information received through the process established pursuant to subsection (a), as well as existing intelligence information and processes, the Director of National Intelligence, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall—

(1) identify common technologies or interdependencies that are likely to be targeted by nation-state adversaries;

(2) identify intelligence gaps across critical infrastructure cybersecurity efforts;

(3) identify and execute methods of empowering sector-specific agencies—

(A) to identify specific critical lines of businesses, technologies, and processes within their respective sectors; and

(B) to coordinate directly with the intelligence community to convey specific information relevant to the operation of each sector; and

(4) refocus information collection and analysis activities, as necessary to address identified gaps and mitigate threats to the cybersecurity of critical infrastructure of the United States.

(c) REPORT TO CONGRESS.—Not later than 90 days after the completion of the identification and refocusing required by subsection (b), and annually thereafter, the Director of National Intelligence and the Director of the Cybersecurity and Infrastructure Security Agency shall jointly submit to the appropriate committees of Congress a report that—

(1) assesses how the information obtained from critical infrastructure is shaping intelligence collection activities;

(2) evaluates the success of the intelligence community in sharing relevant, actionable intelligence with critical infrastructure; and

(3) addresses any legislative or policy changes necessary to enable the intelligence community to increase sharing of actionable intelligence with critical infrastructure.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) Select Committee on Intelligence and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) Permanent Select Committee on Intelligence and the Committee on Homeland Security of the House of Representatives.

(2) The term ''critical infrastructure'' has the meaning given that term in the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c).

(3) The term ''intelligence community'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 1720. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CISA DIRECTOR TERM APPOINTMENT.

(a) IN GENERAL.—Section 2202(b)(1) of the Homeland Security Act of 2002 (6 U.S.C. 652(b)(1)), is amended by adding at the end the following: ''Each Director shall serve for a term of 5 years.''.

(b) TRANSITION RULES.—The amendment made by subsection (a) shall take effect on the earlier of—

(1) the confirmation of a Director of the Cybersecurity and Infrastructure Protection Agency after the date of enactment of this Act; or

(2) January 1, 2021.

(c) EXECUTIVE SCHEDULE AMENDMENTS.—Subchapter II of chapter 53 of title 5, United States Code, is amended—

(1) in section 5313, by inserting after the item relating to ''Administrator of the Transportation Security Administration'' the following:

''Director, Cybersecurity and Infrastructure Security Agency.''; and

(2) in section 5314, by striking the item relating to ''Director, Cybersecurity and Infrastructure Security Agency.''.

SEC. ___. AGENCY REVIEW.

(a) REQUIREMENT OF COMPREHENSIVE REVIEW.—In order to strengthen the Cybersecurity and Infrastructure Security Agency, the Secretary of Homeland Security shall conduct a comprehensive review of the ability of the Cybersecurity and Infrastructure Security Agency to fulfill—

(1) the missions of the Cybersecurity and Infrastructure Security Agency; and

(2) the recommendations detailed in the report issued by the Cyberspace Solarium Commission under section 1652(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

(b) ELEMENTS OF REVIEW.—The review conducted under subsection (a) shall include the following elements:

(1) An assessment of how additional budget resources could be used by the Cybersecurity and Infrastructure Security Agency for projects and programs that—

(A) support the national risk management mission;

(B) support public and private-sector cybersecurity;

(C) promote public-private integration; and

(D) provide situational awareness of cybersecurity threats.

(2) A comprehensive force structure assessment of the Cybersecurity and Infrastructure Security Agency including—

(A) a determination of the appropriate size and composition of personnel to accomplish the mission of the Cybersecurity and Infrastructure Security Agency, as well as the recommendations detailed in the report issued by the Cyberspace Solarium Commission under section 1652(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232);

(B) an assessment of whether existing personnel are appropriately matched to the prioritization of threats in the cyber domain and risks in critical infrastructure;

(C) an assessment of whether the Cybersecurity and Infrastructure Security Agency has the appropriate personnel and resources to—

(i) perform risk assessments, threat hunting, incident response to support both private and public cybersecurity;

(ii) carry out the responsibilities of the Cybersecurity and Infrastructure Security Agency related to the security of Federal information and Federal information systems; and

(iii) carry out the critical infrastructure responsibilities of the Cybersecurity and Infrastructure Security Agency, including national risk management; and

(D) an assessment of whether current structure, personnel, and resources of regional field offices are sufficient in fulfilling agency responsibilities and mission requirements.

(c) SUBMISSION OF REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to Congress detailing the results of the assessments required under subsection (b), including recommendations to address any identified gaps.

SEC. ___. GENERAL SERVICES ADMINISTRATION REVIEW.

(a) REVIEW.—The Administrator of the General Services Administration shall—

(1) conduct a review of current Cybersecurity and Infrastructure Security Agency facilities and assess the suitability of such facilities to fully support current and projected mission requirements nationally and regionally; and

(2) make recommendations regarding resources needed to procure or build a new facility or augment existing facilities to ensure sufficient size and accommodations to fully support current and projected mission requirements, including the integration of personnel from the private sector and other departments and agencies.

(b) SUBMISSION OF REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the General Services Administration shall submit the review required under subsection (a) to—

(1) the President;

(2) the Secretary of Homeland Security; and

(3) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

SA 1721. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BIENNIAL NATIONAL CYBER EXERCISE.

(a) REQUIREMENT.—Not later than December 31, 2023, and not less frequently than once every 2 years thereafter until a date that is not less than 10 years after the date of enactment of this Act, the Secretary, in consultation with the President and the Secretary of Defense, shall conduct an exercise to test the resilience, response, and recovery of the United States in the case of a significant cyber incident impacting critical infrastructure.

(b) PLANNING AND PREPARATION.—

(1) IN GENERAL.—Each exercise required under subsection (a) shall be prepared by expert operational planners from—

(A) the Department of Homeland Security;

(B) the Department of Defense;

(C) the Federal Bureau of Investigation; and

(D) appropriate elements of the intelligence community, as specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) identified by the Director of National Intelligence.

(2) ASSISTANCE.—The Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security shall provide assistance to the expert operational planners described in paragraph (1) in the preparation of each exercise required under subsection (a).

(c) PARTICIPANTS.—

(1) FEDERAL GOVERNMENT PARTICIPANTS.—

(A) Relevant interagency partners, as determined by the Secretary, shall participate in the exercise required under subsection (a), including relevant interagency partners from—

(i) law enforcement agencies;

(ii) elements of the intelligence community, as specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)); and

(iii) the Department of Defense.

(B) Senior leader representatives from sector-specific agencies, as determined by the Secretary, shall participate in the exercise required under subsection (a).

(C) Under subparagraph (B), the Secretary shall determine that not less than 1 senior leader representative from each sector-specific agency participates in an exercise required under subsection (a) not less frequently than once every 4 years.

(2) STATE AND LOCAL GOVERNMENTS.—The Secretary shall invite representatives from

State, local, and Tribal governments to participate in the exercise required under subsection (a) if the Secretary determines the participation of those representatives to be appropriate.

(3) PRIVATE SECTOR.—Depending on the nature of an exercise being conducted under subsection (a), the Secretary, in consultation with the senior leader representative of the sector-specific agencies participating in the exercise under paragraph (1)(B), shall invite the following individuals to participate:

(A) Representatives from private entities.

(B) Other individuals that the Secretary determines will best assist the United States in preparing for, and defending against, a cyber attack.

(4) INTERNATIONAL PARTNERS.—Depending on the nature of an exercise being conducted under subsection (a), the Secretary shall invite allies and partners of the United States to participate in the exercise.

(d) OBSERVERS.—The Secretary may invite representatives from the executive and legislative branches of the Federal Government to observe the exercise required under subsection (a).

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

(1) Exercising of the orchestration of cybersecurity response and the provision of cyber support to Federal, State, local, and Tribal governments and private entities, including exercising of the command, control, and deconfliction of operational responses of—

(A) the National Security Council;

(B) interagency coordinating and response groups; and

(C) each Federal Government participant described in subsection (c)(1).

(2) Testing of the information-sharing needs and capabilities of exercise participants.

(3) Testing of the relevant policy, guidance, and doctrine, including the National Cyber Incident Response Plan of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(4) A test of the interoperability of Federal, State, local, and Tribal governments and private entities.

(5) Exercising of the integration of operational capabilities of the Department of Homeland Security, the Cyber Mission Force, Federal law enforcement agencies, and elements of the intelligence community, as specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(6) Exercising of integrated operations, mutual support, and shared situational awareness of the cybersecurity operations centers of the Federal Government, including—

(A) the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security;

(B) the Cyber Threat Operations Center of the National Security Agency;

(C) the Joint Operations Center of Cyber Command;

(D) the Cyber Threat Intelligence Integration Center of the Office of the Director of National Intelligence;

(E) the National Cyber Investigative Joint Task Force of the Federal Bureau of Investigation;

(F) the Defense Cyber Crime Center of the Department of Defense; and

(G) the Intelligence Community Security Coordination Center of the Office of the Director of National Intelligence.

(f) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date on which each exercise required under subsection (a) is conducted, the President shall submit to the appropriate congressional committees a briefing on the participation of the Federal Government participants described in subsection (c)(1) in the exercise.

(2) CONTENTS.—The briefing required under paragraph (1) shall include—

(A) an assessment of the decision and response gaps observed in the national level response exercise described in paragraph (1);

(B) proposed recommendations to improve the resilience, response, and recovery of the United States in the case of a significant cyber attack against critical infrastructure;

(C) plans to implement the recommendations described in subparagraph (B); and

(D) specific timelines for the implementation of the plans described in subparagraph (C).

(g) REPEAL.—Subsection (b) of section 1648 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1119) is repealed.

(h) DEFINITIONS.—In this section:

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

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Armed Services of the House of Representatives;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(D) the Committee on Homeland Security of the House of Representatives.

(2) PRIVATE ENTITY.—The term ''private entity'' has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(4) SECTOR-SPECIFIC AGENCY.—The term ''sector-specific agency'' has the meaning given the term ''Sector-Specific Agency'' in section 2201 of the Homeland Security Act of 2002 (6 U.S.C. 651).

(5) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

SA 1722. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. SENSE OF SENATE ON ESTABLISHMENT OF A SELECT COMMITTEE OF THE SENATE ON CYBER MATTERS.

It is the sense of the Senate that—

(1) the Senate should establish a select committee on cyber matters to be known as the ''Select Committee of the Senate on Cyber'';

(2) the select committee should consist of such number of members as the Senate determines appropriate, which members should include at least one Senator who is also a member of one or more of the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Committee on Commerce, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate;

(3) the select committee should have a chair and a vice chair, selected by the Majority Leader of the Senate and the Minority Leader of the Senate, respectively;

(4) the select committee should have as ex officio members the Majority Leader of the Senate and the Minority Leader of the Senate; and

(5) the select committee should have legislative, authorization, and oversight jurisdiction over the agencies and activities of the Federal Government on cyber matters, and should exercise such jurisdiction concurrently with any other Committee the Senate having jurisdiction over such agencies and activities under the Standing Rules of the Senate in such manner as the Senate determines appropriate.

SA 1723. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. _____. ASSESSING PRIVATE-PUBLIC COLLABORATION IN CYBERSECURITY.

(a) REQUIREMENT.—Not later than December 31, 2021, the Secretary of Defense, in coordination with the Secretary of Homeland Security and the Director of National Intelligence, shall—

(1) conduct a comprehensive review and assessment of any ongoing public-private collaborative initiatives involving the Department of Defense, the Department of Homeland Security, and the private sector relating to cybersecurity and defense of critical infrastructure, including reviews and assessments of—

(A) the Pathfinder initiative of the United States Cyber Command and any derivative initiative;

(B) the Department of Defense's support to and integration with existing Federal cybersecurity centers and organizations; and

(C) comparable initiatives led by other Federal departments or agencies that support long-term public-private cybersecurity collaboration; and

(2) develop recommendations for improvements and the requirements and resources necessary to institutionalize and strengthen the programs assessed under paragraph (1).

(b) CERTAIN MATTERS EXCLUDED.—The review and assessment under subsection (a) shall not include a review or assessment of any intelligence, intelligence organization, or information derived from intelligence collection, except for declassification and downgrade procedures for the purposes of sharing cyber threat information.

(c) REPORT.—

(1) IN GENERAL.—Not later than December 31, 2021, the Secretary shall submit to the appropriate committees of Congress a report on the findings of the Secretary with respect to the reviews and assessments conducted under paragraph (1) of subsection (a) and the recommendations developed under paragraph (2) of such subsection.

(2) FORM OF REPORT.—The report submitted under paragraph (1) may be submitted in unclassified form or classified form as necessary.

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

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

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

SA 1724. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPORT ON THE INTEGRATION OF UNITED STATES CYBER CENTERS.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a comprehensive review of the Federal cyber and cybersecurity centers in operation on the date of enactment of this Act.

(b) ELEMENTS OF REVIEW.—The review required under subsection (a) shall—

(1) with respect to each Federal cyber center—

(A) assess where the missions and operations, or portions of the mission, of the Federal cyber center are unique, overlap, are inefficient, or are in conflict in some way with the mission of the authorizing agency of the Federal cyber center;

(B) assess aspects of the operations of the Federal cyber center that would benefit from greater integration, collaboration, or collocation to support a unified cybersecurity strategy within the Federal government,

(C) assess shortcomings in the capacity, structure, and funding of the Federal cyber center and in the integration of the work of the Federal cyber center with sector-specific agencies; and

(D) assess whether the Federal cyber center has distinct statutory authorities best kept within the authorizing agency of the Federal cyber center;

(2) assess any shortcomings in the Federal cyber centers that inhibit the ability of the Federal cyber centers to maximize public-private cybersecurity efforts;

(3) assess whether an integrated national cybersecurity model, such as the National Cybersecurity Center of the United Kingdom, is an effective model for the United States;

(4) recommend procedures and criteria for expanding the integration of public- and private-sector personnel into Federal Government cyber defense and security efforts, including any limitations posed by the security clearance program for private sector expertise; and

(5) recommend a cyber center structure that integrates, to the maximum extent, Federal cyber centers in a way that optimizes efficiency, minimizes redundancy, and increases information and expertise sharing between the public and private sectors.

(c) FEDERAL CYBER CENTERS DESCRIBED.—The review required to be conducted under subsection (a) shall include in the review, at a minimum, the following Federal cyber centers:

(1) The Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(2) The Cyber Threat Operations Center of the National Security Agency.

(3) The Joint Operations Center of Cyber Command.

(4) The Cyber Threat Intelligence Integration Center of the Office of the Director of National Intelligence.

(5) The National Cyber Investigative Joint Task Force of the Federal Bureau of Investigation.

(6) The Defense Cyber Crime Center of the Department of Defense.

(7) The Intelligence Community Security Coordination Center of the Office of the Director of National Intelligence.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report on the review required under subsection (a) to—

(A) the Committee on Armed Services, the Committee on Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

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

(2) FORM OF REPORT.—The report required under paragraph (1) may be submitted in unclassified form, and may contain a classified annex, if necessary.

(e) SENSE OF THE SENATE.—It is the sense of the Senate that, after submission of the report under subsection (d), the Secretary of Homeland Security, in coordination with the intelligence community, should conduct a regular review regarding—

(1) the status of Federal cyber center integration efforts;

(2) whether any findings of the review conducted under subsection (a) should be updated;

(3) whether additional resources or authorities required to support Federal cyber centers; and

(4) the progress of Federal agencies in addressing the areas identified through the review conducted under subsection (a).

SA 1725. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. NATIONAL INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRIAL BASE STRATEGY.

(a) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and once every 4 years thereafter, the President shall coordinate with the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Commerce, the Secretary of State, and the Director of National Intelligence, and consult with private sector entities, to develop a comprehensive national strategy for the information and communications technology (ICT) industrial base for the following 4-year period, or a longer period, if appropriate.

(2) ELEMENTS.—The strategy required under paragraph (1) shall—

(A) delineate a national ICT industrial base strategy consistent with—

(i) the most recent national security strategy report submitted pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 3043);

(ii) the strategic plans of other relevant departments and agencies of the United States; and

(iii) other relevant national-level strategic plans;

(B) assess the ICT industrial base, to include identifying—

(i) critical technologies, trusted components, products, and materials that comprise or support the ICT industrial base;

(ii) industrial capacity of the United States, as well as its allied and partner nations necessary for the manufacture and development of ICT deemed critical to the United States national and economic security; and

(iii) areas of supply risk to ICT critical technologies, trusted components, products, and materials that comprise or support the ICT industrial base;

(C) identify national ICT strategic priorities and estimate Federal monetary and human resources necessary to fulfill such priorities and areas where strategic financial investment in ICT research and development is necessary for national and economic security; and

(D) assess the Federal government's structure, resourcing, and authorities for evaluating ICT components, products, and materials and promoting availability and integrity of trusted technologies.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after developing the strategy under subsection (a), the President shall submit a report to the appropriate congressional committees with the strategy.

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

(c) DEFINITIONS.—In this section:

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

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

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

(2) INFORMATION AND COMMUNICATIONS TECHNOLOGY.—The term ''information and communications technology'' means information technology and other equipment, systems, technologies, or processes, for which the principal function is the creation, manipulation, storage, display, receipt, protection, or transmission of electronic data and information, as well as any associated content.

SA 1726. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REVIEW OF INTELLIGENCE AUTHORITIES TO INCREASE INTELLIGENCE SUPPORT TO THE BROADER PRIVATE SECTOR.

(a) REVIEW REQUIRED.—Not later than December 31, 2021, the Director of National Intelligence, in coordination with Director of the Cybersecurity and Infrastructure Security Agency and the Director of the National Security Agency, shall submit to the Select Committee on Intelligence and the Committee on Homeland Security and Government Affairs of the Senate and the Permanent Select Committee on Intelligence and the Committee on Homeland Security of the House of Representatives a comprehensive review of intelligence policies, procedures, and resources that identifies and addresses any legal or policy requirements that impede the ability of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) to support—

(1) the private sector; and

(2) the Federal departments and agencies whose mission includes assisting the private sector in its cybersecurity and defense.

(b) ELEMENTS OF THE REVIEW.—The review submitted under subsection (a) shall—

(1) identify and address limitations in collection on foreign adversary malicious cyber activity targeting domestic critical infrastructure;

(2) identify limitations in the ability of the intelligence community to share threat intelligence information with the private sector;

(3) review downgrade and declassification procedures for cybersecurity threat intelligence and assess options to improve the speed and timeliness of release;

(4) define criteria and procedures that would identify certain types of intelligence for expedited declassification and release;

(5) examine current and projected mission requirements of the Cybersecurity Directorate of the National Security Agency to support other Federal departments and agencies and the private sector, including funding gaps;

(6) recommend budgetary changes needed to ensure that the National Security Agency meets expectations for increased support to other Federal department and agency cybersecurity efforts, including support to private sector critical infrastructure owners or operators;

(7) review cyber-related information-sharing consent processes, including consent to monitor agreements, and assess gaps and opportunities for greater standardization and simplification while ensuring privacy and civil liberty protections; and

(8) review existing statutes governing national security systems, including National Security Directive 42, and assess the sufficiency of existing National Security Agency authorities to protect systems and assets that are critical to national security.

(c) SUBMISSION OF RECOMMENDATIONS.—The review required pursuant to subsection (a) shall include recommendations to address the gaps identified in the review.

(d) FORM OF REVIEW.—The review required pursuant to subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 1727. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ESTABLISHMENT OF JOINT CYBER PLANNING OFFICE.

(a) AMENDMENT.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

"SEC. 2215. JOINT CYBER PLANNING OFFICE.

''(a) ESTABLISHMENT OF OFFICE.—There is established in the Agency an office for joint cyber planning (referred to in this section as the 'Office') to carry out certain responsibilities of the Secretary. The Office shall be headed by a Director of Joint Cyber Planning.

''(b) MISSION.—The Office shall lead Government-wide and public-private planning for cyber defense campaigns, including the development of a set of coordinated actions to respond to and recover from significant cyber incidents or limit, mitigate, or defend against coordinated, malicious cyber campaigns that pose a potential risk to critical infrastructure of the United States and broader national interests.

''(c) PLANNING AND EXECUTION.—In leading the development of Government-wide and public-private plans for cyber defense campaigns pursuant to subsection (b), the Director of Joint Cyber Planning shall—

''(1) establish coordinated and deliberate processes and procedures across relevant Federal departments and agencies, accounting for all participating Federal agency cyber capabilities and authorities;

''(2) ensure that plans are, to the greatest extent practicable, developed in collaboration with relevant public- and private-sector entities, particularly in areas where such entities have comparative advantages in limiting, mitigating, or defending against a significant cyber incident or coordinated, malicious cyber campaign;

''(3) ensure that plans are responsive to potential adversary activity conducted in response to U.S. offensive cyber operations.

''(4) in order to inform and facilitate exercises of such plans, develop and model scenarios based on an understanding of adversary threats, critical infrastructure vulnerability, and potential consequences of disruption or compromise;

''(5) coordinate with and, as necessary, support relevant Federal agencies in the establishment of procedures, development of additional plans, including for offensive and intelligence activities in support of cyber defense campaign plans, and procurement of authorizations necessary for the rapid execution of plans once a significant cyber incident or malicious cyber campaign has been identified; and

''(6) support the Department and other Federal agencies, as appropriate, in coordination and execution of plans developed pursuant to this section.

''(d) COMPOSITION.—The Office shall be composed of—

''(1) a central planning staff;

''(2) appropriate representatives of Federal agencies, including—

''(A) the United States Cyber Command;

''(B) the National Security Agency;

''(C) the Federal Bureau of Investigation;

''(D) the Federal Emergency Management Agency; and

''(E) the Office of the Director of National Intelligence;

''(3) appropriate representatives of non-Federal entities, such as—

''(A) State, local, and tribal governments;

''(B) information sharing and analysis organizations, including information sharing and analysis centers;

''(C) owners and operators of critical information systems; and

''(D) private entities; and

''(4) other appropriate representatives or entities, as determined by the Secretary.

''(e) INTERAGENCY AGREEMENTS.—The Secretary and the head of a Federal agency described in subsection (d) may enter into agreements for the purpose of detailing personnel on a reimbursable or non-reimbursable basis.

''(f) INFORMATION PROTECTION.—Information provided to the Office by a private entity shall be considered to have been shared pursuant to section 103(c) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1503(c)) and shall receive the protections and exemptions provided in such Act.

''(g) FUNDS.—There are authorized to be appropriated $15,000,000 to the Director of Joint Cyber Planning to carry out this section.

''(h) DEFINITIONS.—In this section:

''(1) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' means a physical or cyber system or asset that are so vital to the United States that the incapacity or destruction of such system or asset would have a debilitating impact on the physical or economic security of the United States or on public health or safety.

''(2) CYBER DEFENSE CAMPAIGN.—The term 'cyber defense campaign' means a set of coordinated actions to respond to and recover from a significant cyber incident or limit, mitigate, or defend against a coordinated, malicious cyber campaign targeting critical infrastructure in the United States.

''(3) SIGNIFICANT CYBER INCIDENT.—The term 'significant cyber incident' means an incident that is, or group of related cyber incidents that together are, reasonably likely to result in significant harm to the national security, foreign policy, or economic health or financial stability of the United States.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat.2135) is amended by inserting after the item relating to section 2214 the following:

''Sec. 2215. Joint Cyber Planning Office.''.

SA 1728. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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___. EXTENSION AND MODIFICATION OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking ''2020'' and inserting ''2021'';

(2) in the matter preceding clause (i), by striking ''22,500'' and inserting ''26,500'';

(3) in clause (i), by striking ''December 31, 2021'' and inserting ''December 31, 2022;''; and

(4) in clause (ii), by striking ''December 31, 2021'' and inserting ''December 31, 2022;''.

SA 1729. Mrs. SHAHEEN (for herself, Mr. DURBIN, Mr. BLUMENTHAL, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for

fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3____. INCREASE IN FUNDING FOR STUDY BY CENTERS FOR DISEASE CONTROL AND PREVENTION RELATING TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCE CONTAMINATION IN DRINKING WATER.

(a) IN GENERAL.—

(1) INCREASE.—The amount authorized to be appropriated by this Act for fiscal year 2021 for Operation and Maintenance, Defense Wide for SAG 4GTN for the study by the Centers for Disease Control and Prevention under section 316(a)(2)(B)(ii) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1350) is hereby increased by $5,000,000.

(2) OFFSET.—The amount authorized to be appropriated by this Act for fiscal year 2021 for Operation and Maintenance, Army for SAG 421, Servicewide Transportation is hereby reduced by $5,000,000.

(b) INCREASE IN TRANSFER AUTHORITY.—Section 316(a)(2)(B)(ii) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1350), as amended by section 315(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1713), is amended by striking ''$10,000,000'' and inserting ''$15,000,000''.

SA 1730. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. SPECIAL RULES FOR CERTAIN MONTHLY WORKERS' COMPENSATION PAYMENTS AND OTHER PAYMENTS FOR FEDERAL GOVERNMENT PERSONNEL UNDER CHIEF OF MISSION AUTHORITY.

Section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94) is amended—

(1) in subsection (a), by inserting ''or other designated heads of Federal agencies'' after ''The Secretary of State''; and

(2) in subsection (e)(2), by striking ''Department of State'' and inserting ''Federal Government''.

