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Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, You continue to hear and answer prayers. You have empowered us to catapult daunting hurdles, and we continue to depend on You to strengthen us for the difficulties ahead.

Be near to us during this challenging season, as our lawmakers work in an effort to accomplish Your purposes.

Supply the needs of our Senators, providing them with wisdom to navigate to Your desired destination for our Nation and world.

Do for our legislators more than they can ask or imagine.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HAWLEY). The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—H.R. 648

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 648) making appropriations for the fiscal year ending September 30, 2019, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar on the next legislative day.

THE MIDDLE EAST

Mr. MCCONNELL. Mr. President, later this afternoon, the Senate will hold its fourth cloture vote on a package of important foreign policy legislation that was introduced back on January 4. For weeks, Senate Democrats have effectively filibustered this legislation and blocked it from moving forward.

At first, my colleague the Democratic leader said his party was simply opposed to considering any other business during the partial government shutdown, but then just a few days later, he actually sought to move ahead with a foreign policy vote of his own. In other words, though Senate Democrats were filibustering this pro-Israel legislation with the thin excuse that they didn't want to take up any other business, it turns out it was just the pro-Israel legislation that was actually off-limits.

While Senate Democrats were filibustering this legislation, by the way, the Democratic House had no problem considering one component of it, which it passed by voice vote.

So I remain curious as to the real reason why the Democrats insisted on filibustering these critical bills. Maybe we will get a better explanation this week, assuming Democrats finally drop the filibuster and allow this body to get back to work. This is an important piece of legislation. It comes at an urgent time.

For the past 8 years, the world has seen a despotic regime wage brutal war upon its own people. The conflict in Syria has taken more than 400,000 lives and driven more than 5.6 million civilians to flee the country, straining the capacity of nations in the region, as well as Europe, to deal with the refugee and humanitarian fallout. Bashar al-Assad and his cronies have paved the way for the persistent terror of the Islamic State and invited the chaotic influence of foreign powers, especially Iran and Russia.

Of course, this is a region that already contends with persistent—persistent—instability, including Iran's meddling, financial support for terror, and explicit threats against Israel, but the legislation at hand addresses these challenges actually head-on. It tells our ally Israel that our commitment to its security is ironclad. It tells our partners in Jordan that we have their backs as they grapple with the flow of refugees and other ongoing effects of the Syrian crisis. It makes a crystal clear statement to the Syrian regime and those who abet it: Your brutality needs to end.

Here is how the legislation accomplishes all that: It makes sure the United States walks the walk when it comes to supporting Israel by authorizing military assistance, loan guarantees, and teamwork on missile defense.

Another bipartisan provision would preserve communities' rights to combat the destructive BDS movement by ensuring that States and local governments can choose not to funnel taxpayer dollars to companies that push anti-Israel boycotts.

With respect to Jordan, the bill before us reauthorizes legislation to deepen our cooperation with this key regional partner, which has faced grave challenges from the chaos that continues to unfold in its neighbor to its north.

With respect to Syria, this legislation includes the bipartisan Caesar Syria Civilian Protection Act. As I mentioned earlier, this passed the House on a voice vote just last week.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

It would create new pathways to hold accountable the individuals and institutions that have tortured and murdered countless Syrian civilians over the course of the civil war. It would ensure that unless the Syrian regime shifts course and ends its brutality, the nation's major industries and financial institutions would pay a heavy price due to American sanctions.

So if it weren't obvious, these are critically important issues, and none of them have been put on pause because the Democrats' political strategy has blocked this body from taking action.

Due to the Democrats' filibuster, Israel, Jordan, and the innocent people of Syria have already had to wait 24 days for the Senate to proceed to these largely noncontroversial and widely supported bipartisan bills.

I hope our colleagues across the aisle don't keep them waiting much longer.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—MOTION TO PROCEED—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to the consideration of S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, as the dust settles from the longest shutdown in American history, we have work to do to get our country back on track. Hundreds of thousands of Federal workers who endured a month without compensation need to get their paychecks and backpay as soon as possible. So I have written a letter to President Trump urging him to expedite the delivery of those paychecks.

At the same time, we must be mindful of the hardships that persist for Federal contractors, who may not receive the backpay they have missed and who may have lost health insurance during the shutdown. We need to find a solution as well for those contractors. Senator SMITH of Minnesota is working on that, and I hope we can do something to help them. It is of no fault of their own that they lost pay.

But there are some costs from the Trump shutdown that cannot be recouped. The CBO today released a report about the lasting damage that the Trump shutdown has done to the American economy. According to the CBO, the 5-week shutdown cost the U.S. economy $11 billion overall, including $3 billion in economic activity that can never be recovered.

Let me repeat that. The Trump shutdown has cost the U.S. economy $11 billion. What a devastating and pointless exercise this has been. If President Trump didn't appreciate the error of his ways already, his CBO ought to set him straight—no more shutdowns. They accomplish nothing. They only inflict pain and suffering on the country, our citizens, our economy, and our national security. That is a lesson we all must keep in mind.

The continuing resolution we passed on Friday only runs until February 15. In 3 weeks, we must pass additional appropriations to avoid another shutdown. Let the CBO report be a dire warning to President Trump and my Republican colleagues in the Senate against shutting down the government again.

Now, in these next 3 weeks, House and Senate appropriators named to the conference committee on Department of Homeland Security will endeavor to strike a bipartisan deal on border security. The good news is that we begin this process with plenty of common ground. Democrats and Republicans alike agree on the need for stronger border security. Though Democrats sharply disagree with the President on the need for an expensive and ineffective border wall, we agree on the need to strengthen our ports of entry, as well as the need to provide more drug inspection technology and humanitarian assistance. Since so many of the drugs come through the portals, a border wall will do no good at all, but strengthening those portals is vital.

Because we have set this up as a conference, Democratic and Republican leadership—House and Senate—will be involved, as well as the appropriators from those committees. Everyone has skin in the game. So in the next 3 weeks, the goal of the committee should be to find areas where we agree and work on them together.

In the past, when the President has stayed out of it, when the President has given Congress room, we have been repeatedly able to forge bipartisan agreements, including two budget agreements and the Russia sanctions. When the President injects maximalist partisan demands into the process, negotiations tend to fall apart. The President should allow the conference committee to proceed with good faith negotiations. I genuinely hope it will produce something that is good for the country and acceptable to both sides.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOVERNMENT FUNDING

Mr. CORNYN. Mr. President, after a 35-day government shutdown, more than 800,000 Federal workers and their families are finally back at work. Their families have endured unnecessary and needless hardship over the past several weeks because, frankly, the Speaker of the House, Ms. PELOSI, was more determined to try to win the political battle than solve the problem. I could give the same comment to our friend the Democratic leader here in the Senate. I hope now, after we have been through this exercise in futility, that our colleagues will take seriously our responsibility to solve the problem before us, and that is to reach an agreement so we don't end up in the same position 3 weeks hence when this continuing resolution expires.

I tell people that we solve problems like this every single day here in the Congress. You don't read about it, necessarily, or hear about it because when we build consensus and negotiate compromises, it is not news. The only time it is news is when we disagree and when it is broadcast across cable TV or the subject of talk radio or social media.