SA 1731. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON VULNERABILITIES OF THE DEPARTMENT OF DEFENSE RESULTING FROM OFFSHORE TECHNICAL SUPPORT CALL CENTERS.

(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 Committees on Armed Services of the Senate and the House of Representatives a report on vulnerabilities in connection with the provision of services by offshore technical support call centers to the Department of Defense.

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

(1) A description and assessment of the location of all offshore technical support call centers.

(2) A description and assessment of the types of information shared by the Department with foreign nationals at offshore technical support call centers.

(3) An assessment of the extent to which access to such information by foreign nationals creates vulnerabilities to the information technology network of the Department.

(c) OFFSHORE TECHNICAL SUPPORT CALL CENTER DEFINED.—In this section, the term ''offshore technical support call center'' means a call center that—

(1) is physically located outside the United States;

(2) employs individuals who are foreign nationals; and

(3) may be contacted by personnel of the Department to provide technical support relating to technology used by the Department.

SA 1732. Mrs. SHAHEEN (for herself and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7___. REGISTRY OF INDIVIDUALS EXPOSED TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES ON MILITARY INSTALLATIONS.

(a) ESTABLISHMENT OF REGISTRY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) establish and maintain a registry for eligible individuals who may have been exposed to perfluoroalkyl and polyfluoroalkyl substances (in this section referred to as ''PFAS'') due to the environmental release of aqueous film-forming foam (in this section referred to as ''AFFF'') on military installations to meet the requirements of military specification MIL-F-24385F;

(B) include any information in such registry that the Secretary of Veterans Affairs determines necessary to ascertain and monitor the health effects of the exposure of members of the Armed Forces to PFAS associated with AFFF;

(C) develop a public information campaign to inform eligible individuals about the registry, including how to register and the benefits of registering; and

(D) periodically notify eligible individuals of significant developments in the study and treatment of conditions associated with exposure to PFAS.

(2) COORDINATION.—The Secretary of Veterans Affairs shall coordinate with the Secretary of Defense in carrying out paragraph (1).

(b) REPORTS.—

(1) INITIAL REPORT.—Not later than two years after the date on which the registry under subsection (a) is established, the Secretary of Veterans Affairs shall submit to Congress an initial report containing the following:

(A) An assessment of the effectiveness of actions taken by the Secretary of Veterans Affairs and the Secretary of Defense to collect and maintain information on the health effects of exposure to PFAS.

(B) Recommendations to improve the collection and maintenance of such information.

(C) Using established and previously published epidemiological studies, recommendations regarding the most effective and prudent means of addressing the medical needs of eligible individuals with respect to exposure to PFAS.

(2) FOLLOW-UP REPORT.—Not later than five years after submitting the initial report under paragraph (1), the Secretary of Veterans Affairs shall submit to Congress a follow-up report containing the following:

(A) An update to the initial report submitted under paragraph (1).

(B) An assessment of whether and to what degree the content of the registry established under subsection (a) is current and scientifically up-to-date.

(3) INDEPENDENT SCIENTIFIC ORGANIZATION.—The Secretary of Veterans Affairs shall enter into an agreement with an independent scientific organization to prepare the reports under paragraphs (1) and (2).

(c) RECOMMENDATIONS FOR ADDITIONAL EXPOSURES TO BE INCLUDED.—Not later than five years after the date of the enactment of this Act, and every five years thereafter, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Administrator of the Environmental Protection Agency, shall submit to Congress recommendations for additional chemicals with respect to which individuals exposed to such chemicals should be included in the registry established under subsection (a).

(d) ELIGIBLE INDIVIDUAL DEFINED.—In this section, the term ''eligible individual'' means any individual who, on or after a date specified by the Secretary of Veterans Affairs through regulations, served or is serving in the Armed Forces at a military installation where AFFF was used or at another location of the Department of Defense where AFFF was used.

SA 1733. Mrs. SHAHEEN (for herself, Mr. DURBIN, Ms. HASSAN, Mr. BLUMENTHAL, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. RESPONSE TO RELEASE OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES BY THE DEPARTMENT OF DEFENSE.

(a) PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES TASK FORCE.—

(1) IN GENERAL.—The Secretary of Defense shall establish a task force to address the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances from activities of the Department of Defense (in this subsection referred to as the ''PFAS Task Force'').

(2) MEMBERSHIP.—The members of the PFAS Task Force are the following:

(A) The Assistant Secretary of Defense for Sustainment.

(B) The Assistant Secretary of the Army for Installations, Energy, and Environment.

(C) The Assistant Secretary of the Navy for Energy, Installations, and Environment.

(D) The Assistant Secretary of the Air Force for Installations, Environment, and Energy.

(E) A liaison from the Department of Veterans Affairs to be determined by the Secretary of Veterans Affairs.

(3) CHAIRMAN.—The Assistant Secretary of Defense for Sustainment shall be the chairman of the PFAS Task Force.

(4) SUPPORT.—The Under Secretary of Defense for Personnel and Readiness and such other individuals as the Secretary of Defense considers appropriate shall support the activities of the PFAS Task Force.

(5) DUTIES.—The duties of the PFAS Task Force are the following:

(A) Analysis of the health aspects of exposure to perfluoroalkyl substances and polyfluoroalkyl substances.

(B) Establishment of clean-up standards and performance requirements relating to mitigating the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances.

(C) Finding and funding the procurement of an effective substitute firefighting foam without perfluoroalkyl substances or polyfluoroalkyl substances.

(D) Establishment of standards that are supported by science for determining exposure to and ensuring clean up of perfluoroalkyl substances and polyfluoroalkyl substances.

(E) Establishment of interagency coordination with respect to mitigating the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances.

(6) REPORT.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter, the Chairman of the PFAS Task Force shall submit to Congress a report on the activities of the task force.

(b) BLOOD TESTING FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS TO DETERMINE EXPOSURE TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.—

(1) IN GENERAL.—Beginning on October 1, 2020, the Secretary of Defense shall make available, on an annual basis, to each member of the Armed Forces and their dependents blood testing to determine and document potential exposure to perfluoroalkyl substances and polyfluoroalkyl substances (commonly known as ''PFAS'').

(2) DEPENDENT DEFINED.—In this subsection, the term ''dependent'' has the meaning given that term in section 1072(2) of title 10, United States Code.

SA 1734. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. ANNUAL REPORTS REGARDING THE SBIR PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) DEFINITIONS.—In this section—

(1) the term ''SBIR'' has the meaning given the term in section 9(e)(4) of the Small Business Act (15 U.S.C. 638(e)(4)); and

(2) the term ''Secretary'' means the Secretary of Defense.

(b) REPORTS REQUIRED.—Not later than 90 days after the date of enactment of this Act, and not later than 120 days after the end of each fiscal year that begins after that date of enactment, the Secretary, after consultation with the Secretary of each branch of the Armed Forces, shall submit, through the Under Secretary of Defense for Research and Engineering, to Congress a report that addresses—

(1) the ways in which the Secretary, as of the date on which the report is submitted, is using incentives to Department of Defense program managers under section 9(y)(6)(B) of the Small Business Act (15 U.S.C. 638(y)(6)(B)) to increase the number of Phase II SBIR contracts awarded by the Secretary that lead to technology transition into programs of record or fielded systems, which shall include the judgment of the Secretary regarding the potential effect of providing monetary incentives to those officers for that purpose;

(2) the extent to which the Department of Defense has developed simplified and standardized procedures and model contracts throughout the agency for Phase I, Phase II, and Phase III SBIR awards, as required under section 9(hh)(2)(A)(i) of the Small Business Act (15 U.S.C. 638(hh)(2)(A)(i));

(3) with respect to each report submitted under this section after the submission of the first such report, the extent to which any incentives described in this section and implemented by the Secretary have resulted in an increased number of Phase II contracts under the SBIR program of the Department of Defense leading to technology transition into programs of record or fielded systems;

(4) the extent to which Phase I, Phase II, and Phase III projects under the SBIR program of the Department of Defense align with the modernization priorities of the Department, including with respect to artificial intelligence, biotechnology, autonomy, cybersecurity, directed energy, fully networked command, control, and communication systems, microelectronics, quantum science, hypersonics, and space; and

(5) any other action taken, and proposed to be taken, to increase the number of Department of Defense Phase II SBIR contracts leading to technology transition into programs of record or fielded systems.

SA 1735. Mr. BENNET (for himself, Mr. CASEY, Mr. BROWN, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. _____. ANNUAL REPORTS ON MILITARY PERSONNEL AND EXTREMIST IDEOLOGIES.

(a) IN GENERAL.—Not later than February 28 each year, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth a description and assessment of the interaction between members of the Armed Forces and extremist ideologies during the preceding year.

(b) ELEMENTS.—Each report under subsection (a) shall include, for the year covered by such report, the following:

(1) A description of the current policies of the Department of Defense, and each Armed Force, on affiliations between members of the Armed Forces and recruits to the Armed Forces and white supremacist, neo-Nazi, terrorist, gang, and other extremist ideologies.

(2) A description and assessment of the current procedures used by the Department, and each Armed Force, to identify and mitigate the affiliations described in paragraph (1).

(3) An assessment of the recruitment tactics and practices used by organizations that propound ideologies referred to in paragraph (1) toward members and potential members of the Armed Forces, including a description of the evolution of such tactics and practices.

(4) A listing of the installations currently subject to orders banning hate speech, and affiliated symbols, among installation personnel.

(5) The number of violations of policies against the affiliations described in paragraph (1), including hate crimes, and the number of reports of such violations, identified by the Department, and by each Armed Force, and a description of each such violation, (including the nature of such affiliation and the disciplinary or other measures taken in response to such violation).

(6) If the disciplinary action authorized for violations described in paragraph (5) included administrative separation from the Armed Forces—

(A) the number of individuals administratively separated from the Armed Forces in connection with such violations; and

(B) the number of individuals retained in the Armed Forces notwithstanding a substantiated finding of such a violation.

(7) An identification and assessment of the extent to which the number of such violations is on the increase, and a description and assessment of any trends in the number of such violations.

(8) A description and assessment of the training provided to members of the Armed Forces in order combat the ideologies referred to in paragraph (1), and an identification of each Armed Force that provides implicit bias training, including a description of such training, the frequency of such training, and the recipients of such training.

(9) A description and assessment of the frequency of assessments of the culture of diversity, equity, and inclusion in the Armed Forces.

(10) A description of any programs of the Department, and of the Armed Forces, that showed results in increasing diversity in the Armed Forces and among the grades of the Armed Forces.

(c) ADDITIONAL REPORT IN CONNECTION WITH INCREASE IN VIOLATIONS.—If the report under subsection (a) in 2022 identifies an increase in violations described in subsection (b)(5) between 2020 and 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives an additional report setting forth the results of a study, conducted for purposes of this subsection by an entity outside the Department of Defense selected by the Secretary for purposes of this subsection, on the following:

(1) The causes of the increase.

(2) Recommendations for measures to address the increase.

(d) ADDITIONAL ELEMENTS ON TRENDS IN VIOLATIONS.—Each report under subsection (a) shall also include the following:

(1) A description and assessment of the trend in violations described in subsection (b)(5) between the year covered by such report and the year preceding the year covered by such report.

(2) A description and assessment of the work undertaken by the Department of Defense with other departments and agencies of the Federal Government, including the Federal Bureau of Investigation, to identify the extent and nature of such trend.

(e) FORM.—Each report under this section shall be submitted in unclassified form, but may include information in a classified annex only to the extent that submittal of such information in classified form is the sole basis on which such information is submittable to Congress.

SA 1736. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON THE EFFECTS OF COVID–19 MOBILIZATION ON THE BEHAVIORAL AND PHYSICAL HEALTH OF THE NATIONAL GUARD.

(a) IN GENERAL.—The Chief of the National Guard Bureau shall submit a report to Congress on the effects of COVID–19 mobilization on the behavioral and physical health of the National Guard.

(b) CONTENT OF REPORT.—The report described in subsection (a) shall—

(1) include results of a thorough analysis of COVID–19 surveillance efforts, psychological health, and prevention programming data to describe the impact of COVID–19 on National Guard members' mental health, including any changes in reported anxiety, depression, mood disorders, or risky behaviors;

(2) include an analysis of National Guard members who contracted COVID–19 and what accommodations or access to care they received;

(3) take into account the degree to which employment and economic stressors, reductions in pay, and workplace-induced precarity increased stress on National Guard members during COVID–19;

(4) describe an evidence-based leadership response model for the National Guard that includes a summary of resources available to National Guard members during deployment to the COVID–19 pandemic;

(5) examine potential increases in substance misuse and risky behaviors that may increase under COVID–19 mobilization;

(6) identify barriers to access to healthcare, including physical and behavioral health care, during a member's COVID–19 deployment such as—

(A) lack of TRICARE providers near a service member's or eligible dependent's location;

(B) lack of appointments available with TRICARE providers in the service member's or eligible dependent's location;

(C) barriers to receiving healthcare, including appointments for behavioral health, for service members and their eligible dependents, in an area served by a military medical treatment facility; and

(D) lack of availability of telehealth and other technology enabled options; and

(7) identify increases to access to healthcare and use of healthcare, including physical and behavioral health, for service members and their eligible family members, such as—

(A) the number of service members and eligible dependents who, as a result of orders in response to the COVID–19 pandemic, became TRICARE eligible;

(B) the rate of utilization of TRICARE benefits to obtain healthcare during their time of eligibility;

(C) receiving healthcare, to include physical and behavioral health, at a military medical treatment facility during their time as eligible beneficiaries; and

(D) the rate of utilization of telehealth and other technologies to receive healthcare, to include physical and behavioral health, during their time of eligibility.

SA 1737. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 952. BRIEFING ON ASSIGNMENT OF MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY TO THE JOINT ARTIFICIAL INTELLIGENCE CENTER OF THE DEPARTMENT OF DEFENSE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, with appropriate representatives of the Armed Forces, shall brief the Committees on Armed Services of the Senate and the House of Representatives on the feasibility and the current status of assigning members of the Armed Forces on active duty to the Joint Artificial Intelligence Center (JAIC) of the Department of Defense. The briefing shall include an assessment of such assignment on each of the following:

(1) The strengthening of ties between the Joint Artificial Intelligence Center and operational forces for purposes of—

(A) identifying tactical and operational use cases for artificial intelligence (AI);

(B) improving data collection; and

(C) establishing effective liaison between the Center and operational forces for identification and clarification of concerns in the widespread adoption and dissemination of artificial intelligence.

(2) The creation of opportunities for additional non-traditional broadening assignments for members on active duty.

(3) The career trajectory of active duty members so assigned, including potential negative effects on career trajectory.

(4) The improvement and enhancement of the capacity of the Center to influence Department-wide policies that affect the adoption of artificial intelligence.

SA 1738. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. RESEARCH AND STUDIES RELATING TO SMART BASE TECHNOLOGY.

(a) AUTHORITY TO ESTABLISH HUB.—The Secretary of Defense may establish a hub to serve as a repository and point of consolidation for research and studies on smart base technology, including matters relating to progress and best practices.

(b) ASSESS AND CONSOLIDATE PROJECTS.—In consultation with each of the secretary of a military department, the Secretary of Defense shall assess and consolidate ongoing and planned projects relating to smart base technology.

(c) ADVANCEMENT OF OTHER PRIORITIES.—The Secretary of Defense shall work with such heads of appropriate offices in the Department to assess if any smart base technology would advance other Department priorities.

(d) ESTABLISHING LINES OF COMMUNICATION.—The Secretary, acting through the hub established under subsection (a) if so established, shall establish contact with the commander of each installation of each of the military departments to establish lines of communication to both disseminate and collect best practices and lessons learned from other projects relating to smart base technology.

SA 1739. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 520. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF THE COMPTROLLER GENERAL OF THE UNITED STATES ON RECRUITMENT AND RETENTION OF FEMALE MEMBERS OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a comprehensive plan to implement and accomplish the recommendations for the Department of Defense in keeping with the May 2020 report of the Government Accountability Office titled ''Female Active-Duty Personnel: Guidance and Plans Needed for Recruitment and Retention Efforts'', namely the recommendations as follows:

(1) The Secretary of Defense must ensure that the Under Secretary of Defense for Personnel and Readiness provides guidance to each of the Armed Forces to develop plans, with clearly defined goals, performance measures, and timeframes, to guide and monitor the efforts in connection with the recruitment and retention of female members.

(2) Each Secretary of a military department must develop a plan, with clearly defined goals, performance measures, and timeframes, to guide and monitor the efforts of each Armed Force under the jurisdiction of such Secretary in connection with the recruitment and retention of female members in such Armed Force.

SA 1740. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department

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

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

SEC. _____. BRIEFING ON EFFECTS OF CLIMATE CHANGE ON HEALTH OF MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Sustainment and the Assistant Secretary of Defense for Health Affairs shall brief the appropriate committees of Congress on the effect of climate change on the health of members of the Armed Forces in the contiguous United States and outside the contiguous United States.

(b) ELEMENTS OF BRIEFING.—The briefing under subsection (a) shall specifically address possible increased incidents of—

(1) heat-related illness;

(2) water scarcity;

(3) vector borne disease; and

(4) extreme weather.

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

(1) the Committee on Armed Services and the Committee on Environment and Public Works of the Senate; and

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

SA 1741. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE XXX—COLORADO OUTDOOR RECREATION AND ECONOMY

SEC. 30001. SHORT TITLE.

This title may be cited as the ''Colorado Outdoor Recreation and Economy Act''.

SEC. 30002. DEFINITION OF STATE.

In this title, the term ''State'' means the State of Colorado.

SEC. 30003. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this title, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this title, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Subtitle A—Continental Divide

SEC. 30101. DEFINITIONS.

In this subtitle:

(1) COVERED AREA.—The term ''covered area'' means any area designated as wilderness by the amendments to section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) made by section 30102(a).

(2) HISTORIC LANDSCAPE.—The term ''Historic Landscape'' means the Camp Hale National Historic Landscape designated by section 30107(a).

(3) RECREATION MANAGEMENT AREA.—The term ''Recreation Management Area'' means the Tenmile Recreation Management Area designated by section 30104(a).

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

(5) WILDLIFE CONSERVATION AREA.—The term ''Wildlife Conservation Area'' means, as applicable—

(A) the Porcupine Gulch Wildlife Conservation Area designated by section 30105(a); and

(B) the Williams Fork Mountains Wildlife Conservation Area designated by section 30106(a).

SEC. 30102. COLORADO WILDERNESS ADDITIONS.

(a) DESIGNATION.—Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) is amended—

(1) in paragraph (18), by striking ''1993,'' and inserting ''1993, and certain Federal land within the White River National Forest that comprises approximately 6,896 acres, as generally depicted as 'Proposed Ptarmigan Peak Wilderness Additions' on the map entitled 'Proposed Ptarmigan Peak Wilderness Additions' and dated June 24, 2019,''; and

(2) by adding at the end the following:

''(23) HOLY CROSS WILDERNESS ADDITION.—Certain Federal land within the White River National Forest that comprises approximately 3,866 acres, as generally depicted as 'Proposed Megan Dickie Wilderness Addition' on the map entitled 'Holy Cross Wilderness Addition Proposal' and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Holy Cross Wilderness designated by section 102(a)(5) of Public Law 96–560 (94 Stat. 3266).

''(24) HOOSIER RIDGE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 5,235 acres, as generally depicted as 'Proposed Hoosier Ridge Wilderness' on the map entitled 'Tenmile Proposal' and dated June 24, 2019, which shall be known as the 'Hoosier Ridge Wilderness'.

''(25) TENMILE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 7,624 acres, as generally depicted as 'Proposed Tenmile Wilderness' on the map entitled 'Tenmile Proposal' and dated June 24, 2019, which shall be known as the 'Tenmile Wilderness'.

''(26) EAGLES NEST WILDERNESS ADDITIONS.—Certain Federal land within the White River National Forest that comprises approximately 9,670 acres, as generally depicted as 'Proposed Freeman Creek Wilderness Addition' and 'Proposed Spraddle Creek Wilderness Addition' on the map entitled 'Eagles Nest Wilderness Additions Proposal' and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Eagles Nest Wilderness designated by Public Law 94–352 (90 Stat. 870).''.

(b) APPLICABLE LAW.—Any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act for purposes of administering a covered area.

(c) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may carry out any activity in a covered area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(d) GRAZING.—The grazing of livestock on a covered area, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(e) COORDINATION.—For purposes of administering the Federal land designated as wilderness by paragraph (26) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by subsection (a)(2)), the Secretary shall, as determined to be appropriate for the protection of watersheds, coordinate the activities of the Secretary in response to fires and flooding events with interested State and local agencies, including operations using aircraft or mechanized equipment.

SEC. 30103. WILLIAMS FORK MOUNTAINS WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land in the White River National Forest in the State, comprising approximately 8,036 acres, as generally depicted as ''Proposed Williams Fork Mountains Wilderness'' on the map entitled ''Williams Fork Mountains Proposal'' and dated June 24, 2019, is designated as a potential wilderness area.

(b) MANAGEMENT.—Subject to valid existing rights and except as provided in subsection (d), the potential wilderness area designated by subsection (a) shall be managed in accordance with—

(1) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) this section.

(c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, in accordance with applicable laws (including regulations), the Secretary shall publish a determination regarding whether to authorize livestock grazing or other use by livestock on the vacant allotments known as—

(A) the ''Big Hole Allotment''; and

(B) the ''Blue Ridge Allotment''.

(2) MODIFICATION OF ALLOTMENTS.—In publishing a determination pursuant to paragraph (1), the Secretary may modify or combine the vacant allotments referred to in that paragraph.

(3) PERMIT OR OTHER AUTHORIZATION.—Not later than 1 year after the date on which a determination of the Secretary to authorize livestock grazing or other use by livestock is published under paragraph (1), if applicable, the Secretary shall grant a permit or other authorization for that livestock grazing or other use in accordance with applicable laws (including regulations).

(d) RANGE IMPROVEMENTS.—

(1) IN GENERAL.—If the Secretary permits livestock grazing or other use by livestock on the potential wilderness area under subsection (c), the Secretary, or a third party authorized by the Secretary, may use any motorized or mechanized transport or equipment for purposes of constructing or rehabilitating such range improvements as are necessary to obtain appropriate livestock management objectives (including habitat and watershed restoration).

(2) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates on the date that is 2 years after the date on which the Secretary publishes a positive determination under subsection (c)(3).

(e) DESIGNATION AS WILDERNESS.—

(1) DESIGNATION.—The potential wilderness area designated by subsection (a) shall be designated as wilderness, to be known as the ''Williams Fork Mountains Wilderness''—

(A) effective not earlier than the date that is 180 days after the date of enactment this Act; and

(B) on the earliest of—

(i) the date on which the Secretary publishes in the Federal Register a notice that the construction or rehabilitation of range improvements under subsection (d) is complete;

(ii) the date described in subsection (d)(2); and

(iii) the effective date of a determination of the Secretary not to authorize livestock grazing or other use by livestock under subsection (c)(1).

(2) ADMINISTRATION.—Subject to valid existing rights, the Secretary shall manage the Williams Fork Mountains Wilderness in accordance with—

(A) the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77); and

(B) this subtitle.

SEC. 30104. TENMILE RECREATION MANAGEMENT AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 17,122 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Tenmile Recreation Management Area'' on the map entitled ''Tenmile Proposal'' and dated June 24, 2019, are designated as the ''Tenmile Recreation Management Area''.

(b) PURPOSES.—The purposes of the Recreation Management Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the recreational, scenic, watershed, habitat, and ecological resources of the Recreation Management Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Recreation Management Area—

(A) in a manner that conserves, protects, and enhances—

(i) the purposes of the Recreation Management Area described in subsection (b); and

(ii) recreation opportunities, including mountain biking, hiking, fishing, horseback riding, snowshoeing, climbing, skiing, camping, and hunting; and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Recreation Management Area as the Secretary determines would further the purposes described in subsection (b).

(B) VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles in the Recreation Management Area shall be limited to the roads, vehicle classes, and periods authorized for motorized vehicle use on the date of enactment of this Act.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Recreation Management Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) rerouting or closing an existing road or trail to protect natural resources from degradation, as the Secretary determines to be appropriate;

(II) authorizing the use of motorized vehicles for administrative purposes or roadside camping;

(III) constructing temporary roads or permitting the use of motorized vehicles to carry out pre- or post-fire watershed protection projects;

(IV) authorizing the use of motorized vehicles to carry out any activity described in subsection (d), (e)(1), or (f); or

(V) responding to an emergency.

(C) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Recreation Management Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, or mitigate fire, insects, or disease in the Recreation Management Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) WATER.—

(1) EFFECT ON WATER MANAGEMENT INFRASTRUCTURE.—Nothing in this section affects the construction, repair, reconstruction, replacement, operation, maintenance, or renovation within the Recreation Management Area of—

(A) water management infrastructure in existence on the date of enactment of this Act; or

(B) any future infrastructure necessary for the development or exercise of water rights decreed before the date of enactment of this Act.

(2) APPLICABLE LAW.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Recreation Management Area.

(f) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Recreation Management Area for—

(1) a regional transportation project, including—

(A) highway widening or realignment; and

(B) construction of multimodal transportation systems; or

(2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

(g) APPLICABLE LAW.—Nothing in this section affects the designation of the Federal land within the Recreation Management Area for purposes of—

(1) section 138 of title 23, United States Code; or

(2) section 303 of title 49, United States Code.

(h) PERMITS.—Nothing in this section alters or limits—

(1) any permit held by a ski area or other entity; or

(2) the acceptance, review, or implementation of associated activities or facilities proposed or authorized by law or permit outside the boundaries of the Recreation Management Area.

SEC. 30105. PORCUPINE GULCH WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 8,287 acres of Federal land located in the White River National Forest, as generally depicted as ''Proposed Porcupine Gulch Wildlife Conservation Area'' on the map entitled ''Porcupine Gulch Wildlife Conservation Area Proposal'' and dated June 24, 2019, are designated as the ''Porcupine Gulch Wildlife Conservation Area'' (referred to in this section as the ''Wildlife Conservation Area'').

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are—

(1) to conserve and protect a wildlife migration corridor over Interstate 70; and

(2) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) RECREATION.—The Secretary may permit such recreational activities in the Wildlife Conservation Area that the Secretary determines are consistent with the purposes described in subsection (b).

(C) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT; NEW OR TEMPORARY ROADS.—

(i) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as provided in clause (iii), the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii) and subsection (e), no new or temporary road shall be constructed within the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles or mechanized transport for administrative purposes;

(II) constructing temporary roads or permitting the use of motorized vehicles or mechanized transport to carry out pre- or post-fire watershed protection projects;

(III) authorizing the use of motorized vehicles or mechanized transport to carry out activities described in subsection (d) or (e); or

(IV) responding to an emergency.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, or mitigate fire, insects, or disease in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section or section 30110(e) precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Wildlife Conservation Area for—

(1) a regional transportation project, including—

(A) highway widening or realignment; and

(B) construction of multimodal transportation systems; or

(2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

(f) APPLICABLE LAW.—Nothing in this section affects the designation of the Federal

land within the Wildlife Conservation Area for purposes of—

(1) section 138 of title 23, United States Code; or

(2) section 303 of title 49, United States Code.

(g) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

SEC. 30106. WILLIAMS FORK MOUNTAINS WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 3,528 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Williams Fork Mountains Wildlife Conservation Area'' on the map entitled ''Williams Fork Mountains Proposal'' and dated June 24, 2019, are designated as the ''Williams Fork Mountains Wildlife Conservation Area'' (referred to in this section as the ''Wildlife Conservation Area'').

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles for administrative purposes;

(II) authorizing the use of motorized vehicles to carry out activities described in subsection (d); or

(III) responding to an emergency.

(C) BICYCLES.—The use of bicycles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(E) GRAZING.—The laws (including regulations) and policies followed by the Secretary in issuing and administering grazing permits or leases on land under the jurisdiction of the Secretary shall continue to apply with regard to the land in the Wildlife Conservation Area, consistent with the purposes described in subsection (b).

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, or mitigate fire, insects, or disease in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section or section 30110(e) precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Wildlife Conservation Area for—

(1) a regional transportation project, including—

(A) highway widening or realignment; and

(B) construction of multimodal transportation systems; or

(2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

(f) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

SEC. 30107. CAMP HALE NATIONAL HISTORIC LANDSCAPE.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 28,676 acres of Federal land in the White River National Forest in the State, as generally depicted as ''Proposed Camp Hale National Historic Landscape'' on the map entitled ''Camp Hale National Historic Landscape Proposal'' and dated June 24, 2019, are designated the ''Camp Hale National Historic Landscape''.

(b) PURPOSES.—The purposes of the Historic Landscape are—

(1) to provide for—

(A) the interpretation of historic events, activities, structures, and artifacts of the Historic Landscape, including with respect to the role of the Historic Landscape in local, national, and world history;

(B) the historic preservation of the Historic Landscape, consistent with—

(i) the designation of the Historic Landscape as a national historic site; and

(ii) the other purposes of the Historic Landscape;

(C) recreational opportunities, with an emphasis on the activities related to the historic use of the Historic Landscape, including skiing, snowshoeing, snowmobiling, hiking, horseback riding, climbing, other road- and trail-based activities, and other outdoor activities; and

(D) the continued environmental remediation and removal of unexploded ordnance at the Camp Hale Formerly Used Defense Site and the Camp Hale historic cantonment area; and

(2) to conserve, protect, restore, and enhance for the benefit and enjoyment of present and future generations the scenic, watershed, and ecological resources of the Historic Landscape.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Historic Landscape in accordance with—

(A) the purposes of the Historic Landscape described in subsection (b); and

(B) any other applicable laws (including regulations).

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the Secretary shall prepare a management plan for the Historic Landscape.

(B) CONTENTS.—The management plan prepared under subparagraph (A) shall include plans for—

(i) improving the interpretation of historic events, activities, structures, and artifacts of the Historic Landscape, including with respect to the role of the Historic Landscape in local, national, and world history;

(ii) conducting historic preservation and veteran outreach and engagement activities;

(iii) managing recreational opportunities, including the use and stewardship of—

(I) the road and trail systems; and

(II) dispersed recreation resources;

(iv) the conservation, protection, restoration, or enhancement of the scenic, watershed, and ecological resources of the Historic Landscape, including conducting the restoration and enhancement project under subsection (d); and

(v) environmental remediation and, consistent with subsection (e)(2), the removal of unexploded ordnance.

(3) EXPLOSIVE HAZARDS.—The Secretary shall provide to the Secretary of the Army a notification of any unexploded ordnance (as defined in section 101(e) of title 10, United States Code) that is discovered in the Historic Landscape.

(d) CAMP HALE RESTORATION AND ENHANCEMENT PROJECT.—

(1) IN GENERAL.—The Secretary shall conduct a restoration and enhancement project in the Historic Landscape—

(A) to improve aquatic, riparian, and wetland conditions in and along the Eagle River and tributaries of the Eagle River;

(B) to maintain or improve recreation and interpretive opportunities and facilities; and

(C) to conserve historic values in the Camp Hale area.

(2) COORDINATION.—In carrying out the project described in paragraph (1), the Secretary shall coordinate with—

(A) the Corps of Engineers;

(B) the Camp Hale-Eagle River Headwaters Collaborative Group;

(C) the National Forest Foundation;

(D) the Colorado Department of Public Health and Environment;

(E) the Colorado State Historic Preservation Office;

(F) units of local government; and

(G) other interested organizations and members of the public.

(e) ENVIRONMENTAL REMEDIATION.—

(1) IN GENERAL.—The Secretary of the Army shall continue to carry out the projects and activities of the Department of the Army in existence on the date of enactment of this Act relating to cleanup of—

(A) the Camp Hale Formerly Used Defense Site; or

(B) the Camp Hale historic cantonment area.

(2) REMOVAL OF UNEXPLODED ORDNANCE.—

(A) IN GENERAL.—The Secretary of the Army may remove unexploded ordnance (as defined in section 101(e) of title 10, United States Code) from the Historic Landscape, as the Secretary of the Army determines to be appropriate in accordance with applicable law (including regulations).

(B) ACTION ON RECEIPT OF NOTICE.—On receipt from the Secretary of a notification of unexploded ordnance under subsection (c)(3), the Secretary of the Army may remove the unexploded ordnance in accordance with—

(i) the program for environmental restoration of formerly used defense sites under section 2701 of title 10, United States Code;

(ii) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(iii) any other applicable provision of law (including regulations).

(3) EFFECT OF SUBSECTION.—Nothing in this subsection modifies any obligation in existence on the date of enactment of this Act relating to environmental remediation or removal of any unexploded ordnance located in or around the Camp Hale historic cantonment area, the Camp Hale Formerly Used

Defense Site, or the Historic Landscape, including such an obligation under—

(A) the program for environmental restoration of formerly used defense sites under section 2701 of title 10, United States Code;

(B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(C) any other applicable provision of law (including regulations).

(f) INTERAGENCY AGREEMENT.—The Secretary and the Secretary of the Army shall enter into an agreement—

(1) to specify—

(A) the activities of the Secretary relating to the management of the Historic Landscape; and

(B) the activities of the Secretary of the Army relating to environmental remediation and the removal of unexploded ordnance in accordance with subsection (e) and other applicable laws (including regulations); and

(2) to require the Secretary to provide to the Secretary of the Army, by not later than 1 year after the date of enactment of this Act and periodically thereafter, as appropriate, a management plan for the Historic Landscape for purposes of the removal activities described in subsection (e).

(g) EFFECT.—Nothing in this section—

(1) affects the jurisdiction of the State over any water law, water right, or adjudication or administration relating to any water resource;

(2) affects any water right in existence on or after the date of enactment of this Act, or the exercise of such a water right, including—

(A) a water right under an interstate water compact (including full development of any apportionment made in accordance with such a compact);

(B) a water right decreed within, above, below, or through the Historic Landscape;

(C) a water right held by the United States;

(D) the management or operation of any reservoir, including the storage, management, release, or transportation of water; and

(E) the construction or operation of such infrastructure as is determined to be necessary by an individual or entity holding water rights to develop and place to beneficial use those rights, subject to applicable Federal, State, and local law (including regulations);

(3) constitutes an express or implied reservation by the United States of any reserved or appropriative water right;

(4) alters or limits—

(A) a permit held by a ski area;

(B) the implementation of activities governed by a ski area permit; or

(C) the authority of the Secretary to modify or expand an existing ski area permit;

(5) prevents the Secretary from closing portions of the Historic Landscape for public safety, environmental remediation, or other use in accordance with applicable laws; or

(6) affects—

(A) any special use permit in effect on the date of enactment of this Act; or

(B) the renewal of a permit described in subparagraph (A).

(h) FUNDING.—

(1) IN GENERAL.—There is established in the general fund of the Treasury a special account, to be known as the ''Camp Hale Historic Preservation and Restoration Fund''.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Camp Hale Historic Preservation and Restoration Fund $10,000,000, to be available to the Secretary until expended, for activities relating to historic interpretation, preservation, and restoration carried out in and around the Historic Landscape.

(i) DESIGNATION OF OVERLOOK.—The interpretive site located beside United States Route 24 in the State, at 39.431N 106.323W, is designated as the ''Sandy Treat Overlook''.

SEC. 30108. WHITE RIVER NATIONAL FOREST BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the White River National Forest is modified to include the approximately 120 acres comprised of the SW¼, the SE¼, and the NE¼ of the SE¼ of sec. 1, T. 2 S., R. 80 W., 6th Principal Meridian, in Summit County in the State.

(b) LAND AND WATER CONSERVATION FUND.—For purposes of section 200306 of title 54, United States Code, the boundaries of the White River National Forest, as modified by subsection (a), shall be considered to be the boundaries of the White River National Forest as in existence on January 1, 1965.

SEC. 30109. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL WILDERNESS BOUNDARY ADJUSTMENT.

(a) PURPOSE.—The purpose of this section is to provide for the ongoing maintenance and use of portions of the Trail River Ranch and the associated property located within Rocky Mountain National Park in Grand County in the State.

(b) BOUNDARY ADJUSTMENT.—Section 1952(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1070) is amended by adding at the end the following:

''(3) BOUNDARY ADJUSTMENT.—The boundary of the Potential Wilderness is modified to exclude the area comprising approximately 15.5 acres of land identified as 'Potential Wilderness to Non-wilderness' on the map entitled 'Rocky Mountain National Park Proposed Wilderness Area Amendment' and dated January 16, 2018.''.

SEC. 30110. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this subtitle affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this subtitle or an amendment made by this subtitle establishes a protective perimeter or buffer zone around—

(A) a covered area;

(B) a wilderness area or potential wilderness area designated by section 30103;

(C) the Recreation Management Area;

(D) a Wildlife Conservation Area; or

(E) the Historic Landscape.

(2) OUTSIDE ACTIVITIES.—The fact that a nonwilderness activity or use on land outside of a covered area can be seen or heard from within the covered area shall not preclude the activity or use outside the boundary of the covered area.

(c) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file maps and legal descriptions of each area described in subsection (b)(1) with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct any typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(d) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundaries of an area described in subsection (b)(1) only through exchange, donation, or purchase from a willing seller.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness area, Recreation Management Area, Wildlife Conservation Area, or Historic Landscape, as applicable, in which the land or interest in land is located.

(e) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the areas described in subsection (b)(1) are withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

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

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

(f) MILITARY OVERFLIGHTS.—Nothing in this subtitle or an amendment made by this subtitle restricts or precludes—

(1) any low-level overflight of military aircraft over any area subject to this subtitle or an amendment made by this subtitle, including military overflights that can be seen, heard, or detected within such an area;

(2) flight testing or evaluation over an area described in paragraph (1); or

(3) the use or establishment of—

(A) any new unit of special use airspace over an area described in paragraph (1); or

(B) any military flight training or transportation over such an area.

(g) SENSE OF CONGRESS.—It is the sense of Congress that military aviation training on Federal public land in the State, including the training conducted at the High-Altitude Army National Guard Aviation Training Site, is critical to the national security of the United States and the readiness of the Armed Forces.

Subtitle B—San Juan Mountains

SEC. 30201. DEFINITIONS.

In this subtitle:

(1) COVERED LAND.—The term ''covered land'' means—

(A) land designated as wilderness under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202); and

(B) a Special Management Area.

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

(3) SPECIAL MANAGEMENT AREA.—The term ''Special Management Area'' means each of—

(A) the Sheep Mountain Special Management Area designated by section 30203(a)(1); and

(B) the Liberty Bell East Special Management Area designated by section 30203(a)(2).

SEC. 30202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as amended by section 30102(a)(2)) is amended by adding at the end the following:

''(27) LIZARD HEAD WILDERNESS ADDITION.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 3,141 acres, as generally depicted on the map entitled 'Proposed Wilson, Sunshine, Black Face and San Bernardo Additions to the Lizard Head Wilderness' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Lizard Head Wilderness.

''(28) MOUNT SNEFFELS WILDERNESS ADDITIONS.—

''(A) LIBERTY BELL AND LAST DOLLAR ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 7,235 acres, as generally depicted on the map entitled 'Proposed Liberty Bell and Last Dollar

Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

''(B) WHITEHOUSE ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 12,465 acres, as generally depicted on the map entitled 'Proposed Whitehouse Additions to the Mt. Sneffels Wilderness' and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

''(29) MCKENNA PEAK WILDERNESS.—Certain Federal land in the State of Colorado comprising approximately 8,884 acres of Bureau of Land Management land, as generally depicted on the map entitled 'Proposed McKenna Peak Wilderness Area' and dated September 18, 2018, to be known as the 'McKenna Peak Wilderness'.''.

SEC. 30203. SPECIAL MANAGEMENT AREAS.

(a) DESIGNATION.—

(1) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison and San Juan National Forests in the State comprising approximately 21,663 acres, as generally depicted on the map entitled ''Proposed Sheep Mountain Special Management Area'' and dated September 19, 2018, is designated as the ''Sheep Mountain Special Management Area''.

(2) LIBERTY BELL EAST SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests in the State comprising approximately 792 acres, as generally depicted on the map entitled ''Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area'' and dated September 6, 2018, is designated as the ''Liberty Bell East Special Management Area''.

(b) PURPOSE.—The purpose of the Special Management Areas is to conserve and protect for the benefit and enjoyment of present and future generations the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the Special Management Areas.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Special Management Areas in a manner that—

(A) conserves, protects, and enhances the resources and values of the Special Management Areas described in subsection (b);

(B) subject to paragraph (3), maintains or improves the wilderness character of the Special Management Areas and the suitability of the Special Management Areas for potential inclusion in the National Wilderness Preservation System; and

(C) is in accordance with—

(i) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(ii) this subtitle; and

(iii) any other applicable laws.

(2) PROHIBITIONS.—The following shall be prohibited in the Special Management Areas:

(A) Permanent roads.

(B) Except as necessary to meet the minimum requirements for the administration of the Federal land, to provide access for abandoned mine cleanup, and to protect public health and safety—

(i) the use of motor vehicles, motorized equipment, or mechanical transport (other than as provided in paragraph (3)); and

(ii) the establishment of temporary roads.

(3) AUTHORIZED ACTIVITIES.—

(A) IN GENERAL.—The Secretary may allow any activities (including helicopter access for recreation and maintenance and the competitive running event permitted since 1992) that have been authorized by permit or license as of the date of enactment of this Act to continue within the Special Management Areas, subject to such terms and conditions as the Secretary may require.

(B) PERMITTING.—The designation of the Special Management Areas by subsection (a) shall not affect the issuance of permits relating to the activities covered under subparagraph (A) after the date of enactment of this Act.

(C) BICYCLES.—The Secretary may permit the use of bicycles in—

(i) the portion of the Sheep Mountain Special Management Area identified as ''Ophir Valley Area'' on the map entitled ''Proposed Sheep Mountain Special Management Area'' and dated September 19, 2018; and

(ii) the portion of the Liberty Bell East Special Management Area identified as ''Liberty Bell Corridor'' on the map entitled ''Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area'' and dated September 6, 2018.

(d) APPLICABLE LAW.—Water and water rights in the Special Management Areas shall be administered in accordance with section 8 of the Colorado Wilderness Act of 1993 (Public Law 103–77; 107 Stat. 762), except that, for purposes of this subtitle—

(1) any reference contained in that section to ''the lands designated as wilderness by this Act'', ''the Piedra, Roubideau, and Tabeguache areas identified in section 9 of this Act, or the Bowen Gulch Protection Area or the Fossil Ridge Recreation Management Area identified in sections 5 and 6 of this Act'', or ''the areas described in sections 2, 5, 6, and 9 of this Act'' shall be considered to be a reference to ''the Special Management Areas''; and

(2) any reference contained in that section to ''this Act'' shall be considered to be a reference to ''the Colorado Outdoor Recreation and Economy Act''.

SEC. 30204. RELEASE OF WILDERNESS STUDY AREAS.

(a) DOMINGUEZ CANYON WILDERNESS STUDY AREA.—Subtitle E of title II of Public Law 111–11 is amended—

(1) by redesignating section 2408 (16 U.S.C. 460zzz–7) as section 2409; and

(2) by inserting after section 2407 (16 U.S.C. 460zzz–6) the following:

''SEC. 2408. RELEASE.

''(a) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the Dominguez Canyon Wilderness Study Area not designated as wilderness by this subtitle have been adequately studied for wilderness designation.

''(b) RELEASE.—Any public land referred to in subsection (a) that is not designated as wilderness by this subtitle—

''(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

''(2) shall be managed in accordance with this subtitle and any other applicable laws.''.

(b) MCKENNA PEAK WILDERNESS STUDY AREA.—

(1) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the McKenna Peak Wilderness Study Area in San Miguel County in the State not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202) have been adequately studied for wilderness designation.

(2) RELEASE.—Any public land referred to in paragraph (1) that is not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202)—

(A) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(B) shall be managed in accordance with applicable laws.

SEC. 30205. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this subtitle affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this subtitle establishes a protective perimeter or buffer zone around covered land.

(2) ACTIVITIES OUTSIDE WILDERNESS.—The fact that a nonwilderness activity or use on land outside of the covered land can be seen or heard from within covered land shall not preclude the activity or use outside the boundary of the covered land.

(c) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary or the Secretary of the Interior, as appropriate, shall file a map and a legal description of each wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202) and the Special Management Areas with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary or the Secretary of the Interior, as appropriate, may correct any typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the Forest Service.

(d) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary or the Secretary of the Interior, as appropriate, may acquire any land or interest in land within the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202) only through exchange, donation, or purchase from a willing seller.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness or Special Management Area in which the land or interest in land is located.

(e) GRAZING.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the applicable guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405) or H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(f) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary with jurisdiction over a wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 30202) may carry out any activity in the wilderness area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(g) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the covered land and the approximately 6,590 acres generally depicted on the map entitled ''Proposed Naturita Canyon Mineral Withdrawal Area'' and dated September 6, 2018, is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

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

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

Subtitle C—Thompson Divide

SEC. 30301. PURPOSES.

The purposes of this subtitle are—

(1) subject to valid existing rights, to withdraw certain Federal land in the Thompson Divide area from mineral and other disposal laws; and

(2) to promote the capture of fugitive methane emissions that would otherwise be emitted into the atmosphere—

(A) to reduce methane gas emissions; and

(B) to provide—

(i) new renewable electricity supplies and other beneficial uses of fugitive methane emissions; and

(ii) increased royalties for taxpayers.

SEC. 30302. DEFINITIONS.

In this subtitle:

(1) FUGITIVE METHANE EMISSIONS.—The term ''fugitive methane emissions'' means methane gas from the Federal land in Garfield, Gunnison, Delta, or Pitkin County in the State, as generally depicted on the pilot program map as ''Fugitive Coal Mine Methane Use Pilot Program Area'', that would leak or be vented into the atmosphere from an active, inactive, or abandoned underground coal mine.

(2) PILOT PROGRAM.—The term ''pilot program'' means the Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program established by section 30305(a)(1).

(3) PILOT PROGRAM MAP.—The term ''pilot program map'' means the map entitled ''Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program Area'' and dated June 17, 2019.

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

(5) THOMPSON DIVIDE LEASE.—

(A) IN GENERAL.—The term ''Thompson Divide lease'' means any oil or gas lease in effect on the date of enactment of this Act within the Thompson Divide Withdrawal and Protection Area.

(B) EXCLUSIONS.—The term ''Thompson Divide lease'' does not include any oil or gas lease that—

(i) is associated with a Wolf Creek Storage Field development right; or

(ii) before the date of enactment of this Act, has expired, been cancelled, or otherwise terminated.

(6) THOMPSON DIVIDE MAP.—The term ''Thompson Divide map'' means the map entitled ''Greater Thompson Divide Area Map'' and dated June 13, 2019.

(7) THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.—The term ''Thompson Divide Withdrawal and Protection Area'' means the Federal land and minerals generally depicted on the Thompson Divide map as the ''Thompson Divide Withdrawal and Protection Area''.

(8) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.—

(A) IN GENERAL.—The term ''Wolf Creek Storage Field development right'' means a development right for any of the Federal mineral leases numbered COC 007496, COC 007497, COC 007498, COC 007499, COC 007500, COC 007538, COC 008128, COC 015373, COC 0128018, COC 051645, and COC 051646, as generally depicted on the Thompson Divide map as ''Wolf Creek Storage Agreement''.

(B) EXCLUSIONS.—The term ''Wolf Creek Storage Field development right'' does not include any storage right or related activity within the area described in subparagraph (A).

SEC. 30303. THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.

(a) WITHDRAWAL.—Subject to valid existing rights, the Thompson Divide Withdrawal and Protection Area is withdrawn from—

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

(2) location, entry, and patent under the mining laws; and

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

(b) SURVEYS.—The exact acreage and legal description of the Thompson Divide Withdrawal and Protection Area shall be determined by surveys approved by the Secretary, in consultation with the Secretary of Agriculture.

(c) GRAZING.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be allowed to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land.

SEC. 30304. THOMPSON DIVIDE LEASE EXCHANGE.

(a) IN GENERAL.—In exchange for the relinquishment by a leaseholder of all Thompson Divide leases of the leaseholder, the Secretary may issue to the leaseholder credits for any bid, royalty, or rental payment due under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b).

(b) AMOUNT OF CREDITS.—

(1) IN GENERAL.—Subject to paragraph (2), the amount of the credits issued to a leaseholder of a Thompson Divide lease relinquished under subsection (a) shall—

(A) be equal to the sum of—

(i) the amount of the bonus bids paid for the applicable Thompson Divide leases;

(ii) the amount of any rental paid for the applicable Thompson Divide leases as of the date on which the leaseholder submits to the Secretary a notice of the decision to relinquish the applicable Thompson Divide leases; and

(iii) the amount of any expenses incurred by the leaseholder of the applicable Thompson Divide leases in the preparation of any drilling permit, sundry notice, or other related submission in support of the development of the applicable Thompson Divide leases as of January 28, 2019, including any expenses relating to the preparation of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) require the approval of the Secretary.

(2) EXCLUSION.—The amount of a credit issued under subsection (a) shall not include any expenses paid by the leaseholder of a Thompson Divide lease for legal fees or related expenses for legal work with respect to a Thompson Divide lease.

(c) CANCELLATION.—Effective on relinquishment under this section, and without any additional action by the Secretary, a Thompson Divide lease—

(1) shall be permanently cancelled; and

(2) shall not be reissued.

(d) CONDITIONS.—

(1) APPLICABLE LAW.—Except as otherwise provided in this section, each exchange under this section shall be conducted in accordance with—

(A) this title; and

(B) other applicable laws (including regulations).

(2) ACCEPTANCE OF CREDITS.—The Secretary shall accept credits issued under subsection (a) in the same manner as cash for the payments described in that subsection.

(3) APPLICABILITY.—The use of a credit issued under subsection (a) shall be subject to the laws (including regulations) applicable to the payments described in that subsection, to the extent that the laws are consistent with this section.

(4) TREATMENT OF CREDITS.—All amounts in the form of credits issued under subsection (a) accepted by the Secretary shall be considered to be amounts received for the purposes of—

(A) section 35 of the Mineral Leasing Act (30 U.S.C. 191); and

(B) section 20 of the Geothermal Steam Act of 1970 (30 U.S.C. 1019).

(e) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHTS.—

(1) CONVEYANCE TO SECRETARY.—As a condition precedent to the relinquishment of a Thompson Divide lease, any leaseholder with a Wolf Creek Storage Field development right shall permanently relinquish, transfer, and otherwise convey to the Secretary, in a form acceptable to the Secretary, all Wolf Creek Storage Field development rights of the leaseholder.