It is unfortunate that dedicated public servants were caught in the crosshairs over a partisan fight on border security. What we have seen over the last months is that many Members desire to score those political points and win a fight against the President, and that desire is much greater than their desire to build legislation that benefits the American people.

There is a solution to be had. As I said, we do it every day. The only question is, Are we willing to work together to find it? I know I am.

I have been speaking with many Members of the Texas delegation, both Republicans and Democrats, to try to find that common ground for our constituents for border security. We don't consider these to be political footballs or talking points; we consider these matters to be part of their daily lives and part of our responsibility as their elected representatives.

In the last few days, I have had the chance to be in Dallas, TX, and also in

Austin, TX. I was in Austin, TX, to talk about the CyberTipline we reauthorized working with Facebook and Microsoft and other social media platforms to talk about how we can work together to combat child pornography and child exploitation, using the authority of the CyberTipline. We were joined by the new U.S. attorney there, John Bash. I asked him whether his prosecutors who were prosecuting these cases or the FBI agents who would investigate them or his support staff who support the U.S. attorney's office—whether any of them were getting paid, and he said no. But everybody showed up at work, doing their job, fighting the scourge of child exploitation, even though they weren't getting paid.

Ditto in the Northern District of Texas, where I visited with the U.S. attorney, who gave me the same story. We were there talking about the scourge of human trafficking. Erin Nealy Cox, the U.S. attorney in Dallas, pointed out that, yes, the prosecutors were there at work, the investigators were there, and the support staff were there, even though they were the ones probably earning the most modest paychecks of anybody in the office. Everybody was there, doing their job, even though during these 35 days they had missed two different Federal paychecks.

Thinking now about the solution to our standoff on border security, I wanted to mention that a couple of weeks ago the President flew to McAllen, TX. Senator CRUZ and I joined him in the Rio Grande Valley to hear from the experts. By ''the experts,'' I don't mean folks who run for office here in Washington, DC. I mean the Border Patrol, Customs and Border Protection, and Department of Homeland Security experts who actually work on the ground there along the border.

We also met with mayors and county judges and other folks who live in those communities and are most concerned about safety and security but also the economy of the border region. We discussed with them what sensible border security actually looks like.

We know that physical barriers didn't use to be a partisan issue when the Senator from New York—the Democratic leader—Barack Obama, and Hillary Clinton all voted for the Secure Fence Act back in 2006. We called it a fence then and not a wall, but it was a physical barrier, and it was a nonpartisan issue.

That was then and this is now. When we were talking about physical barriers along the border, my friend Cameron County Judge Eddie Trevino said something that stuck with me, and I have repeated it a number of times, and I think it could be a lesson to all of us about how to approach this entire debate. He said that if law enforcement officials say where barriers are needed, he is all in, but if politicians say where they are needed and they are trying to micromanage border security, consider him a skeptic.

I think what people want—and my sense is what my constituents along the border region and across the State of Texas want and, I dare say, across the country—is to come up with effective solutions that will make our border more secure. Since Texas has 1,200 miles of common border with Mexico, of course, I have thought about this a lot, and I have listened and learned a lot about this. What I have been told and I believe is that at any given place along the border, you are going to have some combination of three elements: physical barriers, technology, and personnel. We need a complement of each of those things in this border security bill that hopefully we will be voting on in the coming weeks.

Many areas along the border are subject to high pedestrian traffic. They need physical barriers. That is why they make sense in El Paso and San Diego and Tucson, for examples. All of these saw a massive drop in apprehensions after fencing or physical barriers were put in place, along with a complement of technology and border agents when they were deployed in the 1990s and 2000s. We know that barriers can work. We have seen it proven time and again.

We all agree that we don't need barriers across the entire 2,000-mile southwestern border. We don't need a great wall from sea to shining sea across the border. One example comes readily to mind. Big Bend National Park, for example, is home to massive canyons, and some of the cliffs reach more than 3,000 feet high along the Rio Grande River. It is a spectacular and beautiful place. It would not only be impractical but completely wasteful to build a physical barrier on top of a towering cliff. That is just one example of where you might want to use some other parts of that triad of technology and personnel because a physical barrier wouldn't make much sense.

There are others who have suggested that we use the natural barrier of the Rio Grande River. Right now, much of that river is filled with something called carrizo cane, which makes it harder for the Border Patrol to actually locate people trying to enter the United States illegally. It reduces the effectiveness of that natural physical barrier of the Rio Grande River. We need to find a way to eradicate that in a way that will not only allow that river to be more of a natural barrier but also provide greater visibility for the Border Patrol.

In some areas, as I said, physical barriers, either new, repaired, or replaced are desperately needed. In others, surveillance technology, such as sensors or drones, will do the trick. Many additional personnel are needed to improve efficiency or alleviate staffing shortages. It doesn't make sense to have a physical barrier if there is no Border Patrol agent to detain somebody entering the country illegally or to interdict the drugs that come across the border.

As my friend Judge Trevino said, politicians shouldn't be the ones deciding exactly where along the border each of these three elements is applied. That is why we have asked and will continue to ask Customs and Border Protection—the experts—what we need and provide funding to implement the changes they have asked for.

I think it is a statement of the obvious to say that, in addition to improving the physical security across our border, we need to make changes in our border security approach and immigration system as a whole. Unfortunately, we are not even dealing with the larger problem of our broken immigration system.

Several years ago, I introduced legislation to the so-called Gang of 8 immigration bill that we were debating at the time. The legislation I introduced was called the RESULTS amendment. I believe the foundation of that legislation should be incorporated in any future legislation we come up with here in the next few weeks. One of the main requirements was for the Department of Homeland Security to come up with a plan to achieve operational control of every single border sector, meaning a 90-percent border apprehension rate. Requiring this sort of metric or apprehension rate will provide a clear, objective way to measure border security. Ironically, the way we measure border security now is that we know how many people are detained, but we don't know how many get away. It is a strange way to count effectiveness by counting the ones we detain but not the ones who get away—which obviously we can't do. If we come up with a better way to measure border security with a clear-cut metric like a 90-percent operational control requirement, I think it would provide a better way for us to determine how to efficiently spend the tax dollars we are talking about, which we are stewards of here in the Congress, and ensure that we are focusing our resources on the highest priority areas. This requirement would allow us to do that.

That particular legislation, the RESULTS amendment, would also require increased surveillance and provide solutions to commonsense problems. For example, it would have prevented violent criminals from acquiring legal status, provided law enforcement with critical national security and public safety information, and mitigated the problem of visa overstays. This RESULTS amendment would have strengthened biometric requirements.

It is ironic, as we talk about border security and immigration, that we turn a blind eye to the 40 percent of illegal immigration that occurs when people enter the country legally and overstay their visas. Unless they commit some other crime in the course of their time here, they are largely not located. So we need to find a better way to enforce all of our immigration laws, including visa overstays.

We can't ignore the fact that our border is not only a place that needs security but that is important to the economic vitality of not only my State

but of our country. The financial impact of legitimate trade and travel is enormous. As a matter of fact, $300 billion worth of goods flow back and forth through Texas's ports of entry alone in a given year. That is why this type of legislation is so important—because it provides resources to significantly reduce wait times at border crossings, which makes the movement of people and goods faster but no less secure.