(2) LIMITATION OF TRANSFER.—An interest acquired by the Secretary under paragraph (1)—

(A) shall be held in perpetuity; and

(B) shall not be—

(i) transferred;

(ii) reissued; or

(iii) otherwise used for mineral extraction.

SEC. 30305. GREATER THOMPSON DIVIDE FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.

(a) FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.—

(1) ESTABLISHMENT.—There is established in the Bureau of Land Management a pilot program, to be known as the ''Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program''.

(2) PURPOSE.—The purpose of the pilot program is to promote the capture, beneficial use, mitigation, and sequestration of fugitive methane emissions—

(A) to reduce methane emissions;

(B) to promote economic development;

(C) to produce bid and royalty revenues;

(D) to improve air quality; and

(E) to improve public safety.

(3) PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a plan—

(i) to complete an inventory of fugitive methane emissions in accordance with subsection (b);

(ii) to provide for the leasing of fugitive methane emissions in accordance with subsection (c); and

(iii) to provide for the capping or destruction of fugitive methane emissions in accordance with subsection (d).

(B) COORDINATION.—In developing the plan under this paragraph, the Secretary shall coordinate with—

(i) the State;

(ii) Garfield, Gunnison, Delta, and Pitkin Counties in the State;

(iii) lessees of Federal coal within the counties referred to in clause (ii);

(iv) interested institutions of higher education in the State; and

(v) interested members of the public.

(b) FUGITIVE METHANE EMISSION INVENTORY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete an inventory of fugitive methane emissions.

(2) CONDUCT.—The Secretary may conduct the inventory under paragraph (1) through, or in collaboration with—

(A) the Bureau of Land Management;

(B) the United States Geological Survey;

(C) the Environmental Protection Agency;

(D) the United States Forest Service;

(E) State departments or agencies;

(F) Garfield, Gunnison, Delta, or Pitkin County in the State;

(G) the Garfield County Federal Mineral Lease District;

(H) institutions of higher education in the State;

(I) lessees of Federal coal within a county referred to in subparagraph (F);

(J) the National Oceanic and Atmospheric Administration;

(K) the National Center for Atmospheric Research; or

(L) other interested entities, including members of the public.

(3) CONTENTS.—The inventory under paragraph (1) shall include—

(A) the general location and geographic coordinates of each vent, seep, or other source producing significant fugitive methane emissions;

(B) an estimate of the volume and concentration of fugitive methane emissions from each source of significant fugitive methane emissions, including details of measurements taken and the basis for that emissions estimate;

(C) an estimate of the total volume of fugitive methane emissions each year;

(D) relevant data and other information available from—

(i) the Environmental Protection Agency;

(ii) the Mine Safety and Health Administration;

(iii) the department of natural resources of the State;

(iv) the Colorado Public Utility Commission;

(v) the department of health and environment of the State; and

(vi) the Office of Surface Mining Reclamation and Enforcement; and

(E) such other information as may be useful in advancing the purposes of the pilot program.

(4) PUBLIC PARTICIPATION; DISCLOSURE.—

(A) PUBLIC PARTICIPATION.—The Secretary shall provide opportunities for public participation in the inventory under this subsection.

(B) AVAILABILITY.—The Secretary shall make the inventory under this subsection publicly available.

(C) DISCLOSURE.—Nothing in this subsection requires the Secretary to publicly release information that—

(i) poses a threat to public safety;

(ii) is confidential business information; or

(iii) is otherwise protected from public disclosure.

(5) USE.—The Secretary shall use the inventory in carrying out—

(A) the leasing program under subsection (c); and

(B) the capping or destruction of fugitive methane emissions under subsection (d).

(c) FUGITIVE METHANE EMISSION LEASING PROGRAM.—

(1) IN GENERAL.—Subject to valid existing rights and in accordance with this section, not later than 1 year after the date of completion of the inventory required under subsection (b), the Secretary shall carry out a program to encourage the use and destruction of fugitive methane emissions.

(2) FUGITIVE METHANE EMISSIONS FROM COAL MINES SUBJECT TO LEASE.—

(A) IN GENERAL.—The Secretary shall authorize the holder of a valid existing Federal coal lease for a mine that is producing fugitive methane emissions to capture for use, or destroy by flaring, the fugitive methane emissions.

(B) CONDITIONS.—The authority under subparagraph (A) shall be subject to—

(i) valid existing rights; and

(ii) such terms and conditions as the Secretary may require.

(C) LIMITATIONS.—The program carried out under subparagraph (A) shall only include fugitive methane emissions that can be captured for use, or destroyed by flaring, in a manner that does not—

(i) endanger the safety of any coal mine worker; or

(ii) unreasonably interfere with any ongoing operation at a coal mine.

(D) COOPERATION.—

(i) IN GENERAL.—The Secretary shall work cooperatively with the holders of valid existing Federal coal leases for mines that produce fugitive methane emissions to encourage—

(I) the capture of fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, or transforming the fugitive methane emissions into a different marketable material; or

(II) if the beneficial use of the fugitive methane emissions is not feasible, the destruction of the fugitive methane emissions by flaring.

(ii) GUIDANCE.—In furtherance of the purposes of this paragraph, not later than 1 year after the date of enactment of this Act, the Secretary shall issue guidance for the implementation of Federal authorities and programs to encourage the capture for use, or destruction by flaring, of fugitive methane emissions, while minimizing impacts on natural resources or other public interest values.

(E) ROYALTIES.—The Secretary shall determine whether any fugitive methane emissions used or destroyed pursuant to this paragraph are subject to the payment of a royalty under applicable law.

(3) FUGITIVE METHANE EMISSIONS FROM ABANDONED COAL MINES.—

(A) IN GENERAL.—Except as otherwise provided in this section, notwithstanding section 30303, subject to valid existing rights, and in accordance with section 21 of the Mineral Leasing Act (30 U.S.C. 241) and any other applicable law, the Secretary shall—

(i) authorize the capture for use, or destruction by flaring, of fugitive methane emissions from abandoned coal mines on Federal land; and

(ii) make available for leasing such fugitive methane emissions from abandoned coal mines on Federal land as the Secretary considers to be in the public interest.

(B) SOURCE.—To the maximum extent practicable, the Secretary shall offer for lease each significant vent, seep, or other source of fugitive methane emissions from abandoned coal mines.

(C) BID QUALIFICATIONS.—A bid to lease fugitive methane emissions under this paragraph shall specify whether the prospective lessee intends—

(i) to capture the fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, or transforming the fugitive methane emissions into a different marketable material;

(ii) to destroy the fugitive methane emissions by flaring; or

(iii) to employ a specific combination of—

(I) capturing the fugitive methane emissions for beneficial use; and

(II) destroying the fugitive methane emission by flaring.

(D) PRIORITY.—

(i) IN GENERAL.—In any case in which 2 or more qualified bids are submitted for a lease under this paragraph, the Secretary shall select the bid that the Secretary determines is likely to most significantly advance the public interest.

(ii) CONSIDERATIONS.—In determining the public interest under clause (i), the Secretary shall take into consideration—

(I) the size of the overall decrease in the time-integrated radiative forcing of the fugitive methane emissions;

(II) the impacts to other natural resource values, including wildlife, water, and air; and

(III) other public interest values, including scenic, economic, recreation, and cultural values.

(E) LEASE FORM.—

(i) IN GENERAL.—The Secretary shall develop and provide to prospective bidders a lease form for leases issued under this paragraph.

(ii) DUE DILIGENCE.—The lease form developed under clause (i) shall include terms and conditions requiring the leased fugitive methane emissions to be put to beneficial use or flared by not later than 1 year after the date of issuance of the lease.

(F) ROYALTY RATE.—The Secretary shall develop a minimum bid and royalty rate for leases under this paragraph to advance the purposes of this section, to the maximum extent practicable.

(d) SEQUESTRATION.—If, by not later than 4 years after the date of enactment of this Act, any significant fugitive methane emissions from abandoned coal mines on Federal land are not leased under subsection (c)(3), the Secretary shall, in accordance with applicable law, take all reasonable measures—

(1) to cap those fugitive methane emissions at the source in any case in which the cap will result in the long-term sequestration of all or a significant portion of the fugitive methane emissions; or

(2) if sequestration under paragraph (1) is not feasible, destroy the fugitive methane emissions by flaring.

(e) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of this Act the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report detailing—

(1) the economic and environmental impacts of the pilot program, including information on increased royalties and estimates of avoided greenhouse gas emissions; and

(2) any recommendations of the Secretary regarding whether the pilot program could be expanded geographically to include other significant sources of fugitive methane emissions from coal mines.

SEC. 30306. EFFECT.

Except as expressly provided in this subtitle, nothing in this subtitle—

(1) expands, diminishes, or impairs any valid existing mineral leases, mineral interest, or other property rights wholly or partially within the Thompson Divide Withdrawal and Protection Area, including access to the leases, interests, rights, or land in accordance with applicable Federal, State, and local laws (including regulations);

(2) prevents the capture of methane from any active, inactive, or abandoned coal mine covered by this subtitle, in accordance with applicable laws; or

(3) prevents access to, or the development of, any new or existing coal mine or lease in Delta or Gunnison County in the State.

Subtitle D—Curecanti National Recreation Area

SEC. 30401. DEFINITIONS.

In this subtitle:

(1) MAP.—The term ''map'' means the map entitled ''Curecanti National Recreation Area, Proposed Boundary'', numbered 616/100,485C, and dated August 11, 2016.

(2) NATIONAL RECREATION AREA.—The term ''National Recreation Area'' means the Curecanti National Recreation Area established by section 30402(a).

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

SEC. 30402. CURECANTI NATIONAL RECREATION AREA.

(a) ESTABLISHMENT.—Effective beginning on the earlier of the date on which the Secretary approves a request under subsection (c)(2)(B)(i)(I) and the date that is 1 year after the date of enactment of this Act, there shall be established as a unit of the National Park System the Curecanti National Recreation Area, in accordance with this title, consisting of approximately 50,667 acres of land in the State, as generally depicted on the map as ''Curecanti National Recreation Area Proposed Boundary''.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the National Recreation Area in accordance with—

(A) this subtitle; and

(B) the laws (including regulations) generally applicable to units of the National Park System, including section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code.

(2) DAM, POWER PLANT, AND RESERVOIR MANAGEMENT AND OPERATIONS.—

(A) IN GENERAL.—Nothing in this subtitle affects or interferes with the authority of the Secretary—

(i) to operate the Uncompahgre Valley Reclamation Project under the reclamation laws;

(ii) to operate the Wayne N. Aspinall Unit of the Colorado River Storage Project under the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (43 U.S.C. 620 et seq.); or

(iii) under the Federal Water Project Recreation Act (16 U.S.C. 460l–12 et seq.).

(B) RECLAMATION LAND.—

(i) SUBMISSION OF REQUEST TO RETAIN ADMINISTRATIVE JURISDICTION.—If, before the date that is 1 year after the date of enactment of this Act, the Commissioner of Reclamation submits to the Secretary a request for the Commissioner of Reclamation to retain administrative jurisdiction over the minimum quantity of land within the land identified on the map as ''Lands withdrawn or acquired for Bureau of Reclamation projects'' that the Commissioner of Reclamation identifies as necessary for the effective operation of Bureau of Reclamation water facilities, the Secretary may—

(I) approve, approve with modifications, or disapprove the request; and

(II) if the request is approved under subclause (I), make any modifications to the map that are necessary to reflect that the Commissioner of Reclamation retains management authority over the minimum quantity of land required to fulfill the reclamation mission.

(ii) TRANSFER OF LAND.—

(I) IN GENERAL.—Administrative jurisdiction over the land identified on the map as ''Lands withdrawn or acquired for Bureau of Reclamation projects'', as modified pursuant to clause (i)(II), if applicable, shall be transferred from the Commissioner of Reclamation to the Director of the National Park Service by not later than the date that is 1 year after the date of enactment of this Act.

(II) ACCESS TO TRANSFERRED LAND.—

(aa) IN GENERAL.—Subject to item (bb), the Commissioner of Reclamation shall retain access to the land transferred to the Director of the National Park Service under subclause (I) for reclamation purposes, including for the operation, maintenance, and expansion or replacement of facilities.

(bb) MEMORANDUM OF UNDERSTANDING.—The terms of the access authorized under item (aa) shall be determined by a memorandum of understanding entered into between the Commissioner of Reclamation and the Director of the National Park Service not later than 1 year after the date of enactment of this Act.

(3) MANAGEMENT AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into management agreements, or modify management agreements in existence on the date of enactment of this Act, relating to the authority of the Director of the National Park Service, the Commissioner of Reclamation, the Director of the Bureau of Land Management, or the Chief of the Forest Service to manage Federal land within or adjacent to the boundary of the National Recreation Area.

(B) STATE LAND.—The Secretary may enter into cooperative management agreements for any land administered by the State that is within or adjacent to the National Recreation Area, in accordance with the cooperative management authority under section 101703 of title 54, United States Code.

(4) RECREATIONAL ACTIVITIES.—

(A) AUTHORIZATION.—Except as provided in subparagraph (B), the Secretary shall allow boating, boating-related activities, hunting, and fishing in the National Recreation Area in accordance with applicable Federal and State laws.

(B) CLOSURES; DESIGNATED ZONES.—

(i) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, no boating, hunting, or fishing shall be permitted in the National Recreation Area under subparagraph (A) for reasons of public safety, administration, or compliance with applicable laws.

(ii) CONSULTATION REQUIRED.—Except in the case of an emergency, any closure proposed by the Secretary under clause (i) shall not take effect until after the date on which the Superintendent of the National Recreation Area consults with—

(I) the appropriate State agency responsible for hunting and fishing activities; and

(II) the Board of County Commissioners in each county in which the zone is proposed to be designated.

(5) LANDOWNER ASSISTANCE.—On the written request of an individual that owns private land located not more than 3 miles from the boundary of the National Recreation Area, the Secretary may work in partnership with the individual to enhance the long-term conservation of natural, cultural, recreational, and scenic resources in and around the National Recreation Area—

(A) by acquiring all or a portion of the private land or interests in private land located not more than 3 miles from the boundary of the National Recreation Area by purchase, exchange, or donation, in accordance with section 30403;

(B) by providing technical assistance to the individual, including cooperative assistance;

(C) through available grant programs; and

(D) by supporting conservation easement opportunities.

(6) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the National Recreation Area is withdrawn from—

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

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

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

(7) GRAZING.—

(A) STATE LAND SUBJECT TO STATE GRAZING LEASE.—

(i) IN GENERAL.—If State land acquired under this subtitle is subject to a State grazing lease in effect on the date of acquisition, the Secretary shall allow the grazing to continue for the remainder of the term of the lease, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(ii) ACCESS.—A lessee of State land may continue use of established routes within the National Recreation Area to access State land for purposes of administering the lease if the use was permitted before the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(B) STATE AND PRIVATE LAND.—The Secretary may, in accordance with applicable laws, authorize grazing on land acquired from the State or private landowners under section 30403, if grazing was established before the date of acquisition.

(C) PRIVATE LAND.—On private land acquired under section 30403 for the National Recreation Area on which authorized grazing is occurring before the date of enactment of this Act, the Secretary, in consultation with the lessee, may allow the continuation and renewal of grazing on the land based on the terms of acquisition or by agreement between the Secretary and the lessee, subject to applicable law (including regulations).

(D) FEDERAL LAND.—The Secretary shall—

(i) allow, consistent with the grazing leases, uses, and practices in effect as of the date of enactment of this Act, the continuation and renewal of grazing on Federal land located within the boundary of the National Recreation Area on which grazing is allowed before the date of enactment of this Act, unless the Secretary determines that grazing on the Federal land would present unacceptable impacts (as defined in section 1.4.7.1 of the National Park Service document entitled ''Management Policies 2006: The Guide to Managing the National Park System'') to the natural, cultural, recreational, and scenic resource values and the character of the land within the National Recreation Area; and

(ii) retain all authorities to manage grazing in the National Recreation Area.

(E) TERMINATION OF LEASES.—Within the National Recreation Area, the Secretary may—

(i) accept the voluntary termination of a lease or permit for grazing; or

(ii) in the case of a lease or permit vacated for a period of 3 or more years, terminate the lease or permit.

(8) WATER RIGHTS.—Nothing in this subtitle—

(A) affects any use or allocation in existence on the date of enactment of this Act of any water, water right, or interest in water;

(B) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(C) affects any interstate water compact in existence on the date of enactment of this Act;

(D) authorizes or imposes any new reserved Federal water right;

(E) shall be considered to be a relinquishment or reduction of any water right reserved or appropriated by the United States in the State on or before the date of enactment of this Act; or

(F) constitutes an express or implied reservation by the United States of any water or water right with respect to the National Recreation Area.

(9) FISHING EASEMENTS.—

(A) IN GENERAL.—Nothing in this subtitle diminishes or alters the fish and wildlife program for the Aspinall Unit developed under section 8 of the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (70 Stat. 110, chapter 203; 43 U.S.C. 620g), by the United States Fish and Wildlife Service, the Bureau of Reclamation, and the Colorado Division of Wildlife (including any successor in interest to that division) that provides for the acquisition of public access fishing easements as mitigation for the Aspinall Unit (referred to in this paragraph as the ''program'').

(B) ACQUISITION OF FISHING EASEMENTS.—The Secretary shall continue to fulfill the obligation of the Secretary under the program to acquire 26 miles of class 1 public fishing easements to provide to sportsmen access for fishing within the Upper Gunnison Basin upstream of the Aspinall Unit, subject to the condition that no existing fishing access downstream of the Aspinall Unit shall be counted toward the minimum mileage requirement under the program.

(C) PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(i) develop a plan for fulfilling the obligation of the Secretary described in subparagraph (B); and

(ii) submit to Congress a report that—

(I) includes the plan developed under clause (i); and

(II) describes any progress made in the acquisition of public access fishing easements as mitigation for the Aspinall Unit under the program.

SEC. 30403. ACQUISITION OF LAND; BOUNDARY MANAGEMENT.

(a) ACQUISITION.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundary of the National Recreation Area.

(2) MANNER OF ACQUISITION.—

(A) IN GENERAL.—Subject to subparagraph (B), land described in paragraph (1) may be acquired under this subsection by—

(i) donation;

(ii) purchase from willing sellers with donated or appropriated funds;

(iii) transfer from another Federal agency; or

(iv) exchange.

(B) STATE LAND.—Land or interests in land owned by the State or a political subdivision of the State may only be acquired by purchase, donation, or exchange.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) FOREST SERVICE LAND.—

(A) IN GENERAL.—Administrative jurisdiction over the approximately 2,560 acres of land identified on the map as ''U.S. Forest Service proposed transfer to the National Park Service'' is transferred to the Secretary, to be administered by the Director of the National Park Service as part of the National Recreation Area.

(B) BOUNDARY ADJUSTMENT.—The boundary of the Gunnison National Forest shall be adjusted to exclude the land transferred to the Secretary under subparagraph (A).

(2) BUREAU OF LAND MANAGEMENT LAND.—Administrative jurisdiction over the approximately 5,040 acres of land identified on the map as ''Bureau of Land Management proposed transfer to National Park Service'' is transferred from the Director of the Bureau of Land Management to the Director of the National Park Service, to be administered as part of the National Recreation Area.

(3) WITHDRAWAL.—Administrative jurisdiction over the land identified on the map as ''Proposed for transfer to the Bureau of Land Management, subject to the revocation of Bureau of Reclamation withdrawal'' shall be transferred to the Director of the Bureau of Land Management on relinquishment of the land by the Bureau of Reclamation and revocation by the Bureau of Land Management of any withdrawal as may be necessary.

(c) POTENTIAL LAND EXCHANGE.—

(1) IN GENERAL.—The withdrawal for reclamation purposes of the land identified on the map as ''Potential exchange lands'' shall be relinquished by the Commissioner of Reclamation and revoked by the Director of the Bureau of Land Management and the land shall be transferred to the National Park Service.

(2) EXCHANGE; INCLUSION IN NATIONAL RECREATION AREA.—On transfer of the land described in paragraph (1), the transferred land—

(A) may be exchanged by the Secretary for private land described in section 30402(c)(5)—

(i) subject to a conservation easement remaining on the transferred land, to protect the scenic resources of the transferred land; and

(ii) in accordance with the laws (including regulations) and policies governing National Park Service land exchanges; and

(B) if not exchanged under subparagraph (A), shall be added to, and managed as a part of, the National Recreation Area.

(d) ADDITION TO NATIONAL RECREATION AREA.—Any land within the boundary of the National Recreation Area that is acquired by the United States shall be added to, and managed as a part of, the National Recreation Area.

SEC. 30404. GENERAL MANAGEMENT PLAN.

Not later than 3 years after the date on which funds are made available to carry out this subtitle, the Director of the National Park Service, in consultation with the Commissioner of Reclamation, shall prepare a general management plan for the National Recreation Area in accordance with section 100502 of title 54, United States Code.

SEC. 30405. BOUNDARY SURVEY.

The Secretary (acting through the Director of the National Park Service) shall prepare a boundary survey and legal description of the National Recreation Area.

SA 1742. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3_____. 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) request such a payment from the Secretary of the Air Force for reimbursable expenses not already covered under a cooperative agreement entered into by the Secretary relating to treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid contamination before the date on which funding is made available to the Secretary for payments relating to such treatment; and

(B) upon acceptance of such a payment, waive all legal causes of action arising under chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act''), and any other Federal tort liability statute for expenses for treatment and mitigation of perfluorooctane sulfonic acid and perfluorooctanoic acid incurred before January 1, 2018, and otherwise covered under this section;

(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 1743. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

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

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

SEC. _____. REPORT ON USE OF ENCRYPTION BY DEPARTMENT OF DEFENSE NATIONAL SECURITY SYSTEMS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congress a report detailing the mission need and efficacy of full disk encryption across Non-classified Internet Protocol Router Network (NIPRNet) and Secretary Internet Protocol Router Network (SIPRNet) endpoint computer systems. Such report shall cover matters relating to cost, mission impact, and implementation timeline.

SA 1744. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 724. REQUIREMENT TO USE HUMAN-BASED METHODS FOR CERTAIN MEDICAL TRAINING.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2017. Use of human-based methods for certain medical training

''(a) COMBAT TRAUMA INJURIES.—(1) Not later than October 1, 2023, the Secretary of Defense shall develop, test, and validate human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries with the goal of replacing live animal-based training methods.

''(2) Not later than October 1, 2025, the Secretary—

''(A) shall only use human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries; and

''(B) may not use animals for such purpose.

''(b) EXCEPTION FOR PARTICULAR COMMANDS AND TRAINING METHODS.—(1) The Secretary may exempt a particular command, particular training method, or both, from the requirement for human-based training methods under subsection (a)(2) if the Secretary determines that human-based training methods will not provide an educationally equivalent or superior substitute for live animal-based training methods for such command or training method, as the case may be.

''(2) Any exemption under this subsection shall be for such period, not more than one year, as the Secretary shall specify in granting the exemption. Any exemption may be renewed (subject to the preceding sentence).

''(c) ANNUAL REPORTS.—(1) Not later than October 1, 2021, and each year thereafter, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries under this section.

''(2) Each report under this subsection on or after October 1, 2025, shall include a description of any exemption under subsection (b) that is in force at the time of such report, and a current justification for such exemption.

''(d) DEFINITIONS.—In this section:

''(1) The term 'combat trauma injuries' means severe injuries likely to occur during combat, including—

''(A) hemorrhage;

''(B) tension pneumothorax;

''(C) amputation resulting from blast injury;

''(D) compromises to the airway; and

''(E) other injuries.

''(2) The term 'human-based training methods' means, with respect to training individuals in medical treatment, the use of systems and devices that do not use animals, including—

''(A) simulators;

''(B) partial task trainers;

''(C) moulage;

''(D) simulated combat environments;

''(E) human cadavers; and

''(F) rotations in civilian and military trauma centers.

''(3) The term 'partial task trainers' means training aids that allow individuals to learn or practice specific medical procedures.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by adding at the end the following new item:

''2017. Use of human-based methods for certain medical training.''.

SA 1745. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 520. REPEAL OF MILITARY SELECTIVE SERVICE ACT.

(a) REPEAL.—The Military Selective Service Act (50 U.S.C. 3801 et seq.) is repealed.

(b) TRANSFERS IN CONNECTION WITH REPEAL.—Notwithstanding the proviso in section 10(a)(4) of the Military Selective Service Act (50 U.S.C. 3809(a)(4)), the Office of Selective Service Records shall not be reestablished upon the repeal of the Act. Not later than 180 days after the date of the enactment of this Act, the assets, contracts, property, and records held by the Selective Service System, and the unexpended balances of any appropriations available to the Selective Service System, shall be transferred to the Administrator of General Services upon the repeal of the Act. The Director of the Office of Personnel Management shall assist officers and employees of the Selective Service System to transfer to other positions in the executive branch.

(c) EFFECT ON EXISTING SANCTIONS.—

(1) Notwithstanding any other provision of law, a person may not be denied a right, privilege, benefit, or employment position under Federal law on the grounds that the person failed to present himself for and submit to registration under section 3 of the Military Selective Service Act (50 U.S.C. 3802), before the repeal of that Act by subsection (a).

(2) A State, political subdivision of a State, or political authority of two or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law to penalize or deny any privilege or benefit to a person who failed to present himself for and submit to registration under section 3 of the Military Selective Service Act (50 U.S.C. 3802), before the repeal of that Act by subsection (a). In this section, ''State'' means a State, the District of Columbia, and a territory or possession of the United States.

(3) Failing to present oneself for and submit to registration under section 3 of the Military Selective Service Act (50 U.S.C. 3802), before the repeal of that Act by subsection (a), shall not be reason for any entity of the U.S. Government to determine that a person lacks good moral character or is unsuited for any privilege or benefit.

(d) CONSCIENTIOUS OBJECTORS.—Nothing contained in this Act shall be construed to undermine or diminish the rights of conscientious objectors under laws and regulations of the United States.

SA 1746. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3167.

SA 1747. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REBUTTABLE PRESUMPTION AGAINST LAWFULNESS OF ORDERS TO DEPLOY OR USE REGULAR MEMBERS OF THE ARMED FORCES TO SUPPRESS INDIVIDUALS PEACEABLY ASSEMBLED TO PETITION FOR A REDRESS OF GRIEVANCES.

(a) IN GENERAL.—There shall be a rebuttable presumption that an order to deploy or use regular members of the Armed Forces to suppress individuals peaceably assembled to petition for a redress of grievances is not a lawful order for purposes section 892 of title 10, United States Code (article 92 of the Uniform Code of Military Justice), or any other purposes in law.

(b) STRICT SCRUTINY.—In evaluating arguments to rebut the presumption in subsection (a) with respect to a particular order described in that subsection, a court shall require the arguments to rebut to advance compelling governmental interests and be the least restrictive means of doing so.

SA 1748. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. CODIFICATION OF DEFENSE OF KNOWING UNLAWFULNESS TO OFFENSE OF FAILURE TO OBEY AN ORDER OR REGULATION UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

Section 892 of title 10, United States Code (article 92 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Any person''; and

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

''(b) OBEDIENCE TO UNLAWFUL ORDERS.—It is a defense to an offense under this section (article) that the accused knew the order to be unlawful, or a person of ordinary sense and understanding would have known the order to be unlawful.''.

SA 1749. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXVII, add the following:

SEC. 2703. CONTINUATION OF CERTAIN REMEDIATION ACTIVITIES.

(a) IN GENERAL.—The Secretary of the Army may not suspend remediation activities conducted at a location under a settlement agreement pursuant to a base closure law notwithstanding that—

(1) the Secretary determines that the quantity and depth of contamination at the location has exceeded original estimates; and

(2) such agreement expires in 2020.

(b) BASE CLOSURE LAW DEFINED.—In this section the term ''base closure law'' has the meaning given that term in section 101(a)(17) of title 10, United States Code.

SA 1750. Mr. PETERS (for himself, Mr. JOHNSON, Mr. KING, and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONTINUITY OF THE ECONOMY PLAN.

(a) REQUIREMENT.—

(1) IN GENERAL.—The President shall develop and maintain a plan to maintain and restore the economy of the United States in response to a significant event.

(2) PRINCIPLES.—The plan required under paragraph (1) shall—

(A) be consistent with—

(i) a free market economy; and

(ii) the rule of law; and

(B) respect private property rights.

(3) CONTENTS.—The plan required under paragraph (1) shall—

(A) examine the distribution of goods and services across the United States necessary for the reliable functioning of the United States during a significant event;

(B) identify the economic functions of relevant actors, the disruption, corruption, or dysfunction of which would have a debilitating effect in the United States on—

(i) security;

(ii) economic security;

(iii) defense readiness; or

(iv) public health or safety;

(C) identify the critical distribution mechanisms for each economic sector that should be prioritized for operation during a significant event, including—

(i) bulk power and electric transmission systems;

(ii) national and international financial systems, including wholesale payments, stocks, and currency exchanges;

(iii) national and international communications networks, data-hosting services, and cloud services;

(iv) interstate oil and natural gas pipelines; and

(v) mechanisms for the interstate and international trade and distribution of materials, food, and medical supplies, including road, rail, air, and maritime shipping;

(D) identify economic functions of relevant actors, the disruption, corruption, or dysfunction of which would cause—

(i) catastrophic economic loss;

(ii) the loss of public confidence; or

(iii) the widespread imperilment of human life;

(E) identify the economic functions of relevant actors that are so vital to the economy of the United States that the disruption, corruption, or dysfunction of those economic functions would undermine response, recovery, or mobilization efforts during a significant event;

(F) incorporate, to the greatest extent practicable, the principles and practices contained within Federal plans for the continuity of Government and continuity of operations;

(G) identify—

(i) industrial control networks on which the interests of national security outweigh the benefits of dependence on internet connectivity, including networks that are required to maintain defense readiness; and

(ii) for each industrial control network described in clause (i), the most feasible and optimal locations for the installation of—

(I) parallel services;

(II) stand-alone analog services; and

(III) services that are otherwise hardened against failure;

(H) identify critical economic sectors for which the preservation of data in a protected, verified, and uncorrupted status would be required for the quick recovery of the economy of the United States in the face of a significant disruption following a significant event;

(I) include a list of raw materials, industrial goods, and other items, the absence of which would significantly undermine the ability of the United States to sustain the functions described in subparagraphs (B), (D), and (E);

(J) provide an analysis of supply chain diversification for the items described in subparagraph (I) in the event of a disruption caused by a significant event;

(K) include—

(i) a recommendation as to whether the United States should maintain a strategic reserve of 1 or more of the items described in subparagraph (I); and

(ii) for each item described in subparagraph (I) for which the President recommends maintaining a strategic reserve under clause (i), an identification of mechanisms for tracking inventory and availability of the item in the strategic reserve;

(L) identify mechanisms in existence on the date of enactment of this Act and mechanisms that can be developed to ensure that the swift transport and delivery of the items described in subparagraph (I) is feasible in the event of a distribution network disturbance or degradation, including a distribution network disturbance or degradation caused by a significant event;

(M) include guidance for determining the prioritization for the distribution of the items described in subparagraph (I), including distribution to States and Indian Tribes;

(N) consider the advisability and feasibility of mechanisms for extending the credit of the United States or providing other financial support authorized by law to key participants in the economy of the United States if the extension or provision of other financial support—

(i) is necessary to avoid severe economic degradation; or

(ii) allows for the recovery from a significant event;

(O) include guidance for determining categories of employees that should be prioritized to continue to work in order to sustain the functions described in subparagraphs (B), (D), and (E) in the event that there are limitations on the ability of individuals to travel to workplaces or to work remotely, including considerations for defense readiness;

(P) identify critical economic sectors necessary to provide material and operational support to the defense of the United States;

(Q) determine whether the Secretary of Homeland Security, the National Guard, and the Secretary of Defense have adequate authority to assist the United States in a recovery from a severe economic degradation caused by a significant event;

(R) review and assess the authority and capability of heads of other agencies that the President determines necessary to assist the United States in a recovery from a severe economic degradation caused by a significant event; and

(S) consider any other matter that would aid in protecting and increasing the resilience of the economy of the United States from a significant event.

(b) COORDINATION.—In developing the plan required under subsection (a)(1), the President shall—

(1) receive advice from—

(A) the Secretary of Homeland Security;

(B) the Secretary of Defense; and

(C) the head of any other agency that the President determines necessary to complete the plan;

(2) consult with economic sectors relating to critical infrastructure through sector-coordinated councils, as appropriate;

(3) consult with relevant State, Tribal, and local governments and organizations that represent those governments; and

(4) consult with any other non-Federal entity that the President determines necessary to complete the plan.

(c) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and not less frequently than every 3 years thereafter, the President shall submit the plan required under subsection (a)(1) and the information described in paragraph (2) to—

(A) the majority and minority leaders of the Senate;

(B) the Speaker and the minority leader of the House of Representatives;

(C) the Committee on Armed Services of the Senate;

(D) the Committee on Armed Services of the House of Representatives;

(E) the Committee on Homeland Security and Governmental Affairs of the Senate;

(F) Committee on Homeland Security of the House of Representatives; and

(G) any other committee of the Senate or the House of Representatives that has jurisdiction over the subject of the plan.

(2) ADDITIONAL INFORMATION.—The information described in this paragraph is—

(A) any change to Federal law that would be necessary to carry out the plan required under subsection (a)(1); and

(B) any proposed changes to the funding levels provided in appropriation Acts for the most recent fiscal year that can be implemented in future appropriation Acts or additional resources necessary to—

(i) implement the plan required under subsection (a)(1); or

(ii) maintain any program offices and personnel necessary to—

(I) maintain the plan required under subsection (a)(1) and the plans described in subsection (a)(3)(F); and

(II) conduct exercises, assessments, and updates to the plans described in subclause (I) over time.

(3) BUDGET OF THE PRESIDENT.—The President may include the information described in paragraph (2)(B) in the budget required to be submitted by the President under section 1105(a) of title 31, United States Code.

(d) DEFINITIONS.—In this section:

(1) The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(2) The term ''economic sector'' means a sector of the economy of the United States.

(3) The term ''relevant actor'' means—

(A) the Federal government;

(B) a State, local, or Tribal government; or

(C) the private sector.

(4) The term ''significant event'' means an event that causes severe degradation to economic activity in the United States due to—

(A) a cyber attack; or

(B) another significant event that is natural or human-caused.

(5) The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States.

SA 1751. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. 1643. PILOT PROGRAMS ON REMOTE PROVISION BY NATIONAL GUARD TO STATE GOVERNMENTS AND NATIONAL GUARDS OF OTHER STATES OF CYBERSECURITY TECHNICAL ASSISTANCE IN TRAINING, PREPARATION, AND RESPONSE TO CYBER INCIDENTS.

(a) PILOT PROGRAMS AUTHORIZED.—The Secretary of the Army and the Secretary of the Air Force may each, in coordination with the Secretary of Homeland Security and in consultation with the Chief of the National Guard Bureau, conduct a pilot program to assess the feasibility and advisability of the development of a capability within the National Guard through which a National Guard of a State remotely provides State governments and National Guards of other States (whether or not in the same Armed Force as the providing National Guard) with cybersecurity technical assistance in training, preparation, and response to cyber incidents. If such Secretary elects to conduct such a pilot program, such Secretary shall be known as an ''administering Secretary'' for purposes of this section, and any reference in this section to ''the pilot program'' shall be treated as a reference to the pilot program conducted by such Secretary.

(b) ASSESSMENT PRIOR TO COMMENCEMENT.—For purposes of evaluating existing platforms, technologies, and capabilities under subsection (c), and for establishing eligibility and participation requirements under subsection (d), for purposes of the pilot program, an administering Secretary, in consultation with the Chief of the National Guard Bureau, shall, prior to commencing the pilot program—

(1) conduct an assessment of—

(A) existing cyber response capacities of the Army National Guard or Air National Guard, as applicable, in each State; and

(B) any existing platform, technology, or capability of a National Guard that provides the capability described in subsection (a); and

(2) determine whether a platform, technology, or capability described in paragraph (1)(B) is suitable for expansion for purposes of the pilot program.

(c) ELEMENTS.—A pilot program under subsection (a) shall include the following:

(1) A technical capability that enables the National Guard of a State to remotely provide cybersecurity technical assistance to State governments and National Guards of other States, without the need to deploy outside its home State.

(2) Policies, processes, procedures, and authorities for use of such a capability, including with respect to the following:

(A) The roles and responsibilities of both requesting and deploying State governments and National Guards with respect to such technical assistance, taking into account the matters specified in subsection (f).

(B) Necessary updates to the Defense Cyber Incident Coordinating Procedure, or any other applicable Department of Defense instruction, for purposes of implementing the capability.

(C) Program management and governance structures for deployment and maintenance of the capability.

(D) Security when performing remote support, including such in matters such as authentication and remote sensing.

(3) The conduct, in coordination with the Chief of the National Guard Bureau and the Secretary of Homeland Security and in consultation with the Director of the Federal Bureau of Investigation, other Federal agencies, and appropriate non-Federal entities, of at least one exercise to demonstrate the capability, which exercise shall include the following:

(A) Participation of not fewer than two State governments and their National Guards.

(B) Circumstances designed to test and validate the policies, processes, procedures, and authorities developed pursuant to paragraph (2).

(C) An after action review of the exercise.

(d) USE OF EXISTING TECHNOLOGY.—An administering Secretary may use an existing platform, technology, or capability to provide the capability described in subsection (a) under the pilot program.

(e) ELIGIBILITY AND PARTICIPATION REQUIREMENTS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau, establish requirements with respect to eligibility and participation of State governments and their National Guards in the pilot program.

(f) CONSTRUCTION WITH CERTAIN CURRENT AUTHORITIES.—

(1) COMMAND AUTHORITIES.—Nothing in a pilot program under subsection (a) may be construed as affecting or altering the command authorities otherwise applicable to any unit of the National Guard unit participating in the pilot program.

(2) EMERGENCY MANAGEMENT ASSISTANCE COMPACT.—Nothing in a pilot program may be construed as affecting or altering any current agreement under the Emergency Management Assistance Compact, or any other State agreements, or as determinative of the future content of any such agreement.

(g) EVALUATION METRICS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau and the Secretary of Homeland Security, establish metrics to evaluate the effectiveness of the pilot program.

(h) TERM.—A pilot program under subsection (a) shall terminate on the date that is three years after the date of the commencement of the pilot program.

(i) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the commencement of the pilot program, the administering Secretary, in coordination with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report setting forth a description of the pilot program and such other matters in connection with the pilot program as the Secretary considers appropriate.

(2) FINAL REPORT.—Not later than 180 days after the termination of the pilot program, the administering Secretary, in coordination with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report on the pilot program. The report shall include the following:

(A) A description of the pilot program, including any partnerships entered into by the Chief of the National Guard Bureau under the pilot program.

(B) A summary of the assessment performed prior to the commencement of the pilot program in accordance with subsection (b).

(C) A summary of the evaluation metrics established in accordance with subsection (g).

(D) An assessment of the effectiveness of the pilot program, and of the capability described in subsection (a) under the pilot program.

(E) A description of costs associated with the implementation and conduct of the pilot program.

(F) A recommendation as to the termination or extension of the pilot program, or the making of the pilot program permanent with an expansion nationwide.

(G) An estimate of the costs of making the pilot program permanent and expanding it nationwide in accordance with the recommendation in subparagraph (F).

(H) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot program.

(3) 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 Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(j) STATE DEFINED.—In this section, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

SA 1752. Mr. PETERS submitted an amendment intended to be proposed by

him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 10___. REVIEW AND REPORT ON NONCONTAINERIZED CARGO STANDARDS.

(a) REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct a review of U.S. Customs and Border Protection standards for screening incoming noncontainerized cargo that identifies any differences that exist among field offices in the implementation of such standards.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the completion of the review under subsection (a), the Secretary shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives containing the findings of the review.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, to the maximum extent possible, but may include a classified annex, if necessary.

SA 1753. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to 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. 10___. REPORT ON GREAT LAKES AND INLAND WATERWAYS SEAPORTS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives containing the results of the review and an explanation of the methodology used for the review conducted pursuant to subsection (b) regarding the screening practices for foreign cargo arriving at seaports on the Great Lakes and inland waterways.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, to the maximum extent possible, but may include a classified annex, if necessary.

(b) SCOPE OF REVIEW.—

(1) SEAPORT SELECTION.—In selecting seaports on inland waterways to include in the review under this subsection, the Secretary of Homeland Security shall ensure that the inland waterways seaports are—

(A) equal in number to the Great Lakes seaports included in the review;

(B) comparable to Great Lakes seaports included in the review, as measured by number of imported shipments arriving at the seaport each year; and

(C) covered by at least the same number of Field Operations offices as the Great Lakes seaports included in the review, but are not covered by the same Field Operations offices as such Great Lakes seaports.

(2) ELEMENTS.—The Secretary of Homeland Security shall conduct a review of all Great Lakes and selected inland waterways seaports that receive international cargo—

(A) to determine, for each such seaport—

(i) the current screening capability, including the types and numbers of screening equipment and whether such equipment is physically located at a seaport or assigned and available in the area and made available to use;

(ii) the number of U.S. Customs and Border Protection personnel assigned from a Field Operations office, broken out by role;

(iii) the expenditures for procurement and overtime incurred by U.S. Customs and Border Protection during the most recent fiscal year;

(iv) the types of cargo received, such as containerized, break-bulk, and bulk;

(v) the legal entity that owns the seaport;

(vi) a description of U.S. Customs and Border Protection's use of space at the seaport, including—

(I) whether U.S. Customs and Border Protection or the General Services Administration owns or leases any facilities; and

(II) if U.S. Customs and Border Protection is provided space at the seaport, a description of such space, including the number of workstations; and

(vii) the current cost-sharing arrangement for screening technology or reimbursable services;

(B) to identify, for each Field Operations office—

(i) any ports of entry that are staffed remotely from service ports;

(ii) the distance of each such service port from the corresponding ports of entry; and

(iii) the number of officers and the types of equipment U.S. Customs and Border Protection utilizes to screen cargo entering or exiting through such ports; and

(C) that includes a threat assessment of incoming containerized and noncontainerized cargo at Great Lakes seaports and selected inland waterways seaports.

SA 1754. Mrs. GILLIBRAND (for herself, Mr. SCHUMER, and Ms. DUCKWORTH) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. MORATORIUM ON INCINERATION BY DEPARTMENT OF DEFENSE OF PERFLUOROALKYL SUBSTANCES, POLYFLUOROALKYL SUBSTANCES, AND AQUEOUS FILM FORMING FOAM.

(a) IN GENERAL.—On and after the date of the enactment of this Act, the Secretary of Defense shall prohibit the incineration of materials containing perfluoroalkyl substances, polyfluoroalkyl substances, or aqueous film forming foam until final guidance has been published by the Secretary—

(1) implementing, for the Department of Defense, the interim guidance published by the Administrator of the Environmental Protection Agency under section 7361 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92); or

(2) that is consistent with such interim guidance.

(b) WRITTEN ASSURANCE OF COMPLIANCE.—After the publication of final guidance by the Secretary as described in subsection (a), the Secretary shall require any owner or operator of an incinerator accepting from the Department materials containing perfluoroalkyl substances, polyfluoroalkyl substances, or aqueous film forming foam for incineration to provide to the Secretary a written assurance that it can fully comply with the requirements of section 330 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) before accepting any such materials.

(c) REPORT.—Not later than one year after the publication of final guidance by the Secretary as described in subsection (a), and annually thereafter, the Secretary shall submit to the Administrator of the Environmental Protection Agency a report on all incineration by the Department of materials containing perfluoroalkyl substances, polyfluoroalkyl substances, or aqueous film forming foam during the year covered by the report, including—

(1) the total amount of such materials incinerated; and

(2) the temperature range at which such materials were incinerated.

SA 1755. Mrs. GILLIBRAND (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. NONDISCRIMINATION WITH RESPECT TO SERVICE IN THE ARMED FORCES.

(a) IN GENERAL.—Chapter 37 of title 10, United States Code, is amended by inserting after section 651 the following new section:

"§ 651a. Members: nondiscrimination

''(a) STANDARDS FOR ELIGIBILITY FOR SERVICE.—Any qualifications established or applied for eligibility for service in an armed force shall take into account only the ability of an individual to meet occupational standards for military service generally and the military occupational specialty concerned in particular, and may not include any criteria relating to the race, color, national origin, religion, or sex (including gender identity or sexual orientation) of an individual.

''(b) EQUALITY OF TREATMENT IN SERVICE.—Any personnel policy developed or implemented by the Department of Defense with respect to members of the armed forces shall ensure equality of treatment and opportunity for all persons in the armed forces, without regard to race, color, national origin, religion, and sex (including gender identity and sexual orientation).

''(c) GENDER IDENTITY DEFINED.—In this section, the term 'gender identity' means the gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth.

''(d) RULE OF CONSTRUCTION.—Nothing in the section relieves a member from meeting applicable military and medical standards, including deployability, or requires retention of the member in service if the member fails to meet such standards.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of such title is amended by inserting after the item relating to section 651 the following new item:

''651a. Members: nondiscrimination.''.

SA 1756. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following

SEC. _____. EXPANSION OF OPEN BURN PIT REGISTRY OF DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE OPEN BURN PITS USED IN SYRIA AND EGYPT.

Section 201(c)(2) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note) is amended, in the matter preceding subparagraph (A), by striking ''or Iraq'' and inserting '', Iraq, Syria, or Egypt''.

SA 1757. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. CONCURRENT RECEIPT OF VOLUNTARY SEPARATION PAY AND VETERANS DISABILITY COMPENSATION.

(a) VOLUNTARY INCENTIVE PAY FOR TRANSFER TO THE RESERVES.—Section 1175(e)(4) of title 10, United States Code, is amended by striking '', but there shall be deducted'' and all that follows through the end of the paragraph and inserting a period.

(b) VOLUNTARY SEPARATION PAY.—Section 1175a(h) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking ''AND DISABILITY COMPENSATION''; and

(2) in paragraph (2)—

(A) by striking ''(A) Except as provided in subparagraphs (B) and (C), a member'' and inserting ''A member'';

(B) by striking '', but there shall be'' and all that follows through ''Internal Revenue Code of 1986)''; and

(C) by striking subparagraphs (B) and (C).

(c) COORDINATION WITH CONCURRENT RECEIPT LIMITATION.—Section 5304(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(3) Paragraph (1) of this subsection does not apply to an award of voluntary separation incentive pay under section 1175 of title 10 or voluntary separation pay under section 1175a of that title.''.

SA 1758. Mrs. BLACKBURN (for herself, Mr. MENENDEZ, Mr. SCOTT of Florida, and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. OPEN TECHNOLOGY FUND.

(a) SHORT TITLE.—This section may be cited as the ''Open Technology Fund Authorization Act''.

(b) FINDINGS.—Congress finds the following:

(1) The political, economic, and social benefits of the internet are important to advancing democracy and freedom throughout the world.

(2) Authoritarian governments are investing billions of dollars each year to create, maintain, and expand repressive internet censorship and surveillance systems to limit free association, control access to information, and prevent citizens from exercising their rights to free speech.

(3) Over ⅔ of the world's population live in countries in which the internet is restricted. Governments shut down the internet more than 200 times every year.

(4) Internet censorship and surveillance technology is rapidly being exported around the world, particularly by the Government of the People's Republic of China, enabling widespread abuses by authoritarian governments.

(c) SENSE OF CONGRESS.—It is the sense of Congress that it is in the interest of the United States—

(1) to promote global internet freedom by countering internet censorship and repressive surveillance;

(2) to protect the internet as a platform for—

(A) the free exchange of ideas;

(B) the promotion of human rights and democracy; and

(C) the advancement of a free press; and

(3) to support efforts that prevent the deliberate misuse of the internet to repress individuals from exercising their rights to free speech and association, including countering the use of such technologies by authoritarian regimes.

(d) ESTABLISHMENT OF THE OPEN TECHNOLOGY FUND.—

(1) IN GENERAL.—The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is amended by inserting after section 309 the following:

''SEC. 309A. OPEN TECHNOLOGY FUND.

''(a) AUTHORITY.—

''(1) ESTABLISHMENT.—There is established a grantee entity, to be known as the 'Open Technology Fund', which shall carry out this section.

''(2) IN GENERAL.—Grants authorized under section 305 shall be available to award annual grants to the Open Technology fund for the purpose of—

''(A) promoting, consistent with United States law, unrestricted access to uncensored sources of information via the internet; and

''(B) enabling journalists, including journalists employed by or affiliated with the Voice of America, Radio Free Europe/Radio Liberty, Radio Free Asia, the Middle East Broadcasting Networks, the Office of Cuba Broadcasting, or any entity funded by or partnering with the United States Agency for Global Media to create and disseminate news and information consistent with the purposes, standards, and principles specified in sections 302 and 303.

''(b) USE OF GRANT FUNDS.—The Open Technology Fund shall use grant funds received pursuant to subsection (a)(2)—

''(1) to advance freedom of the press and unrestricted access to the internet in repressive environments oversees;

''(2) to research, develop, implement, and maintain—

''(A) technologies that circumvent techniques used by authoritarian governments, nonstate actors, and others to block or censor access to the internet, including circumvention tools that bypass internet blocking, filtering, and other censorship techniques used to limit or block legitimate access to content and information; and

''(B) secure communication tools and other forms of privacy and security technology that facilitate the creation and distribution of news and enable audiences to access media content on censored websites;

''(3) to advance internet freedom by supporting private and public sector research, development, implementation, and maintenance of technologies that provide secure and uncensored access to the internet to counter attempts by authoritarian governments, nonstate actors, and others to improperly restrict freedom online;

''(4) to research and analyze emerging technical threats and develop innovative solutions through collaboration with the private and public sectors to maintain the technological advantage of the United States Government over authoritarian governments, nonstate actors, and others;

''(5) to develop, acquire, and distribute requisite internet freedom technologies and techniques for the United States Agency for Global Media, in accordance with paragraph (2), and digital security interventions, to fully enable the creation and distribution of digital content between and to all users and regional audiences;

''(6) to prioritize programs for countries, the governments of which restrict freedom of expression on the internet, that are important to the national interest of the United States in accordance with section 7050(b)(2)(C) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116–94); and

''(7) to carry out any other effort consistent with the purposes of this Act or press freedom overseas if requested or approved by the United States Agency for Global Media.