Finally, this legislation took a stand against the brutal human rights violations we see along the southern border by stiffening penalties on abusive human smugglers and transnational criminal organizations. There may have been a time when the so-called coyotes were a mom-and-pop operation. ''Coyotes'' is just the name for human smugglers. Now it is big business, and the same criminal organizations that move drugs and economic migrants also traffic in human beings for sex and other involuntary servitude. It is no longer a mom-and-pop operation, to be sure, and we need to make sure the penalties for this illegal activity are increased and stiffened to meet the challenge of transnational criminal organizations.

I believe that all of these points still deserve a place in our debate today. I look forward to working with our colleagues in the coming weeks to create meaningful and lasting change to strengthen our border security as well as to fix longstanding problems with our immigration system. I believe we can find common ground, and I hope our Democratic colleagues will follow through in their commitment to negotiating in good faith so that we do.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Ms. ERNST). The Senator from New Hampshire is recognized.

Mrs. SHAHEEN. Madam President, after the longest shutdown in government history, Federal employees across the country are finally returning to work. National parks are reopening, grant programs are up and running again, and those who depend on essential government services are now being helped by our Nation's public servants.

One of the things that impressed me the most during the shutdown was, as I met with our Federal employees who were affected, their dedication to their jobs and to the services they were providing to the American people. Like the rest of the Members of Congress and people in this country, I was thrilled when we were able to end that shutdown last week, and I was especially pleased to work with my colleagues to make sure government operations would return to normal. This shutdown should never have happened.

For 35 days, partisan gamesmanship forced government Agencies to close their doors, and more than 380,000 Federal workers were furloughed and another 450,000 employees worked without pay.

These Federal workers, some of whom live paycheck to paycheck, were forced to have very difficult conversations with their families on what bills will not be paid this month and how to make ends meet. I remember I was at the Coast Guard station in New Hampshire last week meeting with members of our Coast Guard who were talking about the Coast Guard cutter that is stationed there—the *Reliance*—heading out that morning and the families of those Coast Guard members who were on the *Reliance* not having any idea when they would again be paid.

Thankfully, these 800,000 employees and thousands more Federal contractors are returning to work. Unfortunately, the prolonged economic effect of the shutdown and the morale of the Federal workforce is going to last much longer.

A report released today by the Congressional Budget Office found that during the shutdown, the economy took an $11 billion hit, including $3 billion that is gone forever, which we are never going to be able to recover. When people aren't paid, they don't shop. They don't travel. They miss payments. They default on loans. They can't participate in our economy if they have nothing in the bank.

Although the shutdown has ended, some Federal employees who have gone without a paycheck for over a month still may not get paid until the end of this week. I know everybody is trying to make sure those paychecks go out as soon as possible. They can't go out soon enough for those workers who have missed their paychecks.

As the President continues to threaten another shutdown in the coming weeks, Congress needs to take additional action to protect Federal workers. I am cosponsoring three bills that would provide some financial security to those employees. These bills would eliminate penalties for Federal workers who make early withdrawals from their savings plans, require the government to pay back all Federal employees with interest, just as the private sector does, and they would ensure that excepted Federal employees are eligible for unemployment insurance compensation.

What we know happened during the shutdown is that those people who were working couldn't collect unemployment because they were working, even though they weren't getting paid. That is something we would never allow the private sector to do.

I was very disappointed to hear the President and White House officials say over the weekend that if the President doesn't get what he wants, he is going to shut down the government again. The American people, our economy, can't afford another partisan shutdown that jeopardizes our Federal workforce and does nothing to increase border security. Our focus now needs to be on working together to pass bipartisan legislation that secures our borders and funds our government.

Protecting our borders shouldn't be an exercise in partisanship. In the past, in the Senate, we have been able to garner support from across the ideological spectrum to fund commonsense proposals that provide effective security.

If we look at this chart that traces appropriations for Customs and Border Protection from 2014 to 2018, we can see that Congress has consistently increased funding for Customs and Border Protection each of the past 5 fiscal years, providing nearly $60 billion for the Agency. In 2014, we provided $10.6 billion; 2015, $10.7 billion; 2016, $11.2 billion; 2017, $12.1 billion; and 2018, $14 billion. It is consistently increasing the dollars that are available.

Just last year, Congress provided $1.3 billion for border fencing on our southern border—$1.3 billion last year. I am not sure everyone in the administration knows that is how much money we have provided. The money has yet to be spent on the actual construction of proposed fencing projects.

As we are thinking about how we spend our money on border security, we need to be spending it in a way that is smart. We should not be putting aside money we can't spend yet when there are other needs we have for those dollars.

We need to build on these proposals moving forward. We need to focus on technology, on infrastructure, and we need to focus on the personnel who are needed at the southern and northern borders to provide actual security that works. We need to make targeted investments and innovative technologies that provide comprehensive surveillance at our borders and ports of entry, along with increasing personnel and physical infrastructure where necessary.

As a member of the Appropriations subcommittee that funds Homeland Security, I have supported these investments in the past and so has the majority of the members of the committee. We have worked in a bipartisan manner to secure our borders.

I have supported funding for targeted fencing in vulnerable areas, funding for more Border Patrol agents, for better surveillance, for screening technologies, and for increased security at ports of entry. I intend to continue to support commonsense efforts such as these.

Unfortunately, providing billions of dollars to fulfill a campaign promise to build a wall that has no plan that has been presented for how to do that is really not a serious proposal. It is unlikely to solve the problems it seeks to address.

Our efforts to secure the border should focus on solutions that will stem the flow of opioids, fentanyl, and other drugs that have decimated our communities. Last year, New Hampshire had the second highest rate of

overdose deaths due to opioids, primarily fentanyl.

Physical infrastructure and some fencing in high-risk areas can help to disrupt drug trafficking across our borders, but it should be done in conjunction with and not at the expense of other technologies that allow law enforcement to identify and disrupt criminal activity.

Several years ago, Senator HOEVEN and I—when he was chair and I was ranking member of the Homeland Security Appropriations Subcommittee—visited the southern border. We had a chance to talk to Customs and Border Protection officials, to immigration officials at the border. They talked about the drugs that come across at the ports of entry. In Laredo, we saw dogs and CBP agents looking in a pickup truck for an area in front of the gas tank where they thought drugs were being secreted.

We are not going to intercept those drugs that are affecting our States and communities by building a wall. We have to have new screening technologies at our ports of entry, new technologies that utilize artificial intelligence and advanced imaging so they can assist in identifying contraband and weapons that are hidden in commercial cargo.

Sensor technologies and other surveillance techniques, such as unmanned aerial systems, or drones, allow our border agents to expand their region and respond immediately to illegal activity at our borders. When resourced and deployed appropriately, these types of smart investments are far more likely to interrupt the flow of narcotics than a costly and ineffective border wall.

It is also important to remember that the United States and Canada share the longest international border in the world, and the northern border may not face the same threats as those posed at the southern border, but transnational criminal organizations and other bad actors still attempt to exploit vulnerabilities and enter the country illegally through our northern border.

Coming from a State that shares a small portion of our border with Canada, I have heard from law enforcement authorities in New Hampshire. Our law enforcement officials face unique challenges with enforcement and security. These challenges include a lack of broadband in highly rural areas that impedes law enforcement activities. If we see somebody coming across the border in northern New Hampshire from Canada, we can't pick up a cellphone and call law enforcement because we don't have cell service in northern New Hampshire along our border.