''(c) METHODOLOGY.—In carrying out subsection (b), the Open Technology Fund shall—

''(1)(A) support fully open-source tools, code, and components, to the extent practicable, to ensure such supported tools and technologies are as secure, transparent, and accessible as possible; and

''(B) require that any such tools, components, code, or technology supported by the Open Technology Fund remain fully open-source, to the extent practicable;

''(2) support technologies that undergo comprehensive security audits to ensure that such technologies are secure and have not been compromised in a manner detrimental to the interests of the United States or to individuals or organizations benefitting from programs supported by the Open Technology Fund;

''(3) review and periodically update, as necessary, security auditing procedures used by the Open Technology Fund to reflect current industry security standards;

''(4) establish safeguards to mitigate the use of such supported technologies for illicit purposes;

''(5) solicit project proposals through an open, transparent, and competitive application process to attract innovative applications and reduce barriers to entry;

''(6)(A) seek input from technical, regional, and subject matter experts from a wide range of relevant disciplines; and

''(B) to review, provide feedback, and evaluate proposals to ensure that the most competitive projects are funded;

''(7) implement an independent review process, through which proposals are reviewed by such experts to ensure the highest degree of technical review and due diligence;

''(8) maximize cooperation with the public and private sectors, foreign allies, and partner countries to maximize efficiencies and eliminate duplication of efforts; and

''(9) utilize any other methodology approved by the United States Agency for Global Media in furtherance of the mission of the Open Technology Fund.

''(d) GRANT AGREEMENT.—Any grant agreement with, or grants made to, the Open Technology Fund under this section shall be subject to the following limitations and restrictions:

''(1) The headquarters of the Open Technology Fund and its senior administrative and managerial staff shall be located in a location which ensures economy, operational effectiveness, and accountability to the United States Agency for Global Media.

''(2) Grants awarded under this section shall be made pursuant to a grant agreement requiring that—

''(A) grant funds are only used only activities consistent with this section; and

''(B) failure to comply with such requirement shall result in termination of the grant without further fiscal obligation to the United States.

''(3) Each grant agreement under this section shall require that each contract entered into by the Open Technology Fund specify that all obligations are assumed by the grantee and not by the United States Government.

''(4) Each grant agreement under this section shall require that any lease agreements entered into by the Open Technology Fund shall be, to the maximum extent possible, assignable to the United States Government.

''(5) Administrative and managerial costs for operation of the Open Technology Fund—

''(A) should be kept to a minimum; and

''(B) to the maximum extent feasible, should not exceed the costs that would have been incurred if the Open Technology Fund had been operated as a Federal entity rather than as a grantee.

''(6) Grant funds may not be used for any activity whose purpose is influencing the passage or defeat of legislation considered by Congress.

''(e) RELATIONSHIP TO THE UNITED STATES AGENCY FOR GLOBAL MEDIA.—

''(1) IN GENERAL.—The Open Technology Fund shall be subject to the oversight and governance by the United States Agency for Global Media in accordance with section 305.

''(2) ASSISTANCE.—The United States Agency for Global Media, its broadcast entities, and the Open Technology Fund should render such assistance to each other as may be necessary to carry out the purposes of this section or any other provision under this Act.

''(3) NOT A FEDERAL AGENCY OR INSTRUMENTALITY.—Nothing in this section may be construed to make the Open Technology Fund an agency or instrumentality of the Federal Government.

''(4) DETAILEES.—Employees of a grantee of the United States Agency for Global Media may be detailed to the Agency, in accordance with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.) and Federal employees may be detailed to a grantee of the United States Agency for Global Media, in accordance with such Act.

''(f) RELATIONSHIP TO OTHER UNITED STATES GOVERNMENT-FUNDED INTERNET FREEDOM PROGRAMS.—The United States Agency for Global Media shall ensure that internet freedom research and development projects of the Open Technology Fund are deconflicted with internet freedom programs of the Department of State and other relevant United States Government departments. Agencies should still share information and best practices relating to the implementation of subsections (b) and (c).

''(g) REPORTING REQUIREMENTS.—

''(1) ANNUAL REPORT.—The Open Technology Fund shall highlight, in its annual report, internet freedom activities, including a comprehensive assessment of the Open Technology Fund's activities relating to the implementation of subsections (b) and (c), which shall include—

''(A) an assessment of the current state of global internet freedom, including—

''(i) trends in censorship and surveillance technologies and internet shutdowns; and

''(ii) the threats such pose to journalists, citizens, and human rights and civil society organizations; and

''(B) a description of the technology projects supported by the Open Technology Fund and the associated impact of such projects in the most recently completed year, including—

''(i) the countries and regions in which such technologies were deployed;

''(ii) any associated metrics indicating audience usage of such technologies; and

''(iii) future-year technology project initiatives.

''(2) ASSESSMENT OF THE EFFECTIVENESS OF THE OPEN TECHNOLOGY FUND.—Not later than 2 years after the date of the enactment of this section, the Inspector General of the Department of State and the Foreign Service shall submit a report to the appropriate congressional committees that indicates—

''(A) whether the Open Technology Fund is—

''(i) technically sound;

''(ii) cost effective; and

''(iii) satisfying the requirements under this section; and

''(B) the extent to which the interests of the United States are being served by maintaining the work of the Open Technology Fund.

''(h) AUDIT AUTHORITIES.—

''(1) IN GENERAL.—Financial transactions of the Open Technology Fund that relate to functions carried out under this section may be audited by the Government Accountability Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. Any such audit shall be conducted at the place or places at which accounts of the Open Technology Fund are normally kept.

''(2) ACCESS BY GAO.—The Government Accountability Office shall have access to all books, accounts, records, reports, files, papers, and property belonging to or in use by the Open Technology Fund pertaining to financial transactions as may be necessary to facilitate an audit. The Government Accountability Office shall be afforded full facilities for verifying transactions with any assets held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers, and property of the Open Technology Fund shall remain in the possession and custody of the Open Technology Fund.

''(3) EXERCISE OF AUTHORITIES.—Notwithstanding any other provision of law, the Inspector General of the Department of State and the Foreign Service is authorized to exercise the authorities of the Inspector General Act of 1978 with respect to the Open Technology Fund.''.

(2) CONFORMING AMENDMENTS.—The United States International Broadcasting Act of 1994 is amended—

(A) in section 304(d) (22 U.S.C. 6203(d)), by inserting ''the Open Technology Fund,'' before ''the Middle East Broadcasting Networks'';

(B) in sections 305(a)(20) and 310(c) (22 U.S.C. 6204(a)(20) and 6209(c)), by inserting ''the Open Technology Fund,'' before ''or the Middle East Broadcasting Networks'' each place such term appears; and

(C) in section 310 (22 U.S.C. 6209), by inserting ''the Open Technology Fund,'' before ''and the Middle East Broadcasting Networks'' each place such term appears.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Open Technology Fund, which shall be used to carry out section 309A of the United States International Broadcasting Act of 1994, as added by paragraph (1)—

(A) $20,000,000 for fiscal year 2021; and

(B) $25,000,000 for fiscal year 2022.

(e) UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.— Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended by striking ''October 1, 2020'' and inserting ''October 1, 2025''.

SA 1759. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. ELIGIBILITY OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR CERTAIN SMALL BUSINESS ADMINISTRATION PROGRAMS.

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

(1) in section 21(a) (15 U.S.C. 648(a))—

(A) in paragraph (1), by inserting before ''The Administration shall require'' the following new sentence: ''The previous sentence shall not apply to an applicant that has its principal office located in the Commonwealth of the Northern Mariana Islands.''; and

(B) in paragraph (4)(C)(ix), by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''; and

(2) in section 34(a)(9) (15 U.S.C. 657d(a)(9)), by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''.

SA 1760. Mr. MORAN (for himself, Mr. TESTER, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. MODIFICATION TO FIRST DIVISION MONUMENT.

(a) AUTHORIZATION.—The Society of the First Infantry Division may make modifications to the First Division Monument located on Federal land in President's Park in the District of Columbia to honor the dead of the First Infantry Division, United States Forces, in—

(1) Operation Desert Storm;
(2) Operation Iraqi Freedom and New Dawn; and
(3) Operation Enduring Freedom.
(b) MODIFICATIONS.—Modifications to the First Division Monument may include construction of additional plaques and stone plinths on which to put plaques.
(c) APPLICABILITY OF COMMEMORATIVE WORKS ACT.—Chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act''), shall apply to the design and placement of the commemorative elements authorized by this section, except that subsections (b) and (c) of section 8903 shall not apply.
(d) COLLABORATION.—The First Infantry Division of the Department of the Army shall collaborate with the Secretary of Defense to provide to the Society of the First Infantry Division the list of names to be added to the First Division Monument in accordance with subsection (a).
(e) FUNDING.—Federal funds may not be used for modifications of the First Division Monument authorized by this section.

SA 1761. Mr. MORAN (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REQUIREMENTS FOR ASSESSMENTS IN CONNECTION WITH FORCE STRUCTURE DECISIONS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 129d the following new section:

''§ 129e. Force structure decisions: criteria used in assessments; public availability of criteria

''(a) IN GENERAL.—Any decision on the force structure of the armed forces shall use specific and objective criteria for that purpose, and shall make such criteria available to the public. Such criteria shall include following, as applicable:

''(1) The Military Value Analysis and Community Support Value Analysis of the Army.

''(2) The Strategic Laydown and Dispersal Process of the Navy (as provided by Office of the Chief of Naval Operations (OPNAV) Instruction 3111.17A).

''(3) The Strategic Basing Process of the Air Force.

''(b) FORCE STRUCTURE MODERNIZATION.—(1) In considering an installation in connection with a decision on force structure modernization, the Secretary of Defense or the Secretary of the military department concerned, as applicable, shall make available to the public the criteria to be used by the Department of Defense in selecting the installation for modernization or force structure changes, including applicable criteria specified in subsection (a) and such other criteria as will be used in making the decision.

''(2)(A) Each assessment that is conducted for an installation as described in paragraph (1) shall be made available to the public in accordance with the provisions of section 122a of this title.

''(B) An assessment described in subparagraph (A) shall be made available to the public as described in that subparagraph by not later than 30 days after the final basing decision is made.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by inserting after the item relating to section 129d the following new item:

''129e. Force structure decisions: criteria used in assessments; public availability of criteria.''.

SA 1762. Mr. MURPHY (for himself, Mr. BLUMENTHAL, Ms. WARREN, Mr. MARKEY, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. IDENTIFYING INFORMATION FOR DEPARTMENT OF DEFENSE LAW ENFORCEMENT OFFICERS, CONTRACT EMPLOYEES, AND MEMBERS OF THE ARMED FORCES ENGAGED IN CROWD CONTROL, RIOT CONTROL, OR ARREST OR DETAINMENT.

(a) DEFINITIONS.—In this section—

(1) the term ''Department of Defense contract employee'' means an employee or officer of a contractor or subcontractor (at any tier) of the Department of Defense;

(2) the term ''Department of Defense law enforcement officer'' means an officer in a position in the Department of Defense who is authorized by law to engage in or supervise a law enforcement function;

(3) the term ''law enforcement function'' means the prevention, detection, or investigation of, or the prosecution or incarceration of any person for, any violation of law; and

(4) the term ''member of an armed force'' means a member of any of the armed forces, as defined in section 101(a)(4) of title 10, United States Code, or a member of the National Guard, as defined in section 101(3) of title 32, United States Code.

(b) REQUIREMENT.—On and after the date that is 2 years after the date of enactment of this Act, each Department of Defense law enforcement officer, Department of Defense contract employee, or member of an armed force who is engaged in any form of crowd control, riot control, or arrest or detainment of individuals engaged in an act of civil disobedience, demonstration, protest, or riot in the United States shall at all times display identifying information in a clearly visible fashion, which shall include—

(1) the last name, badge number, and component of the Department of Defense of a Department of Defense law enforcement officer;

(2) the last name and contractor or subcontractor employing a Department of Defense contract employee; and

(3) the last name, rank, and armed force of a member of an armed force.

SA 1763. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1656. REPORT ON ELECTROMAGNETIC PULSE HARDENING OF GROUND-BASED STRATEGIC DETERRENT WEAPONS SYSTEM.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on establishing requirements and protocols to ensure that the ground-based strategic deterrent weapons system is hardened against electromagnetic pulses.

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

(1) The testing protocols the ground-based strategic deterrent program will use for electromagnetic pulse testing.

(2) How requirements for electromagnetic pulse hardness will be integrated into the ground-based strategic deterrent program.

(3) Plans for electromagnetic pulse verification tests of the ground-based strategic deterrent weapons system.

(4) Plans for electromagnetic pulse testing of nonmissile components of the ground-based strategic deterrent weapons system.

(5) Plans to sustain electromagnetic pulse qualification of the ground-based strategic deterrent weapons system.

SA 1764. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. SENSE OF CONGRESS ON NAMING OF THE NEXT TOWING, SALVAGE, AND RESCUE SHIP OF THE NAVY AFTER THE ARIKARA NATIVE AMERICAN TRIBE IN NORTH DAKOTA.

It is the sense of Congress that the Secretary of the Navy should name the next Towing, Salvage, and Rescue Ship (TATS) of the Navy the U.S.N.S. Arikara, in recognition of the Arikara Native American tribe in North Dakota.

SA 1765. Mr. HOEVEN (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. CONCURRENT USE OF DEPARTMENT OF DEFENSE TUITION ASSISTANCE AND MONTGOMERY GI BILL-SELECTED RESERVE BENEFITS.

(a) IN GENERAL.—Section 16131 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(k)(1) In the case of an individual entitled to educational assistance under this chapter who is pursuing education or training described in subsection (a) or (c) of section 2007 of this title on a half-time or more basis, the Secretary concerned shall, at the election of the individual, pay the individual educational assistance allowance under this

chapter for pursuit of such education or training as if the individual were not also eligible to receive or in receipt of educational assistance under section 2007 for pursuit of such education or training.

''(2)(A) In the case of an individual entitled to educational assistance under this chapter who is pursuing education or training described in subsection (a) or (c) of section 2007 of this title on a less than half-time basis, the Secretary concerned shall, at the election of the individual, pay the individual an educational assistance allowance to meet all or a portion of the charges of the educational institution for tuition or expenses for the education or training that are not paid by the Secretary of the military department concerned under such subsection.

''(B)(i) The amount of the educational assistance allowance payable to an individual under this paragraph for a month shall be the amount of the educational assistance allowance to which the individual would be entitled for the month under subsection (b), (d), (e), or (f).

''(ii) The number of months of entitlement charged under this chapter in the case of an individual who has been paid an educational assistance allowance under this paragraph shall be equal to the number (including any fraction) determined by dividing the total amount of such educational assistance allowance paid the individual by the full-time monthly institutional rate of educational assistance which such individual would otherwise be paid under subparagraph (A), (B), (C), or (D) of subsection (b)(1), subsection (d), subsection (e), or subsection (f), as the case may be.''.

(b) CONFORMING AMENDMENTS.—Section 2007(d) of such title is amended—

(1) in paragraph (1), by inserting ''or chapter 1606 of this title'' after ''of title 38''; and

(2) in paragraph (2), by inserting '', in the case of educational assistance under chapter 30 of such title, and section 16131(k), in the case of educational assistance under chapter 1606 of this title'' before the period at the end.

SA 1766. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REPORT ON SEPARATION HISTORY AND PHYSICAL EXAMINATIONS CONDUCTED FOR MEMBERS OF THE SELECTED RESERVE OF THE READY RESERVE OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Veterans Affairs, shall review the records of former members of the Selected Reserve of the Ready Reserve of the reserve components of the Armed Forces and submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the following:

(1) The number of individuals who separated from the Selected Reserve during the two-year period preceding the submittal of the report.

(2) Of the individuals described in paragraph (1), the number who did not receive a Separation History and Physical Examination from the Department of Defense.

(3) Of the individuals described in paragraph (2), the number who applied for benefits from the Department of Veterans Affairs.

(4) Of the individuals described in paragraph (3), the number who were denied benefits from the Department of Veterans Affairs.

SA 1767. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1003. REPORT ON FISCAL YEAR 2022 BUDGET REQUEST REQUIREMENTS IN CONNECTION WITH AIR FORCE OPERATIONS IN THE ARCTIC.

The Secretary of the Air Force shall submit to the congressional defense committees, not later than 30 days after submission of the budget justification documents submitted to Congress in support of the budget of the President for fiscal year 2022 (as submitted pursuant to section 1105 of title 31, United States Code), a report that includes the following:

(1) A description of the manner in which amounts requested for the Air Force in the budget for fiscal year 2022 support Air Force operations in the Arctic.

(2) A list of the procurement initiatives and research, development, test, and evaluation initiatives funded by that budget that are primarily intended to enhance the ability of the Air Force to deploy to or operate in the Arctic region, or to defend the northern approach to the United States homeland.

(3) An assessment of the adequacy of the infrastructure of Air Force installations in Alaska and in the States along the northern border of the continental United States to support deployments to and operations in the Arctic region, including an assessment of runways, fuel lines, and aircraft maintenance capacity for purposes of such support.

SA 1768. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—Industries of the Future

SEC. ___1. SHORT TITLE.

This subtitle may be cited as the ''Industries of the Future Act of 2020''.

SEC. ___2. SENSE OF CONGRESS ON INVESTMENT IN RESEARCH AND DEVELOPMENT.

It is the sense of Congress that—

(1) the United States must drive technological breakthroughs through research and development investments across the Federal Government, academia, and industry in order to promote scientific discovery, economic competitiveness, and national security;

(2) the United States must identify key research infrastructure investments that enable these technological breakthroughs and establish the domestic capabilities necessary for the United States to lead in the industries of the future;

(3) the United States must encourage opportunities for collaboration between the Federal Government and the private sector so that through such partnerships, all can benefit from each other's investment and expertise, ensuring United States leadership in the industries of the future;

(4) the United States must encourage opportunities for collaboration between the Federal Government and the private sector so that through such partnerships, all can benefit from each other's investment and expertise, ensuring United States leadership in the industries of the future; and

(5) in order for the United States to maintain its global economic edge, Federal investment must be made in research and development efforts focused on industries of the future, such as artificial intelligence, quantum information science, biotechnology, and next generation wireless networks and infrastructure, advanced manufacturing, and synthetic biology.

SEC. ___3. REPORT ON FEDERAL RESEARCH AND DEVELOPMENT FOCUSED ON INDUSTRIES OF THE FUTURE.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit to Congress a report on research and development investments, infrastructure, and workforce development investments of the Federal Government that enable continued United States leadership in industries of the future.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A definition, for purposes of this Act, of the term ''industries of the future'' that includes emerging technologies.

(2) An assessment of the current baseline of investments in civilian research and development investments of the Federal Government in the industries of the future.

(3) A plan to double such baseline investments in artificial intelligence and quantum information science by fiscal year 2022.

(4) A detailed plan to increase investments described in paragraph (2) in industries of the future to $10,000,000,000 per year by fiscal year 2025.

(5) A plan to leverage investments described in paragraphs (2), (3), and (4) in industries of the future to elicit complimentary investments by non-Federal entities to the greatest extent practicable.

(6) Proposed legislation to implement such plans.

SEC. ___4. INDUSTRIES OF THE FUTURE COORDINATION COUNCIL.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The President shall establish or designate a council to advise the Director of the Office of Science and Technology Policy on matters relevant to the Director and the industries of the future.

(2) DESIGNATION.—The council established or designated under paragraph (1) shall be known as the ''Industries of the Future Coordination Council'' (in this section the ''Council'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Council shall be composed of members from the Federal Government as follows:

(A) One member appointed by the Director.

(B) One member appointed by the Director of the Office of Management and Budget.

(C) A chairperson of the Select Committee on Artificial Intelligence of the National Science and Technology Council.

(D) A chairperson of the Subcommittee on Advanced Manufacturing of the National Science and Technology Council.

(E) A chairperson of the Subcommittee on Quantum Information Science of the National Science and Technology Council.

(F) Such other members as the President considers appropriate.

(2) CHAIRPERSON.—The member appointed to the Council under paragraph (1)(A) shall serve as the chairperson of the Council.

(c) DUTIES.—The duties of the Council are as follows:

(1) To provide the Director with advice on ways in which in the Federal Government can ensure the United States continues to lead the world in developing emerging technologies that improve the quality of life of the people of the United States, increase economic competitiveness of the United States, and strengthen the national security of the United States, including identification of the following:

(A) Investments required in fundamental research and development, infrastructure, and workforce development of the United States workers who will support the industries of the future.

(B) Actions necessary to create and further develop the workforce that will support the industries of the future.

(C) Actions required to leverage the strength of the research and development ecosystem of the United States, which includes academia, industry, and nonprofit organizations.

(D) Ways that the Federal Government can consider leveraging existing partnerships and creating new partnerships and other multisector collaborations to advance the industries of the future.

(2) To provide the Director with advice on matters relevant to the report required by section ____3.

(d) COORDINATION.—The Council shall coordinate with and utilize relevant existing National Science and Technology Council committees to the maximum extent feasible in order to minimize duplication of effort.

(e) SUNSET.—The Council shall terminate on the date that is 6 years after the date of the enactment of this Act.

SA 1769. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. VETERANS SERVICE ORGANIZATION SUPPORT TO TRANSITION ASSISTANCE PROGRAMS.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, in collaboration with the Secretary of Labor, the Secretary of Homeland Security, and the Secretary of Veterans Affairs, shall establish a process by which a representative of a veterans service organization may be present at any portion of the program carried out under section 1144 of title 10, United States Code, relating to the submittal of claims to the Secretary of Veterans Affairs for compensation under chapter 11 or 13 of title 38, United States Code.

(b) PURPOSE.—The process established in subsection (a) shall ensure that a representative of a veteran service organization can support and facilitate the efforts of the Department of Defense to provide preseparation counseling and transition assistance carried out under section 1144 of title 10, United States Code, relating to the submittal of claims to the Secretary of Veterans Affairs for compensation under chapter 11 or 13 of title 38, United States Code.

(c) ACCESS TO BE AUTHORIZED.—In accordance with the process established in subsection (a), the Secretary of Defense shall review and modify as necessary the memorandum of the Secretary entitled ''Installation Access and Support Services for Nonprofit Non-Federal Entities'' and dated December 23, 2014, to permit a representative of a veterans service organization access to a military installations to be present at any portion of the program carried out under section 1144 of title 10, United States Code, to members of the Armed Forces stationed at such installations.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing the Secretary of Defense to offer—

(1) a recommendation or endorsement of a particular veterans service organization over another veterans service organization for the purposes of supporting preseparation counseling and transition assistance programming; and

(2) the encouragement, support, or other suggestion that a member of the Armed Forces seek membership in a veterans service organization.

(e) REPORT.—

(1) IN GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on participation of veterans service organizations in the program carried out under section 1144 of title 10, United States Code.

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

(A) An assessment of the compliance of facilities of the Department of Defense with the directives providing a representative of a veteran service organization access to a military installation, including—

(i) the memorandum of the Secretary entitled ''Installation Access and Support Services for Nonprofit Non-Federal Entities'' and dated December 23, 2014; or

(ii) a memorandum of the Secretary superseding the memorandum described in clause (i).

(B) The number of military bases that have complied with such directives.

(C) How many veterans service organizations have been present at a portion of a program as described in subsection (a).

(f) VETERANS SERVICE ORGANIZATION DEFINED.—In this section, the term ''veterans service organization'' means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SA 1770. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. RESTORING HONOR TO SERVICE MEMBERS.

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

(1) the mission of the Department of Defense is to provide the military forces needed to deter war and to protect the security of the United States;

(2) expanding outreach to veterans impacted by Don't Ask, Don't Tell or a similar policy prior to the enactment of Don't Ask, Don't Tell is important to closing a period of history harmful to the creed of integrity, respect, and honor of the military;

(3) the Department is responsible for providing for the review of a veteran's military record before the appropriate discharge review board or, when more than 15 years has passed, board of correction for military or naval records; and

(4) the Secretary of Defense should, wherever possible, coordinate and conduct outreach to impacted veterans through the veterans community and networks, including through the Department of Veterans Affairs and veterans service organizations, to ensure that veterans understand the review processes that are available to them for upgrading military records.

(b) TIGER TEAM FOR OUTREACH TO FORMER MEMBERS.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a team (commonly known as a ''tiger team'' and referred to in this section as the ''Tiger Team'') responsible for conducting outreach to build awareness among former members of the Armed Forces of the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) for the review of discharge characterizations by appropriate discharge boards. The Tiger Team shall consist of appropriate personnel of the Department of Defense assigned to the Tiger Team by the Secretary for purposes of this section.

(2) TIGER TEAM LEADER.—One of the persons assigned to the Tiger Team under paragraph (1) shall be a senior-level officer or employee of the Department who shall serve as the lead official of the Tiger Team (in this section referred to as the ''Tiger Team Leader'') and who shall be accountable for the activities of the Tiger Team under this section,

(3) REPORT ON COMPOSITION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report setting forth the names of the personnel of the Department assigned to the Tiger Team pursuant to this subsection, including the positions to which assigned. The report shall specify the name of the individual assigned as Tiger Team Leader.

(c) DUTIES.—

(1) IN GENERAL.—The Tiger Team shall conduct outreach to build awareness among veterans of the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 for the review of discharge characterizations by appropriate discharge boards.

(2) COLLABORATION.—In conducting activities under this subsection, the Tiger Team Leader shall identify appropriate external stakeholders with whom the Tiger Team shall work to carry out such activities. Such stakeholders shall include the following:

(A) The Secretary of Veterans Affairs.

(B) The Archivist of the United States.

(C) Representatives of veterans service organizations.

(D) Such other stakeholders as the Tiger Team Leader considers appropriate.

(3) INITIAL REPORT.—Not later than 210 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress the following:

(A) A plan setting forth the following:

(i) A description of the manner in which the Secretary, working through the Tiger Team and in collaboration with external stakeholders described in paragraph (2), shall identify individuals who meet the criteria in

section 527(b) of the National Defense Authorization Act for Fiscal Year 2020 for review of discharge characterization.

(ii) A description of the manner in which the Secretary, working through the Tiger Team and in collaboration with the external stakeholders, shall improve outreach to individuals who meet the criteria in section 527(b) of the National Defense Authorization Act for Fiscal Year 2020 for review of discharge characterization, including through—

(I) obtaining contact information on such individuals; and

(II) contacting such individuals on the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 for the review of discharge characterizations.

(B) A description of the manner in which the work described in clauses (i) and (ii) of subparagraph (A) will be carried out, including an allocation of the work among the Tiger Team and the external stakeholders.

(C) A schedule for the implementation, carrying out, and completion of the plan required under subparagraph (A).

(D) A description of the additional funding, personnel, or other resources of the Department required to carry out the plan required under subparagraph (A), including any modification of applicable statutory or administrative authorities.

(4) IMPLEMENTATION OF PLAN.—

(A) IN GENERAL.—The Secretary shall implement and carry out the plan submitted under subparagraph (A) of paragraph (3) in accordance with the schedule submitted under subparagraph (C) of that paragraph.

(B) UPDATES.—Not less frequently than once every 90 days after the submittal of the report under paragraph (3), the Tiger Team shall submit to Congress an update on the carrying out of the plan submitted under subparagraph (A) of that paragraph.

(5) FINAL REPORT.—Not later than 3 years after the date of the enactment of this Act, the Tiger Team shall submit to the Committees on Armed Services of the Senate and the House of Representatives a final report on the activities of the Tiger Team under this subsection. The report shall set forth the following:

(A) The number of individuals discharged under Don't Ask, Don't Tell or a similar policy prior to the enactment of Don't Ask, Don't Tell.

(B) The number of individuals described in subparagraph (A) who availed themselves of a review of discharge characterization (whether through discharge review or correction of military records) through a process established prior to the enactment of this Act.

(C) The number of individuals contacted through outreach conducted pursuant to this section.

(D) The number of individuals described in subparagraph (A) who availed themselves of a review of discharge characterization through the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020.

(E) The number of individuals described in subparagraph (D) whose review of discharge characterization resulted in a change of characterization to honorable discharge.

(F) The total number of individuals described in subparagraph (A), including individuals also covered by subparagraph (E), whose review of discharge characterization since September 20, 2011 (the date of repeal of Don't Ask, Don't Tell), resulted in a change of characterization to honorable discharge.

(6) TERMINATION.—On the date that is 60 days after the date on which the final report required by paragraph (5) is submitted, the Secretary shall terminate the Tiger Team.

(d) ADDITIONAL REPORTS.—

(1) REVIEW.—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020.

(2) REPORTS.—Not later than 270 days after the date of the enactment of this Act, and each year thereafter for a four-year period, the Secretary shall submit to Congress a report on the reviews under paragraph (1). Such reports shall include any comments or recommendations for continued actions.

(e) HISTORICAL REVIEWS.—

(1) IN GENERAL.—The Secretary of each military department shall ensure that oral historians of the department—

(A) review the facts and circumstances surrounding the estimated 100,000 members of the Armed Forces discharged from the Armed Forces between World War II and September 2011 because of the sexual orientation of the member, including any use of ambiguous or misleading separation codes and characterizations intended to disguise the discriminatory basis of such members' discharge; and

(B) receive oral testimony of individuals who personally experienced discrimination and discharge because of the actual or perceived sexual orientation of the individual so that such testimony may serve as an official record of these discriminatory policies and their impact on American lives.

(2) DEADLINE FOR COMPLETION.—Each Secretary of a military department shall ensure that the oral historians concerned complete the actions required by paragraph (1) by not later than one year after the date of the enactment of this Act.

(3) USES OF INFORMATION.—Information obtained through actions under paragraph (1) shall be available to members described in that paragraph for pursuit by such members of a remedy under section 527 of the National Defense Authorization Act for Fiscal Year 2020 in accordance with regulations prescribed for such purpose by the Secretary of the military department concerned.

(f) DON'T ASK, DON'T TELL DEFINED.—In this section, the term ''Don't Ask, Don't Tell'' means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111–321).

SA 1771. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. ENHANCEMENT OF RESILIENCE OF DEFENSE COMMUNITY INFRASTRUCTURE.

Section 2391 of title 10, United States Code, is amended—

(1) in subsection (b)(5), by adding at the end the following new subparagraph:

''(D)(i) The Secretary of Defense may also make grants, conclude cooperative agreements, and supplement other Federal funds in order to assist a State or local government in planning and implementing pre-disaster mitigation measures and projects that, as determined by the Secretary of Defense, will contribute to maintaining or improving military installation resilience.

''(ii) In the case of funds provided under clause (i) for projects involving the preservation or restoration of natural features for the purpose of maintaining or enhancing military installation resilience—

''(I) such funds—

''(aa) may be provided in a lump sum and include an amount intended to cover the future costs of the natural resource maintenance and improvement activities required for the preservation or restoration of such natural features; and

''(bb) may be placed by the recipient in an interest-bearing or other investment account; and

''(II) any interest or income shall be applied for the same purposes as the principal.

''(iii) Amounts appropriated or otherwise made available for assistance under this subparagraph shall remain available until expended.'';

(2) in subsection (d)(1) by inserting ''to plan for and implement actions'' after ''to assist State and local governments''; and

(3) in subsection (e)—

(A) in paragraph (1), by striking ''subsection (b)(1)(D)'' and inserting ''subsections (b)(1)(D), (b)(1)(E), (b)(5)(D), and (d)(1)''; and

(B) in paragraph (4)(B), by adding at the end the following new clause:

''(iv) A disaster mitigation or risk reduction project.''.

SA 1772. Mr. SCHATZ (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3____. ASSESSMENT OF RISKS TO DEFENSE COMMUNITIES.

(a) IN GENERAL.—Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2816. Defense community vulnerability assessments and exercises

''(a) PROGRAM.—The Secretary of Defense shall establish a program that ensures that the Secretary of each military department is able to—

''(1) conduct exercises to assess and to the degree feasible quantify the potential impact of current and projected risks to military installation resilience resulting from vulnerabilities to critical infrastructure inside and outside of the military installation, including community infrastructure not under the jurisdiction of the Secretary concerned; and

''(2) improve collaboration and information sharing of critical infrastructure vulnerabilities with stakeholders in the civilian community that are necessary to reduce the risks to military installation resilience.

''(b) VULNERABILITY ASSESSMENTS.—In carrying out the program under subsection (a), consistent with the use of military installations and State-owned installations of the National Guard to ensure the readiness of the armed forces, the Secretary of each military department shall assess current and projected vulnerabilities related to military installation infrastructure and community infrastructure that impact military installation resilience described in section 2864(c) of this title, including vulnerabilities resulting from interdependencies in the following critical infrastructure sectors:

''(1) Energy generation, distribution, and transmission systems.

''(2) Water and wastewater treatment facilities.

''(3) Telecommunications and information technology systems.

''(4) Intermodal transportation nodes, including access roads, railways and railheads, bridges, and harbor and port infrastructure.

''(5) Emergency services.

''(6) Such other critical infrastructure sectors as the Secretary concerned determines are important to ensure military installation resilience.

''(c) VULNERABILITY EXERCISES.—(1) In carrying out the program under subsection (a), each year, the Secretary of each military department shall conduct a vulnerability exercise to assess and to the degree feasible quantify the potential impact of current and projected risks to military installation resilience at not fewer than five military installations and identify information gaps necessary to improve military installation resilience planning under section 2864(c) of this title.

''(2) The Secretary of each military department shall develop and conduct exercises under paragraph (1) in coordination with the following:

''(A) The Secretary of Homeland Security, acting through the director of the Cybersecurity and Infrastructure Security Agency.

''(B) The Secretary of Energy, acting through the director of the Resilience Optimization Center of the Idaho National Laboratory.

''(C) The Assistant Secretary of the Army for Civil Works, acting through the Chief of Engineers.

''(D) Representatives of State, tribal, and local emergency management agencies, including the heads of such agencies, as appropriate.

''(E) Representatives of State, tribal, and local governments with expertise, oversight, or responsibility of the critical infrastructure sectors described in subsection (b).

''(F) Representatives of private service providers serving critical infrastructure sectors described in subsection (b).

''(G) Representatives of non-governmental organizations and local colleges and universities with access to the planning tools to provide local-level vulnerability analysis to assess current and projected critical infrastructure vulnerabilities inside and outside of the military installation.

''(H) The heads of such other Federal or State departments or agencies as the Secretary concerned considers appropriate for conducting the exercise under paragraph (1).

''(3) Each exercise under paragraph (1) shall model and analyze interdependency vulnerabilities related to military installation infrastructure and community infrastructure using a uniform method that seeks to combine, to the extent appropriate and applicable, the following:

''(A) All hazards analysis that models military installation infrastructure and community infrastructure as regionally linked systems to assess the current and projected risks and consequences of manmade and natural disasters on those systems inside and outside the military installation.

''(B) Science-based analysis that provides for enhanced modeling of current and projected infrastructure risks to military installation resilience within the boundaries of the military installation.

''(4) The Secretary of each military department shall provide to the individuals described in paragraph (2) any information, in an appropriate form, that is used to develop the exercises described in paragraph (1), including—

''(A) projections from reliable and authorized sources used for the military installation resilience component of the installation master plans of the Department of Defense under section 2864 of this title;

''(B) modeling and analytical products described in paragraph (3); and

''(C) any additional material used to inform the conduct of the exercises under paragraph (1).

''(d) REPORTS.—(1) Not later than March 1 of each year, the Secretary of each military department shall submit to the congressional defense committees a report on the program conducted under this section, including the assessments conducted under subsection (b) and the exercises conducted under subsection (c), during the year preceding the report.

''(2) Each report submitted under paragraph (1) shall include the following:

''(A) The name and location of each military installation where an assessment and exercise was conducted under this section in the year covered by the report, including a list of stakeholders engaged as part of each exercise under subsection (c).

''(B) The name and location of where each military department plans to conduct assessments and exercises under this section in the following year.

''(C) An analysis of what current and future risks the assessments and exercises addressed and, to the degree feasible, quantified for each military installation and what information gaps, if any, persist following the assessment and exercise.

''(D) An explanation of how the Secretary concerned will address any persistent information gaps identified under subparagraph (C).

''(E) An explanation of how the assessments under subsection (b) informed or will inform military installation resilience projects under section 2815 of this title.

''(F) A plan for using available authorities to mitigate vulnerabilities to military installation infrastructure and community infrastructure, including under section 2391(d) of this title.

''(e) DEFINITIONS.—In this section:

''(1) The term 'community infrastructure' has the meaning given that term in section 2391(e)(4) of this title.

''(2) The term 'military installation' has the meaning given that term in section 2391(e)(1) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 169 of such title is amended by inserting after the item relating to section 2815 the following new item:

''2816. Defense community vulnerability assessments and exercises.''.

SA 1773. Mr. SCHATZ (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At appropriate place, insert the following:

Subtitle ____—READI Act

SEC. __01. SHORT TITLE.

This subtitle may be cited as the ''Reliable Emergency Alert Distribution Improvement Act of 2020'' or ''READI Act''.

SEC. __02. DEFINITIONS.

In this subtitle—

(1) the term ''Administrator'' means the Administrator of the Federal Emergency Management Agency;

(2) the term ''Commission'' means the Federal Communications Commission;

(3) the term ''Emergency Alert System'' means the national public warning system, the rules for which are set forth in part 11 of title 47, Code of Federal Regulations (or any successor regulation); and

(4) the term ''Wireless Emergency Alert System'' means the wireless national public warning system established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.), the rules for which are set forth in part 10 of title 47, Code of Federal Regulations (or any successor regulation).

SEC. __03. WIRELESS EMERGENCY ALERT SYSTEM OFFERINGS.

(a) AMENDMENT.—Section 602(b)(2)(E) of the Warning, Alert, and Response Network Act (47 U.S.C. 1201(b)(2)(E)) is amended—

(1) by striking the second and third sentences; and

(2) by striking ''other than an alert issued by the President.'' and inserting the following: ''other than an alert issued by—

''(i) the President; or

''(ii) the Administrator of the Federal Emergency Management Agency.''.

(b) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall adopt regulations to implement the amendment made by subsection (a)(2).

SEC. __04. STATE EMERGENCY ALERT SYSTEM PLANS AND EMERGENCY COMMUNICATIONS COMMITTEES.

(a) DEFINITIONS.—In this section—

(1) the term ''SECC'' means a State Emergency Communications Committee;

(2) the term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States; and

(3) the term ''State EAS Plan'' means a State Emergency Alert System Plan.

(b) STATE EMERGENCY COMMUNICATIONS COMMITTEE.—Not later than 180 days after the date of enactment of this Act, the Commission shall adopt regulations that—

(1) encourage the chief executive of each State—

(A) to establish an SECC if the State does not have an SECC; or

(B) if the State has an SECC, to review the composition and governance of the SECC;

(2) provide that—

(A) each SECC, not less frequently than annually, shall—

(i) meet to review and update its State EAS Plan;

(ii) certify to the Commission that the SECC has met as required under clause (i); and

(iii) submit to the Commission an updated State EAS Plan; and

(B) not later than 60 days after the date on which the Commission receives an updated State EAS Plan under subparagraph (A)(iii), the Commission shall—

(i) approve or disapprove the updated State EAS Plan; and

(ii) notify the chief executive of the State of the Commission's findings; and

(3) establish a State EAS Plan content checklist for SECCs to use when reviewing and updating a State EAS Plan for submission to the Commission under paragraph (2)(A).

(c) CONSULTATION.—The Commission shall consult with the Administrator regarding the adoption of regulations under subsection (b)(3).

SEC. __05. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM GUIDANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop and issue guidance on how State, Tribal, and local governments can participate in the integrated public alert and warning system of the United States described in section 526 of the Homeland Security Act of 2002 (6 U.S.C. 321o) (referred to in this section as the ''public alert and warning system'') while maintaining the integrity of the public alert and warning system, including—

(1) guidance on the categories of public emergencies and appropriate circumstances that warrant an alert and warning from State, Tribal, and local governments using the public alert and warning system;

(2) the procedures for State, Tribal, and local government officials to authenticate civil emergencies and initiate, modify, and cancel alerts transmitted through the public alert and warning system, including protocols and technology capabilities for—

(A) the initiation, or prohibition on the initiation, of alerts by a single authorized or unauthorized individual;

(B) testing a State, Tribal, or local government incident management and warning tool without accidentally initiating an alert through the public alert and warning system; and

(C) steps a State, Tribal, or local government official should take to mitigate the possibility of the issuance of a false alert through the public alert and warning system;

(3) the standardization, functionality, and interoperability of incident management and warning tools used by State, Tribal, and local governments to notify the public of an emergency through the public alert and warning system;

(4) the annual training and recertification of emergency management personnel on requirements for originating and transmitting an alert through the public alert and warning system;

(5) the procedures, protocols, and guidance concerning the protective action plans that State, Tribal, and local governments should issue to the public following an alert issued under the public alert and warning system;

(6) the procedures, protocols, and guidance concerning the communications that State, Tribal, and local governments should issue to the public following a false alert issued under the public alert and warning system;

(7) a plan by which State, Tribal, and local government officials may, during an emergency, contact each other as well as Federal officials and participants in the Emergency Alert System and the Wireless Emergency Alert System, when appropriate and necessary, by telephone, text message, or other means of communication regarding an alert that has been distributed to the public; and

(8) any other procedure the Administrator considers appropriate for maintaining the integrity of and providing for public confidence in the public alert and warning system.

(b) COORDINATION WITH NATIONAL ADVISORY COUNCIL REPORT.—The Administrator shall ensure that the guidance developed under subsection (a) do not conflict with recommendations made for improving the public alert and warning system provided in the report submitted by the National Advisory Council under section 2(b)(7)(B) of the Integrated Public Alert and Warning System Modernization Act of 2015 (Public Law 114–143; 130 Stat. 332).

(c) PUBLIC CONSULTATION.—In developing the guidance under subsection (a), the Administrator shall ensure appropriate public consultation and, to the extent practicable, coordinate the development of the guidance with stakeholders of the public alert and warning system, including—

(1) appropriate personnel from Federal agencies, including the National Institute of Standards and Technology, the Federal Emergency Management Agency, and the Commission;

(2) representatives of State and local governments and emergency services personnel, who shall be selected from among individuals nominated by national organizations representing those governments and personnel;

(3) representatives of federally recognized Indian Tribes and national Indian organizations;

(4) communications service providers;

(5) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(6) third-party service bureaus;

(7) the national organization representing the licensees and permittees of noncommercial broadcast television stations;

(8) technical experts from the broadcasting industry;

(9) educators from the Emergency Management Institute; and

(10) other individuals with technical expertise as the Administrator determines appropriate.

(d) INAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the public consultation with stakeholders under subsection (c).

(e) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to amend, supplement, or abridge the authority of the Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.) or in any other manner give the Administrator authority over communications service providers participating in the Emergency Alert System or the Wireless Emergency Alert System.

SEC. __06. FALSE ALERT REPORTING.

Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to establish a system to receive from the Administrator or State, Tribal, or local governments reports of false alerts under the Emergency Alert System or the Wireless Emergency Alert System for the purpose of recording such false alerts and examining their causes.

SEC. __07. REPEATING EMERGENCY ALERT SYSTEM MESSAGES FOR NATIONAL SECURITY.

Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(1) the President;

(2) the Administrator; or

(3) any other entity under specified circumstances as determined by the Commission, in consultation with the Administrator.

SEC. __08. INTERNET AND ONLINE STREAMING SERVICES EMERGENCY ALERT EXAMINATION.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete an inquiry to examine the feasibility of updating the Emergency Alert System to enable or improve alerts to consumers provided through the internet, including through streaming services.

(b) REPORT.—Not later than 90 days after completing the inquiry under subsection (a), the Commission shall submit a report on the findings and conclusions of the inquiry to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Energy and Commerce of the House of Representatives.

SA 1774. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 382. PROHIBITION ON CONSTRUCTING WALLS, FENCES, OR ASSOCIATED ROADS ON SOUTHERN BORDER OF UNITED STATES.

The Secretary of Defense may not use any of the amounts authorized in this Act to—

(1) provide support under section 284 of title 10, United States Code, in connection with the construction of a wall or fence on the southern border of the United States or a road associated with such a wall or fence;

(2) undertake a military construction project under section 2808 of such title in connection with the construction of such a wall, fence, or road; or

(3) otherwise construct or provide support for the construction of such a wall, fence, or road.

SA 1775. Mr. BLUMENTHAL (for himself, Mr. BROWN, Mr. DURBIN, Ms. HIRONO, Mr. CASEY, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. MODIFICATION OF ELIGIBILITY REQUIREMENTS FOR TRANSFER OF UNUSED ENTITLEMENT TO POST-9/11 EDUCATIONAL ASSISTANCE.

(a) MODIFICATION OF ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—Subsection (b) of section 3319 of title 38, United States Code, is amended to read as follows:

''(b) ELIGIBLE INDIVIDUALS.—An individual referred to in subsection (a) is an individual who, at the time of the approval of the individual's request to transfer entitlement to educational assistance under this section—

''(1) has completed at least 10 years of service in the uniformed services, not fewer than six of which were service in the Armed Forces;

''(2) is a member of the uniformed services who—

''(A) is not an individual described in paragraph (1);

''(B) has served at least six years in the Armed Forces;

''(C) enters into an agreement to serve as a member of the uniformed services for a period that is no less than the difference between—

''(i) 10 years; and

''(ii) the period the individual has already served in the uniformed services; or

''(3) is described in section 3311(b)(10).''.

(2) CONFORMING AMENDMENTS.—Such section is amended—

(A) in subsection (a)—

(i) by striking paragraph (2); and

(ii) in paragraph (1), by striking ''(1)'';

(B) in subsection (i)(2), by striking ''under subsection (b)(1)'' and inserting ''under subsection (b)(2)(C)''; and

(C) in subsection (j)(2)—

(i) in subparagraph (A), by inserting ''and'' after the semicolon;

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B).

(b) MODIFICATION OF TIME TO TRANSFER.—

(1) IN GENERAL.—Paragraph (1) of subsection (f) of such section is amended to read as follows:

''(1) TIME FOR TRANSFER.—Subject to the time limitation for use of entitlement under section 3321 of this title, and except as provided in subsection (k), an individual approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time.''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) by amending subsection (g) to read as follows:

''(g) COMMENCEMENT OF USE.—If a dependent to whom entitlement to educational assistance is transferred under this section is a child, the dependent may not commence the use of the transferred entitlement until either—

''(1) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

''(2) the attainment by the child of 18 years of age.'';

(B) by striking subsection (k); and

(C) by redesignating subsection (l) as subsection (k).

SA 1776. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

Subtitle E—Arbitration Rights of Members of the Armed Forces and Veterans

SEC. 641. SHORT TITLE.

This subtitle may be cited as the ''Justice for Servicemembers Act''.

SEC. 642. PURPOSES.

The purposes of this subtitle are—

(1) to prohibit predispute arbitration agreements that force arbitration of disputes arising from claims brought under chapter 43 of title 38, United States Code, and the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.); and

(2) to prohibit agreements and practices that interfere with the right of persons to participate in a joint, class, or collective action related to disputes arising from claims brought under the provisions of the laws described in paragraph (1).

SEC. 643. ARBITRATION OF DISPUTES INVOLVING THE RIGHTS OF SERVICEMEMBERS AND VETERANS.

(a) IN GENERAL.—Title 9, United States Code, is amended by adding at the end the following:

''CHAPTER 4—ARBITRATION OF SERVICEMEMBER AND VETERAN DISPUTES

''§ 401. Definitions

''In this chapter—

''(1) the term 'predispute arbitration agreement' means an agreement to arbitrate a dispute that has not yet arisen at the time of the making of the agreement; and

''(2) the term 'predispute joint-action waiver' means an agreement, whether or not part of a predispute arbitration agreement, that would prohibit, or waive the right of, one of the parties to the agreement to participate in a joint, class, or collective action in a judicial, arbitral, administrative, or other forum, concerning a dispute that has not yet arisen at the time of the making of the agreement.

''§ 402. No validity or enforceability

''(a) IN GENERAL.—Notwithstanding any other provision of this title, no predispute arbitration agreement or predispute joint-action waiver shall be valid or enforceable with respect to a dispute relating to disputes arising under chapter 43 of title 38 or the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.).

''(b) APPLICABILITY.—

''(1) IN GENERAL.—An issue as to whether this chapter applies with respect to a dispute shall be determined under Federal law. The applicability of this chapter to an agreement to arbitrate and the validity and enforceability of an agreement to which this chapter applies shall be determined by a court, rather than an arbitrator, irrespective of whether the party resisting arbitration challenges the arbitration agreement specifically or in conjunction with other terms of the contract containing such agreement, and irrespective of whether the agreement purports to delegate such determinations to an arbitrator.

''(2) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in this chapter shall apply to any arbitration provision in a contract between an employer and a labor organization or between labor organizations, except that no such arbitration provision shall have the effect of waiving the right of a worker to seek judicial enforcement of a right arising under a provision of the Constitution of the United States, a State constitution, or a Federal or State statute, or public policy arising therefrom.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Title 9, United States Code, is amended—

(A) in section 1 by striking ''of seamen,'' and all that follows through ''interstate commerce'' and inserting ''persons and causes of action under chapter 43 of title 38 or the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.)'';

(B) in section 2 by inserting ''or as otherwise provided in chapter 4'' before the period at the end;

(C) in section 208—

(i) in the section heading, by striking ''**Chapter 1; residual application**'' and inserting ''**Application**''; and

(ii) by adding at the end the following: ''This chapter applies to the extent that this chapter is not in conflict with chapter 4.''; and

(D) in section 307—

(i) in the section heading, by striking ''**Chapter 1; residual application**'' and inserting ''**Application**''; and

(ii) by adding at the end the following: ''This chapter applies to the extent that this chapter is not in conflict with chapter 4.''.

(2) TABLE OF SECTIONS.—

(A) CHAPTER 2.—The table of sections for chapter 2 of title 9, United States Code, is amended by striking the item relating to section 208 and inserting the following:

''208. Application.''.

(B) CHAPTER 3.—The table of sections for chapter 3 of title 9, United States Code, is amended by striking the item relating to section 307 and inserting the following:

''307. Application.''.

(3) TABLE OF CHAPTERS.—The table of chapters of title 9, United States Code, is amended by adding at the end the following:

SEC. 644. LIMITATION ON WAIVER OF RIGHTS AND PROTECTIONS UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) AMENDMENTS.—Section 107(a) of the Servicemembers Civil Relief Act (50 U.S.C. 3918(a)) is amended—

(1) in the second sentence, by inserting ''and if it is made after a specific dispute has arisen and the dispute is identified in the waiver'' before the period at the end; and

(2) in the third sentence by inserting ''and if it is made after a specific dispute has arisen and the dispute is identified in the waiver'' before the period at the end.