Truly comprehensive border security must recognize the threat at our northern border and invest in technologies to address the unique challenges that law enforcement faces there. We need broadband access in northern New Hampshire and all along our northern border.

We also need to improve the functioning of our immigration port system. We really need comprehensive immigration reform, but we are not going to get there, I don't think, by the February 15 deadline. We can look at what is slowing down our immigration court system and help support those efforts to adjudicate immigration cases fairly and expeditiously and reduce the enormous immigration court case backlog.

Again, as a ranking member of the Appropriations subcommittee that funds the Department of Justice, I have supported strong funding to increase the number of immigration judges, including an increase of $59 million for fiscal year 2019. This increased amount is, in fact, the President's request that would support new immigration judge teams. We already put that money into the 2019 budget, if we are allowed to go forward with what the Appropriations Committee in the Senate agreed to.

Our immigration courts currently have a backlog of more than 800,000 cases waiting to be heard, and the shutdown exacerbated this problem by forcing more than 80,000—80,000—court hearings to be canceled. The average wait time to hear an immigration case is already longer than 2 years, and these unnecessarily canceled hearings will be rescheduled into 2020 and beyond.

This shutdown-caused delay means years longer that people who should be deported, who may pose a threat in this country, will be able to stay here and years longer that the people who may deserve relief, who should be allowed to stay in the United States, will have to wait in limbo.

Now that the shutdown has ended, now that cooler heads can prevail, and we can look at what makes sense to secure our borders, look at what we have already done, how we can build on that and how we can address legitimate concerns about what is going on at our borders, it is time for all of us—Republicans and Democrats—to put aside gamesmanship and to support commonsense proposals.

It is my hope that the conference committee that has already been appointed to negotiate funding for the Department of Homeland Security will focus on the solutions that work rather than proposals that score political points. This shutdown took an enormous economic and emotional toll not only on our Federal workforce but on everyone who accesses government services.

As we craft a bipartisan proposal to fund the government and secure our borders, let's not forget the impact that has had on the people we serve and on the potential impact if we don't get this resolved by February 15.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Maine.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 240 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOZMAN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I come to talk about the bill before us, S. 1. We have had multiple attempts to get onto this bill. I am hopeful that today will be that day.

VENEZUELA

Mr. President, I wanted to briefly, for just a moment, divert to a different topic on Venezuela that was in the news about an hour and a half ago. The administration announced additional measures. It has been covered in the press, largely as sanctions on the regime of Nicolas Maduro, the illegitimate usurper and head of the criminal syndicate that controls the security agencies in that country.

While it most certainly is going to hurt him, I think it is important to point out that the more accurate way to describe it is that Venezuela sends about 500 billion barrels of crude oil a day to the United States to be refined. That belongs to the Venezuelan people. What has been happening is that U.S. refineries pay for it. It is about three-quarters of the cash generated by the state-run oil company.

Then, Maduro and his cronies steal that money—not to build roads or feed people. They steal it to bribe and keep people loyal to him. If you are a high-ranking general in Venezuela, with the fancy uniforms and the stars and bars, in those pictures that you see—why are they loyal to Maduro? They are ''loyal'' to him because he keeps providing them access to corruption. One way is by pilfering and completely taking all that cash out of the state-run oil company. That ends today.

What is going to be done now is that U.S. refineries are still allowed to buy crude, but the payments, instead of being made to Maduro so he can steal it, will be set aside in an account to be used by the legitimate government of that country. If you are one of these corrupt officials who has been ''loyal'' to Maduro up until today because of the money, that is about to end, as well, and perhaps you should reevaluate your loyalty, for lack of a better term.

S. 1

Mr. President, the topic before us today is S. 1. This bill, among other things, is a response to decisions that were made recently on the U.S. presence in Syria. I believe that the decision to draw down is a mistake. I have communicated that to the President, and he invited us to the White House a couple of weeks ago to have a conversation with a group of us. Irrespective of what ends up happening, there are going to be byproducts of that decision. There will be consequences of it. Several of those consequences are going to directly impact our allies in the region.

Let me begin by saying that it will directly impact the United States. We already see that ISIS in Syria was on the path to morphing into an insurgency. An insurgency is different than what they used to be. ISIS used to take over big pieces of land and fly their black flag, and they had buildings. In some ways, that is terrifying because they control land and they have people under their command. In some ways, it is easier to target them. They are telling you where they are, and you can see it, and it is out in the open.

Insurgency is different. It is when you blend into the population. By day, you might be a baker or guy who runs a cafe. By night, you are an ISIS killer. They sort of come in and out of the population. They don't control large swaths of territory. They sort of embed themselves. This insurgency is the threat we face and the challenge we had in Iraq that led to the surge to have to come back in and rectify it. ISIS was already on the path to doing that. This will make it easier for them. It is harder to target an insurgency than it is to target the caliphate.

I am deeply concerned that the U.S. withdrawal will make it easier for them not to just establish an insurgency but, worst of all, it will provide greater operational safety. That means more space in which they can plot to attack the United States and our interests around the world, and even here in the Homeland. There is real reason to be concerned about that. You know, 9/11 doesn't happen if al-Qaida doesn't have a safe haven in Afghanistan. I fear what ISIS might be able to do if, in portions of Syria, they are able to establish a safe haven from which they can raise money, produce videos, recruit, try to inspire terrorist attacks abroad, and even direct them.

But one of the other byproducts is the impact it has with regard to Israel. Envision for a moment a small country whose narrowest point is only 9 or 10 miles wide, and it faces a threat to its north in Syria. In Syria already, in addition to ISIS and all of these other criminal and terrorist elements that are there, you have a growing Iranian presence. That growing Iranian presence begins with Iran itself. If current trends continue, Iran is going to base within Syria surface-to-air missiles designed to shoot down airplanes. They are going to base ballistic missiles even closer now to Syria. They don't have to launch them up to Israel. They don't have to launch them from Iran. They can now launch them from Syrian territory, just off the Israeli border. They have UAVs. We have seen how the Houthis have helped to operationalize those. All of that is sponsored by Iran operating out of Yemen.

One of the mortal enemies that Israel faces is Hezbollah. They are headquartered primarily in Lebanon, but there are Hezbollah elements all over Syria. For a long time now, they have been getting their armaments and weaponry from Iran, but it had to be flown, especially in the middle of this conflict.

Imagine that now Iran has the ability to arm and equip Hezbollah with all of these things, not just from the air but through a ground route where they can actually ship things to them from the ground. That is why they so desperately care about what is happening in Syria. It gains them operational space—not to mention that Hezbollah is in Syria.

There is a wing of Hezbollah that is inside of Syria. Imagine that now, if you are Israel, you already face the threat of Hezbollah. Hezbollah has already developed rockets that they are now making. They are not shipping them anymore. They are now building these rockets. They are developing these rockets in Lebanese territory. They are not the rockets from the last time they had a war with Israel. These new rockets are precision guided, meaning they can actually aim them to hit certain areas and avoid hitting others.

They have a lot more than they used to have. Just by volume, they can overwhelm Israeli defenses very quickly or potentially. You already have that problem in Lebanon. Imagine that exact same problem, not just from Lebanon but to the north of you, coming from Syria, just across the Golan Heights.

Imagine you are Israel and you have your mortal enemy Iran, your mortal enemy Assad, your mortal enemy Hezbollah, and these other radical Shia groups all to the north of you in that country. Israel is taking action. They are increasingly and openly acknowledging this as they launch these attacks into Syria to try to degrade their capabilities and put themselves in that position. They cannot allow people and they cannot allow organizations whose very existence is justified by the destruction of the Jewish State to openly operate and increase their capacity just north of their borders. That is what is happening, and that is why Israel is increasingly striking.

Listen to the words in a broadcast that I believe was yesterday or the day before. The head of Hezbollah was on television in an open television interview, and he basically warned Israel. He said: If Israel continues to strike within Syria in this way, it is going to lead to a war. It is going to lead to a war because Syria and its allies, including them, but also Iran, are going to have to retaliate for these attacks.

Walk through this with me. Israel attacks out of self-defense because they have to. Syria, Hezbollah, and Iran, and a gang of others respond against Israel. Then, Israel has to respond in kind, potentially, even hitting Hezbollah inside of Lebanon, and suddenly we have another Israel-Hezbollah war, but much broader than the last one because it will involve Syria and it will involve Iran, and it will be far deadlier because, unlike the last time, they now have a lot more of these missiles and these missiles are precision-guided.

This is the threat that Israel faces. It is very real. Events there can quickly spiral into that. One of the things our bill does is it puts in law the memorandum of understanding between the United States and Israel that says that, in the case of conflict, the United States will be there to help Israel rearm and reequip itself, and we will work hand-in-hand with them on things like missile defense, which are mutually beneficial, by the way, because all these innovations happening there can also benefit us here or by protecting our presence around the world.

Why is this bill important? First, because of the practical implications of it. We want Israelis to be able to defend and protect themselves. It sets aside, in our arsenal, weapons that are held there for purposes of if Israel ever needs them. For those who are worried about whether that would degrade our own capability, the law says it has to be done in a way that doesn't degrade our own capabilities to defend ourselves. It sets in place the assurance that if Israel gets into one of these wars that quickly escalates against multiple parties—Hezbollah, Iran, potentially Syria, themselves—and they start running out of weaponry—rockets to defend themselves, munitions and the like—we will be there to quickly rearm them. That is just the practical implication of it.

Here is the other: Israel's adversaries will know this too. They would know that if their goal is to overwhelm Israel and deplete Israel, it will not work because the United States is committed to them.

Our hope here is two-fold. One is to strengthen Israel so they would be able to withstand such an assault, but the other is to hopefully deter a war by making it very clear that Israel will never run out of missiles. They will never run out of munitions to defend themselves because the United States will be there to support them every step of the way.

One of the first things this bill does is it establishes that into our law because this is not a threat that is going to go away in 2 years or even 5 years. This threat is an ancient one. It has grown more dangerous.

This bill was held up because my colleagues on the other side of the aisle said they didn't want to hear any bills until the shutdown was over if the bill didn't have to do with the shutdown. The shutdown is over. I am hopeful today that this bill, which I believe enjoys wide bipartisan support, when we finally get the vote on it and passage, that we will have an extraordinary number of votes across the aisle and across this Chamber and that we will finally begin debate on this important topic.

There are other elements in this bill involving human rights violations that occurred in Syria, supporting Jordan, and the BDS movement, which we will talk more about tomorrow. At its core, the linchpin is helping Israel defend itself.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, let me associate myself with the remarks made by my friend and distinguished colleague from Florida.

The importance of this bill cannot be overstated. It is an incredibly important bill. I rise today, once again, to bring it to my colleagues here in the Senate. This time, hopefully, we can get enough votes to move it forward. It is the Strengthening America's Security in the Middle East Act of 2019. I urge my colleagues on both sides of the aisle to support moving ahead on this commonsense bipartisan legislation.

This package of bills is important and time sensitive. Israel and Jordan are our steadfast allies and friends in the Middle East, and they need support and the critical aid that this legislation would deliver. Our nations depend on one another, and we should not let them down.

Included in this legislation also is a very important bill, the Caesar Syria Civilian Protection Act, which, as I have noted numerous times before, very nearly passed the full Senate by unanimous consent last year. We were within one vote of getting unanimous consent on it.

This legislation is long overdue. Half a million Syrians have died at the hands of the Syrian dictator, Assad, his friends, and their allies, and it is past time that we put an end to it.

This bill includes strong financial sanctions to target those responsible in the Assad regime for the terrible loss of life and destruction in Syria. Further, it extends sanctions to those who would support the Syrian regime's actions in the war in Syria, such as Iran and Russia. The tragic loss of life in Syria has gone on far too long. We need to take action now to pressure those who have the ability to bring this war to an end—and they do have the ability to bring this war to an end.

The State of Israel is the only democracy in the Middle East. It is surrounded by oppressive nations, many of which, like Iran, wish to do Israel harm. Their security and stability in the region is of extreme importance to all Americans. This legislation would protect Israel where we can here in the United States by rejecting anti-Israel boycotts.

I hope that today you will all join me in a bipartisan way in moving forward on this important legislation.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the motion to proceed to the motion to reconsider the motion to invoke cloture on the motion to proceed to S. 1 is agreed to, and the motion to reconsider the motion to invoke cloture on the motion to proceed to S. 1 is agreed to.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 1, S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

Todd Young, Mike Rounds, Richard C. Shelby, James E. Risch, Mike Lee, Josh Hawley, John Boozman, Shelley Moore Capito, Mike Crapo, Tim Scott, Cory Gardner, Roy Blunt, Steve Daines, Marco Rubio, Rob Portman, John Barrasso, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes, shall be brought to a close upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Kentucky (Mr. PAUL), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted ''yea'' and the Senator from North Carolina (Mr. TILLIS) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 74, nays 19, as follows:

[Rollcall Vote No. 11 Leg.]

YEAS—74

Alexander	Fischer	Portman
Barrasso	Gardner	Risch
Bennet	Graham	Roberts
Blackburn	Grassley	Romney
Blumenthal	Hassan	Rosen
Blunt	Hawley	Rounds
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sasse
Burr	Isakson	Schumer
Cantwell	Johnson	Scott (FL)
Capito	Jones	Scott (SC)
Cardin	Kennedy	Shelby
Casey	King	Sinema
Cassidy	Klobuchar	Smith
Collins	Lankford	Stabenow
Coons	Lee	Sullivan
Cornyn	Manchin	Tester
Cortez Masto	Markey	Thune
Cotton	McConnell	Toomey
Crapo	McSally	Warner
Cruz	Menendez	Whitehouse
Daines	Moran	Wicker
Duckworth	Murkowski	Wyden
Enzi	Murray	Young
Ernst	Perdue	

NAYS—19

Baldwin	Hirono	Sanders
Brown	Kaine	Shaheen
Carper	Leahy	Udall
Durbin	Merkley	Van Hollen
Feinstein	Murphy	Warren
Gillibrand	Peters	
Heinrich	Reed	

NOT VOTING—7

Booker	Hoeven	Tillis
Cramer	Paul	
Harris	Schatz	

The PRESIDING OFFICER. On this vote, the yeas are 74, the nays are 19.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion was agreed to, upon reconsideration.

The senior Senator from Mississippi.

Mr. WICKER. What is the pending business?

The PRESIDING OFFICER. The motion to proceed to S. 1.

Mr. WICKER. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

DATA PRIVACY DAY

Mr. WICKER. Mr. President, today is Data Privacy Day, a day set aside to raise awareness about how personal information is being used, collected, and shared in today's digital society. It is also an opportunity to educate the public about how to safeguard individual data and also an opportunity to encourage businesses to respect consumer privacy when correcting and dealing with data.

As we all know, data-driven innovation is exploding today, and that is a good thing. It allows developers, entrepreneurs, small businesses, and large companies to create applications, products, and services that are increasingly customized for users. This is great for consumers and great for the economy.

The benefits from this explosion of data come in the form of increased productivity, convenience, and cost savings. The benefits also extend to our

very health and safety. In using data and in using this data economy, we can serve to improve the daily quality of life for every American.

All in all, opportunity in this digital era is potentially limitless. However, to realize our Nation's economic and societal potential in the global digital economy, consumers need to have trust and confidence that their data will be protected and secure in the internet marketplace. That is the reason we are emphasizing data privacy today.

I want to talk briefly about the potential for legislation in this Congress. Over the last decade, there have been numerous calls at all levels of government in the United States and elsewhere for baseline privacy legislation to protect consumers in a world of Big Data. Some jurisdictions have already acted. For example, the European Union recently enacted the General Data Protection Regulation—commonly known as GDPR. California has enacted and signed into law the California Consumer Privacy Act, CCPA. We see some American companies, not based in California, certainly not based in Europe but who are dealing with data across the board, calling on Congress to act and enact baseline privacy protections across the board in the United States of America.

I say that we have reached a point where Congress needs to act to develop Federal privacy legislation, and this is a viewpoint that is accepted and supported across the aisle by Democrats and Republicans in both Houses of the Congress. Strengthening consumer data protections will be a top legislative priority for the Commerce Committee during this Congress. We will continue to build on the current momentum in the Senate as we discuss how to approach the development of bipartisan privacy legislation in this Congress.

This is one of the best opportunities in this Congress, will be one of the best opportunities for Democrats and Republicans to work together and put something on the President's desk for his signature. I know that through collaboration, we can develop a legislative proposal that provides consumers with meaningful choices and strong protections of their data, both online and offline. We need a legislative proposal that will be balanced, balancing the need for flexibility, for businesses to innovate, invest, and compete. This issue is critical to maintaining U.S. leadership in the global digital economy.

I hope next year, at this point in time, we will be discussing and celebrating the enactment of bipartisan legislation to ensure both consumer protection and continued innovation in the United States. Happy Data Privacy Day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

NOMINATIONS

Mr. LANKFORD. Mr. President, there has been a lot of conversation about the damage to our economy and to the basic operations of government from the shutdown. Rightfully so, it is something we should talk about and spend some time trying to figure out how to manage this for the future, what shutdowns do to our future.

What has been interesting is how absent that same conversation has been over the last 2 years as my colleagues on the other side of the aisle actively worked to shut down the basic operations of government by not allowing nominations to proceed in the normal process.

In December, with little fanfare and into early January, 386 nominations from the Trump administration were returned back to the Trump administration with a ''no action''—386 people. Those were judges, those were potential board members, those were individuals, many of them Deputy Assistant Secretaries of different Agencies, individuals who keep the basic functioning of government open and working. Three hundred and eighty-six of those nominations had no action on this floor because something very different was happening during the last 2 years. It had not happened like this before in the beginning of any Presidency—in the first 2 years—that his nominations were blocked on the floor not with a vote, with time.

In the past, with nominations, a person would be nominated by the President. They would go to the committees. They would get a full background check investigation. There would be questions for the record. The committees would then have an open debate in the committee. They would vote as a committee. If they were voted out of committee, there would be additional questions for the record. Then, once those were done, they would get an up-or-down vote. Often those were voice votes, even here. It was something that was assumed because they had been approved by committees, and the background checks had been done.

In the last 2 years, 128 times, Members of the Senate required what is called a cloture vote—one more hurdle to go through—so that literally they would have to file cloture on those, allow for an intervening day for them to sit out there, and then 30 hours of debate on that person—30 hours of additional debate. That is after the intervening day. You have 24 hours, plus another 30 that is all set out there, to add a little additional time.

With over 1,000 nominees whom the executive branch would do, it is not possible to get through all of those if you continue to request an additional 2 days in the process to work on each of them.

For individuals to prevent these different Agencies from working and functioning, to prevent the activities of government, you can just request cloture votes over and over again—128 times to basically slow down the Senate so much and to slow down the workings of government all over DC so much that it can't operate at its capacity.

This has to be resolved.

Two years ago, I saw this trend that was moving in the Senate, and I said that long-term for the Senate, this will damage the functioning of government and of the Senate. We have to address it.

So 2 years ago I asked for a reach-out to say: How do we actually resolve this? We had some ongoing meetings. We had a full committee hearing dealing with the issue of the nominations process and how to resolve this in December of 2017. That was after months and months and months of meetings in preparation for that.

We had a markup in April of 2018 to talk about how we could resolve this and what proposals are out there.

I had numerous conversations with Republican and Democratic Members of the Senate to be able to resolve the issue in the Senate because, although in the past you could always request a cloture vote on someone if there was someone truly controversial, this was being used differently. This was not being used to address someone truly controversial; this was being used to shut down the functioning of government.

Many of those individuals—once they did get their cloture vote and that obligatory time—passed with 80 and 90 votes. They weren't people—I have heard people say that if Trump would put up better nominees, then this would be easier. It wasn't that. It was purely dilatory, to slow down or shut down Agencies' operations based on not allowing them to hire staff to actually do the job. That government shutdown, which has been ongoing for 2 years' time, will continue to go until this Senate resolves it.

So after 2 years of meetings, I am making a proposal to this body: We need to fix this. We need to fix the nomination process to have an orderly process so that when there is a controversial nominee, they can be addressed with additional time on the floor, even past the committee time, even past the background checks, even past the additional questions they are asked—to give additional time but in a reasonable way so we can continue to operate as the Senate.

My simple proposal is that we have 2 hours of additional debate, if additional time is allotted, and, quite frankly, that is after the intervening day, so there would be a full day of debate and then an additional 2 hours on the next day that would be allotted to give full time to anyone who may be a problem. That is 2 hours of additional blocked-off time in addition to the additional day that is put in place. I think that is plenty of time.

If it is a Supreme Court Justice we are talking about, if it is a Cabinet official, maybe 30 hours would be the best option for that, as well. So we would do 2 hours for most nominees, 30 hours for Cabinet level and for the Supreme Court or circuit courts. That

would give plenty of time to do additional debate, and it would simplify the process.

This proposal is not really all that controversial. I have talked to many of my Democratic colleagues, and they seem to nod their heads and say: Yes, this is a better way to resolve it. The answer I am getting back is: Let's vote for that now but let it not start until January of 2021.

Their assumption is that they are going to beat President Trump in an election, and they will take over, and they certainly don't want the Senate to function when there is a Democratic President the same way it is functioning when there is a Republican President.

My gentle nod back to them is that there is absolutely no way we should ever agree to that. Why would we ever do that? What is happening is, the last 2 years of this shutdown—the slowdown of all of these Agencies, which has happened by blocking all of these nominees—have created this muscle memory in the Senate, and if we don't fix it now, it is going to keep going.

My Democratic colleagues who say ''We are going to continue to block you for the next 2 years the same way to shut down the functioning of Agencies'' with some delusional belief that 2 years from now this will not happen to them if they happen to win the Presidency—that is false, and they know it. If we don't resolve this now and allow this President to be able to function with his nominees, as any President in the past has, then this is going to just keep going, and it will hurt the long-term functioning of our government. So it is an absurd thought to say: We will vote on it now, but it will not actually take effect until 2021. The reasonable thing is, let's resolve it now.

This simple proposal I am putting out in the next few days will make it public, and in February I hope there will be a meeting with the Rules Committee to allow open debate in the Rules Committee, for Republicans and Democrats alike to look at this issue and resolve it, to make any edits or changes. If there is a different way to resolve this, I am open to any other resolution. But for the long-term health of our government and of the Senate and how it operates, we have to resolve this because we can't have individuals hanging out there for over a year and expect that this is going to get better.

Let me give you some examples. For over a year, the Assistant Secretary of Health and Human Services sat out there and then was returned back to the President at the end of the session and will have to start all over again. It is the same with the Chief Counsel for Advocacy in the Small Business Administration, the inspector general in the Office of Personnel Management, Governors for the U.S. Postal Service, the Assistant Secretary of Commerce, the Ambassador to Colombia, the Ambassador to Morocco, and the General Counsel for the Department of Navy. These were all individuals who were out there for over a year with no action, waiting.

We will not get the best and brightest in our country to set aside their life for a nomination process that is over 1 year and then goes back to the White House, and then they have to start all over again the next year, and maybe it goes another year. Who in America can put their life on hold for all of that time? We want the best and brightest to be able to serve. Blocking them with slowdown tactics will prevent that from happening in the future.

I am trying to be fair in this process. Let's do this the right way, the way we all know it should be done. Let's take it to the Rules Committee. Let's put a proposal out there to fix the nomination process. Let's get the 60 votes that are required to resolve the nomination process through the Rules Committee to the floor of the Senate and actually fix that as a standing order. Let's resolve it now, lest this drags on for another 2 years and it never gets better.

This has been a 2-year process to get to this point, and in the days ahead, when we release this text, I hope my colleagues will engage in reasonable conversation to resolve that. I am open to that, but I want us to fix the problem and admit that a problem needs to be fixed and solved.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas (Mr. SULLIVAN).

WOMEN'S ENTREPRENEURSHIP AND ECONOMIC EMPOWERMENT ACT

Mr. BOOZMAN. Mr. President, I rise today to discuss legislation that Senator CARDIN and I introduced last year and successfully worked to move through the legislative process, with lots of help from many others.

The Women's Entrepreneurship and Economic Empowerment Act was passed by the House and Senate near the end of the 115th Congress and was signed into law in January of this year. We are thankful that our colleagues in both Chambers joined us in supporting this meaningful legislation focused on improving the lives of women and families around the world.

Because women make up the majority of the world's poor and are often held back by gender-specific constraints to economic empowerment, such as lack of access to financial services and credit, it was important to recognize that it is within our power to help elevate and enable them to achieve their economic dreams and aspirations.

In many corners of the world, cultural and historical barriers that make it difficult for women to start businesses, build savings, and make meaningful economic contributions to their communities are long established and serve to prevent many women from attaining greater stability in their everyday lives—to the detriment of their own societies as well as the global economy.

Building on our own past and experiences in the United States, we can help women in the world overcome obstacles that impede their ability to substantially contribute to economic activity and industry at home and, more broadly, within the world economy.

The Women's Entrepreneurship and Economic Empowerment Act provides an avenue to address this inequality by tapping into the proven abilities of existing U.S. Agencies for international development programs.

USAID, which uses strategic investments to promote growth and development while advancing U.S. interests and influence, is perfectly situated to implement this initiative because it understands how to effectively deploy resources to—as its mission states—''lift lives, build communities, and establish self-sufficiency.'' The WEEE Act will help the more than 1 billion women who are left out of the world's formal financial system by working to close the nearly $300 billion credit gap that exists for women-owned small and medium-sized businesses.

Expanding USAID's microenterprise development assistance authority to include small and medium-sized enterprises with an emphasis on supporting those owned, managed, and controlled by women is critical because if these promising, industrious entrepreneurs and innovators are given the opportunity to succeed, the benefits will undoubtedly reach far and wide.

The WEEE Act will also modernize USAID's development assistance toolkit to include innovative credit scoring models, financial technology, financial literacy, insurance, and more to improve property and inheritance rights—all of which are vital in helping to overcome deep-rooted cultural and institutional hurdles that preclude women from accessing the resources necessary for economic success.

Finally, the law directs USAID to include efforts that promote equality and female empowerment throughout its programs. This may seem like a small step, but in reality, it can help transform the way international aid is implemented to the benefit of many women across the globe, poised to succeed when provided the same tools and resources as their peers in nations where those hurdles are absent.

USAID, especially under the leadership of Mark Green, the Administrator, does an exceptional job of stretching a finite amount of resources to achieve meaningful results in some of the world's most impoverished nations.

I have complete confidence that Administrator Green and his team will implement the Women's Entrepreneurship and Economic Empowerment Act in a way that will simultaneously, and even necessarily, work to the benefit of our international aid mission, while also helping to uplift and empower women in countries all over the world to succeed in a way that has been just beyond their reach until now.

Research shows investing in women has a high rate of return, and that is

exactly what the WEEE Act recognizes and seeks to capitalize on.

As Senator CARDIN, senior member of the Senate Foreign Relations Committee, noted when we introduced the bill: ''Investment in women creates a positive cycle of change that can lift women, families, communities, and entire countries out of poverty, and this legislation will help us make inroads toward that important goal.''

I would like to thank former Chairman Ed Royce and Congresswoman FRANKEL, as well as their staffs, for their leadership on this bill in the House.

I would also like to thank Senator CARDIN for joining me in sponsoring the bill here in the Senate, as well as our former colleague and Senate Foreign Relations Committee Chairman Bob Corker, for his work to move this bill through the committee process.

Finally, I would like to acknowledge the support and assistance provided by the White House, particularly from Presidential Advisor Ivanka Trump, who worked tirelessly to advocate for this bill, garner support from NGOs, and ultimately helped us see it across the finish line.

All of those who worked on this bill share an understanding that because women in some parts of the world are pushed so far to the margins that they are denied access to even the most basic financial services, much less business loans, leveling the playing field is the right thing to do. If we can achieve this goal, the world economy stands to grow significantly.

Now that the WEEE Act has become law, we have taken one significant step forward to realizing this laudable aim, and women in developing nations stand to benefit from USAID's upcoming efforts to help them find and secure their place in our global economy.

The Women's Entrepreneurship and Economic Empowerment Act advances U.S. values and stimulates real, lasting economic opportunities around the globe for women. It will change lives and communities, promote equality, and help entrepreneurs and innovators thrive—all of which will benefit the global economy and the pursuit of prosperity.

Once again, I extend my thanks and gratitude to all who have worked so hard and helped this bill become law, and I look forward to following its implementation and results.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

MORNING BUSINESS

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO BOB LEEPER

Mr. MCCONNELL. Mr. President, for more than 30 years, the men and women of Paducah, KY, have prospered with the leadership of my friend, Bob Leeper, in city, State, and finally county government. There are few individuals more appreciated for their public service in western Kentucky. At the end of last year, Bob completed his term as McCracken County judge-executive, and I would like to take a moment to offer my gratitude and reflect on his many years of service.

There is a common expression identifying two types of people who are elected to office: show horses and work horses. The first kind thrives when driving home a point in front of the camera or in making a bold headline. On the other hand, a work horse will forgo acclaim in favor of accomplishment and reject praise for progress. Without a doubt, Bob has spent his career as a work horse. His achievements will leave a lasting impact on the area and our Commonwealth.

To say the least, Bob cared little for party labels. As a matter of fact, during his distinguished career, Bob hit the political ''trifecta'' of sorts, having been elected by his constituents as a registered Democrat, then a Republican, and lastly as an Independent.

In his first elected office as Paducah city commissioner, Bob also served as mayor pro tem and quickly earned his colleagues' respect. From there, Bob won a seat in the Kentucky State Senate. In Frankfort, Bob set himself apart as a constructive leader and a problemsolver. His reputation for handling complex issues with fairness garnered the appreciation of his fellow senators on both sides of the aisle.

Reelected five times, Bob served for 24 years in Kentucky's legislature including as the chair of the senate appropriations and revenue committee. His work from this important post displayed his integrity, skill, and his characteristic nature as a work horse.

Bob chose to leave the Senate in 2014, but that didn't end his career of public service. The same year, he was elected as the McCracken County judge-executive, the top job in county government. In that role, Bob had the opportunity to continue serving his community and making positive impacts on the lives of his neighbors. Among his proudest accomplishments, he includes a number of infrastructure improvements at the courthouse, jail, road department, and in the local parks. I enjoyed partnering with him on behalf of workers at Paducah's U.S. Department of Energy site.

For his decades of service in Kentucky, the current members of the Paducah City Commission wanted to express their gratitude to Bob at his retirement with a lasting testament to his work. The commission unanimously voted to name a footbridge in his honor in Paducah. When completed, the Bob Leeper Bridge will connect the city and county's trail systems, a fitting tribute to a man who spent his career working to benefit his community.

As he enters his retirement from public service, Bob plans to return to his first calling: treating patients at his chiropractic clinic. He also will spend more time volunteering, playing tennis, and relaxing with his beloved wife Gina. It is my privilege to join so many in McCracken County to thank Bob for his three decades of committed vision and leadership. I ask my Senate colleagues to help me congratulate Judge-Executive Bob Leeper on this milestone and to extend best wishes in his retirement.

Mr. President, the Paducah Sun recently published an editorial expressing appreciation to Bob. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Paducah Sun, Jan. 17, 2019]

SINCERE APPRECIATION: WORDS OF THANKS FOR LONGTIME ELECTED LEADER BOB LEEPER

(By the Editorial Board)

The inspirational quote was painted on Bob Leeper's office wall at the McCracken County Courthouse in 2015, shortly after he took over as county judge-executive.

''Our deepest fear is not that we are inadequate,'' the quote from author Marianne Williamson reads. ''Our deepest fear is that we are powerful beyond measure.''

The motivational words stayed on that wall all four years, serving as daily affirmation.

''It's a reminder that we all have purpose and sometimes it's bigger than we even realized and we kind of have to accept that place that we are in life, and sometimes it's important you take a stand,'' Leeper said.

A case could be made Leeper's life purpose, or at least one of them, was serving his native Paducah and McCracken County, which he did in his quiet, transparent and dignified way for more than half his life across three offices.

Leeper, 60, served 31 years total—three as a Paducah city commissioner, 24 as a state senator, and a sole four-year term as judge executive.

He did not run for reelection, and turned over the county's top leadership post to current judge-exec Craig Clymer earlier this month.

Leeper, a chiropractor by trade, is now enjoying his ''political retirement,'' spending his time treating patients at his clinic, volunteering in the community, and enjoying one of his favorite hobbies—playing tennis.

He doubts very seriously his name will ever appear on another ballot, which is sure to be a healthy change for him but an unfortunate one for the local community.

''Today, I'd say no, I don't think that's going to happen,'' he said of someday running again for office. ''I learned from four years ago that you never say absolutely no, but I don't have any vision of anything right now.''

Now is the time for us, and we hope area residents, to thank Leeper for all his hard work on the public's behalf at the local and state levels. He served us honestly and admirably, often eschewing publicity or attention, and with his constituents' best interests in mind.

Frankly, leaders who put their communities first are rare these days, and Leeper's presence and influence will be greatly missed.

No one could have blamed Leeper if he's chosen to call it a career back in 2014, when he left the Kentucky General Assembly. However, he stepped up to lead McCracken County, returning much needed stability to an office that had seen turbulence during the previous administration.

''It was an opportunity for us to use some of the contacts I'd made in Frankfort and make things better for the community I grew up in,'' he said. ''It was difficult at times, but we made some positive changes.''

His proudest accomplishments as judge-executive, he told The Sun this week, were largely centered on infrastructure at the courthouse, jail, road department, and parks. They weren't glamorous, didn't beg for bold headlines or TV spots, but they needed doing.

Leeper's next words are true to his laid-back personality:

''Sometimes you don't get to cut ribbons and that's OK with me,'' he said. ''I was proud this court took that same attitude and we were able to do things that needed to be done, even the kind that you don't cut ribbons on.''

''We did it all without raising taxes and I think the county is in a better place from Judge Clymer and the new court.''

Join us in congratulating Leeper on a distinguished successful career. Through his leadership, we have a great example for future leaders to emulate.

ADDITIONAL STATEMENTS

REMEMBERING DR. LOUIS BALART

● Mr. CASSIDY. Mr. President, today I want to speak as a Senator and a physician. Many know that I am a doctor, but specifically I am a hepatologist. I studied and treated those with liver disease. One of my colleagues, Dr. Louis Balart, just passed away; a friend who treated many patients with liver disease and made an incredible impact upon the lives of those whom he treated in the State of Louisiana and indeed across the Nation. Dr. Balart has a remarkable story. His family came to the United States from Cuba when he was a child. His father escaped Cuba after his family was sent ahead to the States by drinking blood that he had drained from his own body. He went to the Cuban captors and said, ''I'm bleeding internally, I need to go to Miami to get treated.'' As a doctor himself, he knew that this would happen. With this remarkable story, he was able to rejoin his family that had moved to the United States, fleeing Castro's Cuba. As is the case of many such stories, the family succeeded tremendously, Louis Balart being among them. I mentioned before that he was an influential physician, but he was also a teacher with LSU School of Medicine in New Orleans and Tulane School of Medicine. He also headed the liver transplant unit at the Tulane Medical Center. He passed his gifts down and now his son, Carter Balart, is a gastroenterologist in Baton Rouge, whom I have had the pleasure of working on patients with. Today I honor Dr. Louis Balart, a father, husband, and physician who contributed greatly to his adopted country, the United States of America. He left it richer because of his presence.●

TRIBUTE TO BERNADINE REED

● Mr. SCOTT of South Carolina. Mr. President, today I want to recognize school bus driver Ms. Bernadine Reed, whose heroic actions ensured the safety of 40 schoolchildren last week in Darlington County, SC.