(b) APPLICATION OF AMENDMENTS.—The amendments made by subsection (a) shall apply with respect to waivers made on or after the date of the enactment of this Act.

SEC. 645. APPLICABILITY.

This subtitle, and the amendments made by this subtitle, shall apply with respect to any dispute or claim that arises or accrues on or after the date of enactment of this Act.

SA 1777. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1085. REMOVAL OF LIMITATION ON REIMBURSEMENT FOR EMERGENCY TREATMENT OF AMOUNTS OWED TO A THIRD PARTY OR FOR WHICH THE VETERAN IS RESPONSIBLE UNDER A HEALTH-PLAN CONTRACT.

(a) IN GENERAL.—Subsection (c)(4) of section 1725 of title 38, United States Code, is amended by striking subparagraph (D).

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall apply with respect to any reimbursement request under section 1725 of such title submitted to the Department of Veterans Affairs for emergency treatment furnished on or after February 1, 2010.

(c) IMPACT ON EXISTING COURT CASE.—Nothing in this section or the amendment made by this section shall limit the rights of any member of the Wolfe class seeking relief in Wolfe v. Wilkie, No. 18-6091 (Vet. App. filed October 30, 2018).

(d) DEFINITIONS.—In this section:

(1) EMERGENCY TREATMENT; HEALTH-PLAN CONTRACT.—The terms ''emergency treatment'' and ''health-plan contract'' have the meanings given those terms in section 1725(f) of title 38, United States Code.

(2) REIMBURSEMENT REQUEST.—The term ''reimbursement request'' includes any claim by a veteran for reimbursement of a copayment, deductible, coinsurance, or similar

payment for emergency treatment furnished to the veteran in a non-Department of Veterans Affairs facility and made by a veteran who had coverage under a health-plan contract, including any claim for the reasonable value of emergency treatment that was rejected or denied by the Department of Veterans Affairs, whether the rejection or denial was final or not.

SA 1778. Ms. DUCKWORTH (for herself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 355. REPORT ON HAZARDOUS WASTE INCINERATORS USED TO DISPOSE OF PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES AND PERFLUOROOCTANOIC ACID.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that identifies each hazardous waste incinerator used by the Department of Defense to dispose of perfluoroalkyl substances, polyfluoroalkyl substances, and perfluorooctanoic acid.

SA 1779. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH SOUTHEAST ASIAN COUNTRIES.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, may establish a pilot program—

(1) to enhance the cyber security, resilience, and readiness of United States partners in Southeast Asia; and

(2) to increase regional cooperation between the United States and Southeast Asian countries on cyber issues.

(b) LOCATIONS.—The Secretary of Defense, in consultation with the Secretary of State, shall identify not fewer than three pilot countries in Southeast Asia, including Vietnam, in which the pilot program under subsection (a) may be carried out.

(c) ELEMENTS.—The activities of the pilot program under subsection (a) shall include the following:

(1) Provision of training to cybersecurity and computer science professionals in the pilot countries identified under subsection (b).

(2) An expansion of the capacity of organizations involved in the training of such cybersecurity and computer science professionals.

(3) The facilitation of regular policy dialogues between and among the United States Government and the governments of such pilot countries with respect to the development of infrastructure to protect against cyber attacks.

(4) An evaluation of legal and other barriers to reforms relevant to cybersecurity and technology in such pilot countries.

(5) A feasibility study on establishing a public-private partnership to build cloud-computing capacity in such pilot countries and in Southeast Asia more broadly.

(6) The development of cooperative exercises, to be carried out in future years, to enhance collaboration between the United States Government and the governments of such pilot countries.

(d) FUNDING.—The Secretary of Defense may use amounts provided through grants under section 211 of the Vietnam Education Foundation Act of 2000 (title II of division B of H.R. 5666, as enacted by section 1(a)(4) of Public Law 106–554 and contained in appendix D of that Act; 114 Stat. 2763A–254; 22 U.S.C. 2452 note), as added by section 7085 of the Consolidated and Further Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2685), to carry out the pilot program under subsection (a).

(e) REPORTS.—

(1) DESIGN OF PILOT PROGRAM.—Not later than June 1, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the design of the pilot program under subsection (a).

(2) PROGRESS REPORT.—Not later than December 31, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the pilot program under subsection (a) that includes—

(A) a description of the activities conducted and the results of such activities; and

(B) an assessment of legal and other barriers to reforms relevant to cybersecurity and technology in the pilot countries identified under subsection (b).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 for fiscal year 2021 to carry out this section.

(g) OFFSET.—The amount authorized to be appropriated by this Act for operation and maintenance, Navy, and available for SAG 1CCS for military information support operations, is hereby reduced by $5,000,000.

(h) 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 1780. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH SOUTHEAST ASIAN COUNTRIES.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, shall establish a pilot program—

(1) to enhance the cyber security, resilience, and readiness of United States partners in Southeast Asia; and

(2) to increase regional cooperation between the United States and Southeast Asian countries on cyber issues.

(b) LOCATIONS.—The Secretary of Defense, in consultation with the Secretary of State, shall identify not fewer than three pilot countries in Southeast Asia, including Vietnam, in which the pilot program under subsection (a) shall be carried out.

(c) ELEMENTS.—The activities of the pilot program under subsection (a) shall include the following:

(1) Provision of training to cybersecurity and computer science professionals in the pilot countries identified under subsection (b).

(2) An expansion of the capacity of organizations involved in the training of such cybersecurity and computer science professionals.

(3) The facilitation of regular policy dialogues between and among the United States Government and the governments of such pilot countries with respect to the development of infrastructure to protect against cyber attacks.

(4) An evaluation of legal and other barriers to reforms relevant to cybersecurity and technology in such pilot countries.

(5) A feasibility study on establishing a public-private partnership to build cloud-computing capacity in such pilot countries and in Southeast Asia more broadly.

(6) The development of cooperative exercises, to be carried out in future years, to enhance collaboration between the United States Government and the governments of such pilot countries.

(d) FUNDING.—The Secretary of Defense may use amounts provided through grants under section 211 of the Vietnam Education Foundation Act of 2000 (title II of division B of H.R. 5666, as enacted by section 1(a)(4) of Public Law 106–554 and contained in appendix D of that Act; 114 Stat. 2763A–254; 22 U.S.C. 2452 note), as added by section 7085 of the Consolidated and Further Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2685), to carry out the pilot program under subsection (a).

(e) REPORTS.—

(1) DESIGN OF PILOT PROGRAM.—Not later than June 1, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the design of the pilot program under subsection (a).

(2) PROGRESS REPORT.—Not later than December 31, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the pilot program under subsection (a) that includes—

(A) a description of the activities conducted and the results of such activities; and

(B) an assessment of legal and other barriers to reforms relevant to cybersecurity and technology in the pilot countries identified under subsection (b).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 for fiscal year 2021 to carry out this section.

(g) OFFSET.—The amount authorized to be appropriated by this Act for operation and maintenance, Navy, and available for SAG 1CCS for military information support operations, is hereby reduced by $5,000,000.

(h) 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 1781. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to

the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. LIMITATION ON ALTERATION OF NAVY FLEET MIX.

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

(1) the United States shipbuilding and supporting vendor base constitute a national security imperative that is unique and must be protected;

(2) a healthy and efficient industrial base continues to be a fundamental driver for achieving and sustaining a successful shipbuilding procurement strategy;

(3) without consistent and continuous commitment to steady and predictable acquisition profiles, the industrial base will struggle and some elements may not survive; and

(4) proposed reductions in the future-years defense program to the DDG–51 Destroyer procurement profile without a clear transition to procurement of the next Large Surface Combatant would adversely affect the shipbuilding industrial base and long-term strategic objectives of the Navy.

(b) LIMITATION.—

(1) IN GENERAL.—The Secretary of the Navy may not deviate from the 2016 Navy Force Structure Assessment to implement the results of a new force structure assessment or new annual long-range plan for construction of naval vessels that would reduce the requirement for Large Surface Combatants to fewer than 104 such vessels until the date on which the Secretary of the Navy submits to the congressional defense committees the certification under paragraph (1) and the report under subsection (c).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification, in writing, that each of the following conditions have been satisfied:

(A) The large surface combatant shipbuilding industrial base and supporting vendor base would not significantly deteriorate due to a reduced procurement profile.

(B) All current shipbuilders of large surface combatants will remain viable, in terms of sufficient new construction ship procurement, to construct the next class of Large Surface Combatants.

(C) The Navy can mitigate the reduction in anti-air and ballistic missile defense capabilities due to having a reduced number of DDG–51 Destroyers with the advanced AN/SPY–6 radar in the next three decades.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that includes—

(1) a description of likely detrimental impacts to the large surface combatant industrial base and the Navy's plan to mitigate any such impacts if the fiscal year 2021 future-years defense program were implemented as proposed;

(2) a review of the benefits to the Navy fleet of the new AN/SPY–6 radar to be deployed aboard Flight III variant DDG–51 Destroyers, which are currently under construction, as well as an analysis of impacts to the fleet's warfighting capabilities, should the number of such destroyers be reduced; and

(3) a plan to fully implement section 131 of the National Defense Authorization for Fiscal Year 2020 (Public Law 116–92), including subsystem prototyping efforts and funding by fiscal year.

SA 1782. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. STUDY AND REPORT ON SURGE CAPACITY OF DEPARTMENT OF DEFENSE TO ESTABLISH NEGATIVE AIR ROOM CONTAINMENT SYSTEMS IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) STUDY.—The Director of the Defense Health Agency shall conduct a study on the use, scalability, and military requirements for commercial off the shelf negative air pressure room containment systems in order to improve pandemic preparedness at military medical treatment facilities worldwide, to include an assessment of whether such systems would improve the readiness of the Department of Defense to expand capability and capacity to evaluate and treat patients at such facilities during a pandemic.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Health Agency shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the findings of the study conducted under subsection (a).

SA 1783. Mr. MENENDEZ (for himself, Mr. CRAMER, Mr. BOOKER, Mr. DAINES, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. EXPANSION OF ELIGIBILITY FOR HOSPITAL CARE, MEDICAL SERVICES, AND NURSING HOME CARE FROM THE DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE VETERANS OF WORLD WAR II.

Section 1710(a)(2)(E) of title 38, United States Code, is amended by striking ''of the Mexican border period or of World War I;'' and inserting ''of—

''(i) the Mexican border period;

''(ii) World War I; or

''(iii) World War II;''.

SA 1784. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REPORT ON REGULATIONS AND PROCEDURES TO IMPLEMENT PROGRAMS ON AWARD OF MEDALS OR COMMENDATIONS TO HANDLERS OF MILITARY WORKING DOGS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the regulations and other procedures prescribed by the Secretaries of the military departments in order to implement and carry out the programs of the military departments on the award of medals or other commendations to handlers of military working dogs required by section 582 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1787; 10 U.S.C. 1121 note prec.).

SA 1785. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON HANDLING BY DEPARTMENT OF VETERANS AFFAIRS OF DISABILITY-RELATED BENEFITS CLAIMS BY VETERANS WITH TYPE 1 DIABETES WHO WERE EXPOSED TO A HERBICIDE AGENT.

The Comptroller General of the United States shall submit to Congress a report evaluating how the Department of Veterans Affairs has handled claims for disability-related benefits under laws administered by the Secretary of Veterans Affairs of veterans with type 1 diabetes who have been exposed to a herbicide agent (as defined in section 1116(a)(3) of title 38, United States Code).

SA 1786. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. AVAILABILITY OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS FOR REVITALIZATION OF LAB FACILITIES OF THE DEPARTMENT OF DEFENSE THAT SUPPORT ACQUISITION PROGRAMS.

The Secretary of a military department may make amounts available to the military department for research, development, test, and evaluation available to an acquisition program executive office of the military department for minor military construction projects for revitalization of lab facilities of the Department of Defense that support acquisition programs.

SA 1787. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department

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

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

SEC. 1064. REPORT ON PANDEMIC PREPAREDNESS AND PLANNING OF THE NAVY.

Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report containing a description of the plans of the Navy to prepare for and respond to future pandemics, including future outbreaks of the Coronavirus Disease 2019 (COVID–19). The report shall include a written description of plans, including any necessary corresponding budgetary actions, for the following:

(1) Efforts to prevent and mitigate the impacts of future pandemics at both private and public shipyards, and to protect the health and safety of both military personnel and civilian workers at such shipyards.

(2) Protocol and mitigation strategies once an outbreak of a highly contagious illness occurs aboard a Navy vessel while underway.

(3) Development and adoption of technologies and protocols to prevent and mitigate the spread of future pandemics aboard Navy ships and among Navy personnel, including technologies and protocols in connection with the following:

(A) Artificial intelligence and data-driven infectious disease modeling and interventions.

(B) Shipboard airflow management and disinfectant technologies.

(C) Personal protective equipment, sensors, and diagnostic systems.

(D) Minimally crewed and autonomous supply vehicles.

SA 1788. Mr. SANDERS (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. _____. REDUCTION IN AMOUNT AUTHORIZED TO BE APPROPRIATED FOR FISCAL YEAR 2021 BY THIS ACT; ESTABLISHMENT OF GRANT PROGRAM TO REDUCE POVERTY AND INVEST IN DISTRESSED COMMUNITIES.

(a) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2021 by this Act is—

(1) the aggregate amount authorized to be appropriated for fiscal year 2021 by this Act (other than for military personnel and the Defense Health Program); minus

(2) the amount equal to 14 percent of the aggregate amount described in paragraph (1).

(b) ALLOCATION.—The reduction made by subsection (a) shall—

(1) apply on a pro rata basis among the accounts and funds for which amounts are authorized to be appropriated by this Act (other than military personnel and the Defense Health Program);

(2) be applied on a pro rata basis across each program, project, and activity funded by the account or fund concerned; and

(3) be used by the Secretary of the Treasury to carry out the grant program described in subsection (c).

(c) GRANT PROGRAM.—

(1) ESTABLISHMENT.—There is established in the Department of the Treasury a grant program through which the Secretary of the Treasury shall, in coordination with the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of the Interior, and the Administrator of the Environmental Protection Agency, provide grants to eligible entities in accordance with the requirements of this subsection.

(2) APPLICATION.—An eligible entity that desires a grant under this subsection shall submit to the Secretary of the Treasury an application in such form and containing such information as the Secretary may require.

(3) PURPOSES.—

(A) PERMISSIBLE PURPOSES.—An eligible entity that receives a grant under this subsection may use the grant funds for any of the following:

(i) To construct, renovate, retrofit, or perform maintenance with respect to an affordable housing unit, a public school, a childcare facility, a community health center, a public hospital, a library, or a clean drinking water facility if any such building or facility is located within the jurisdiction of the eligible entity.

(ii) To remove contaminants, including lead, from infrastructure with respect to the provision of drinking water if that infrastructure is located within the jurisdiction of the eligible entity.

(iii) To replace, remove, or renovate a vacant or blighted property that is located within the jurisdiction of the eligible entity.

(iv) To hire public school teachers to reduce class size at public schools within the jurisdiction of the eligible entity.

(v) To increase the pay of teachers at public schools within the jurisdiction of the eligible entity.

(vi) To provide nutritious meals to children and parents who live within the jurisdiction of the eligible entity.

(vii) To provide free tuition to residents within the jurisdiction of the eligible entity to attend public institutions of higher education, including vocational and trade schools.

(viii) To provide rental assistance to residents within the jurisdiction of the eligible entity.

(ix) To reduce or eliminate homelessness within the jurisdiction of the eligible entity.

(B) IMPERMISSIBLE PURPOSES.—An eligible entity that receives a grant under this subsection may not use the grant funds—

(i) to construct a law enforcement facility, including a prison or a jail; or

(ii) to purchase a vehicle for a law enforcement agency.

(4) DEFINITIONS.—In this subsection—

(A) the term ''eligible entity'' means—

(i) a county government with respect to a high-poverty county;

(ii) a local or municipal government within the jurisdiction of which there are not fewer than 5 high-poverty neighborhoods; and

(iii) a federally recognized Indian Tribe that exercises jurisdiction over Indian lands (as defined in section 824(b) of the Indian Health Care Improvement Act (25 U.S.C. 1680n(b))) that contain high-poverty neighborhoods;

(B) the term ''high-poverty county'' means a county with a poverty rate of not less than 25 percent, according to the Small Area Income and Poverty Estimates of the Bureau of the Census for 2018;

(C) the term ''high-poverty neighborhood'' means a census tract with a poverty rate of not less than 25 percent, according to the 5-year estimate of the American Community Survey of the Bureau of the Census for years 2014 through 2018; and

(D) the term ''public school'' means a public elementary school or secondary school, as those terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SA 1789. Mr. SANDERS (for himself, Mr. GRASSLEY, Mr. WYDEN, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10_____. DEPARTMENT OF DEFENSE SPENDING REDUCTIONS IN THE ABSENCE OF AN UNQUALIFIED AUDIT OPINION.

If during any fiscal year after fiscal year 2025, the Secretary of Defense determines that a department, agency, or other element of the Department of Defense has not achieved an unqualified opinion on its full financial statements for the calendar year ending during such fiscal year—

(1) the amount available to such department, agency, or element for the fiscal year in which such determination is made shall be equal to—

(A) the amount otherwise authorized to be appropriated for such department, agency, or element for the fiscal year; minus

(B) the lesser of—

(i) an amount equal to 0.5 percent of the amount described in subparagraph (A); or

(ii) $100,000,000;

(2) the amount unavailable to such department, agency, or element for that fiscal year pursuant to paragraph (1) shall be applied on a pro rata basis against each program, project, and activity of such department, agency, or element in that fiscal year; and

(3) the Secretary shall deposit in the general fund of the Treasury for purposes of deficit reduction all amounts unavailable to departments, agencies, and elements of the Department in the fiscal year pursuant to determinations made under paragraph (1).

SA 1790. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. _____. REDUCTION IN AMOUNT AUTHORIZED TO BE APPROPRIATED FOR FISCAL YEAR 2021 BY THIS ACT.

(a) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2021 by this Act is—

(1) the aggregate amount authorized to be appropriated for fiscal year 2021 by this Act (other than for military personnel and the Defense Health Program); minus

(2) the amount equal to 14 percent of the aggregate amount described in paragraph (1).

(b) ALLOCATION.—The reduction made by subsection (a) shall apply on a pro rata basis

among the accounts and funds for which amounts are authorized to be appropriated by this Act (other than military personnel and the Defense Health Program), and shall be applied on a pro rata basis across each program, project, and activity funded by the account or fund concerned.

SA 1791. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel 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. _____. 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 1792. Mr. DURBIN (for himself, Mr. PAUL, Ms. DUCKWORTH, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. 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 1793. Mr. DURBIN (for himself, Mr. LEAHY, Mr. UDALL, Mr. MURPHY, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. 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 the fiscal years 2016 through 2020, including any amounts of such an authorization made available to the Department of Defense and transferred to another authorization by the Secretary of Defense 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 1794. Mr. DURBIN (for himself, Mr. CARDIN, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12____. LIMITATION ON SECURITY ASSISTANCE TO CAMEROON.

(a) IN GENERAL.—Except as provided in subsection (b), no Federal funds may be obligated or expended to provide any security assistance or to engage in any security cooperation with the military and security forces of Cameroon until the date on which the Secretary of Defense, in consultation with the Secretary of State, certifies to the appropriate committees of Congress that such military and security forces—

(1) have demonstrated significant progress in abiding by international human rights standards and preventing abuses in the Anglophone conflict; and

(2) are not using any United States assistance in carrying out such abuses.

(b) EXCEPTION.—Notwithstanding subsection (a), Federal funds may be obligated or expended to conduct or support programs providing training and equipment to national security forces of Cameroon for the purposes of counterterrorism operations in the fight against Boko Haram.

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

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

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

SA 1795. Mr. DURBIN (for himself, Ms. DUCKWORTH, Mr. PERDUE, Mr. BLUMENTHAL, Mr. JONES, Mr. MURPHY, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 752. PILOT PROGRAM TO PROMOTE MILITARY READINESS IN THE PROVISION OF PROSTHETIC AND ORTHOTIC CARE.

(a) GRANTS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of awarding grants to institutions determined by the Secretary to be eligible for the award of such grants to enable such institutions to establish or expand an existing accredited master's degree program in orthotics and prosthetics.

(2) PRIORITY.—The Secretary shall give priority in the award of grants under this section to institutions that have entered into a partnership with a public or private sector entity, including a facility administered by the Department of Defense, that offers students training or experience in meeting the unique needs of members of the Armed Forces who have experienced limb loss or limb impairment, including by offering clinical rotations at a public or private sector orthotics and prosthetics practice that serves members of the Armed Forces or veterans.

(3) FUTURE PREFERENCE.—In fiscal years after fiscal year 2021, the Secretary shall give preference in the award of grants under this section to qualified, eligible applicants for such grants that were not awarded a grant in fiscal year 2021.

(b) APPLICATIONS.—

(1) REQUEST FOR PROPOSALS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a request for proposals from institutions eligible for grants under this section.

(2) APPLICATION.—An institution that seeks the award of a grant under this section shall submit to the Secretary an application therefor at such time, in such manner, and accompanied by such information as the Secretary may require, including—

(A) demonstration of a willingness and ability to participate in a partnership described in subsection (a)(2); and

(B) demonstration of an ability to achieve and maintain an accredited orthotics and prosthetics program after the end of the grant period.

(c) GRANT USES.—An institution awarded a grant under this section shall use grant amounts for any purpose as follows:

(1) To establish or expand an accredited orthotics and prosthetics master's degree program.

(2) To train doctoral candidates in orthotics and prosthetics, or in fields related

to orthotics and prosthetics, to prepare such candidates to instruct in orthotics and prosthetics programs.

(3) To train and retain faculty in orthotics and prosthetics education, or in fields related to orthotics and prosthetics education, to prepare such faculty to instruct in orthotics and prosthetics programs.

(4) To fund faculty research projects or faculty time to undertake research in orthotics and prosthetics for the purpose of furthering the teaching abilities of such faculty.

(5) To acquire equipment for orthotics and prosthetics education.

(d) ADMISSIONS PREFERENCE.—To the extent practicable, an institution awarded a grant under this section shall give preference to veterans in admission to the master's degree program in orthotics and prosthetics established or expanded under this section.

(e) LIMITATION ON GRANT AMOUNT.—The amount of any grant awarded to an institution under this section may not exceed $3,000,000.

(f) PERIOD OF USE OF FUNDS.—An institution awarded a grant under this section may use the grant amount for a period of three years after the award of the grant.

(g) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program conducted under this section.

(2) ELEMENTS.—The report required by paragraph (1) shall include a description of the pilot program and other such matters relating to the pilot program as the Secretary considers appropriate.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 7 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 Wednesday, June 24, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, June 24, 2020, at 10 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 Wednesday, June 24, 2020, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, June 24, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, June 24, 2020, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, June 24, 2020, at 10 a.m., to conduct a hearing on nominations.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, June 24, 2020, at 10 a.m., to conduct a closed hearing.

Mr. ALEXANDER. Mr. President, I have a request for one committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, June 24, 2020, at a time to be determined, to conduct a hearing on nominations.

NEIL A. ARMSTRONG TEST FACILITY ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 433, S. 2472.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2472) to redesignate the NASA John H. Glenn Research Center at Plum Brook Station, Ohio, as the NASA John H. Glenn Research Center at the Neil A. Armstrong Test Facility.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

The bill (S. 2472) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2472

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Neil A. Armstrong Test Facility Act''.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) Neil A. Armstrong, through his own definition, was first and foremost as a test pilot.

(2) A native of Wapakoneta, Ohio, Armstrong began his inspiring career in space exploration in Cleveland, Ohio, at what is now the NASA John H. Glenn Research Center.

(3) Becoming the first human to land a spacecraft, and then set foot upon, the moon, represents the greatest dream of any test pilot.

(4) Therefore, it is fitting that the premier aeronautics and space test station in Ohio should be renamed in his honor.

SEC. 3. REDESIGNATION OF NASA JOHN H. GLENN RESEARCH CENTER AT PLUM BROOK STATION, OHIO, AS NASA JOHN H. GLENN RESEARCH CENTER AT THE NEIL A. ARMSTRONG TEST FACILITY.

(a) REDESIGNATION.—The NASA John H. Glenn Research Center at Plum Brook Station, Ohio, is hereby redesignated as the NASA John H. Glenn Research Center at the Neil A. Armstrong Test Facility.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the station referred to in subsection (a) shall be deemed to be a reference to the ''NASA John H. Glenn Center at the Neil A. Armstrong Test Facility''.

(c) SAVINGS.—Nothing in this section shall be construed to alter the relationship between the Plum Brook Station and the NASA John H. Glenn Research Center.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provision of rule XXII, the cloture motion with respect to the motion to proceed to Calendar No. 483, S. 4049, ripen at 1:30 p.m., Thursday, June 25.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JUNE 25, 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, June 25; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and that morning business be closed; finally, that following leader remarks, the Senate resume consideration of the motion to proceed to Calendar No. 483, S. 4049, under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:45 p.m., adjourned until Thursday, June 25, 2020, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate: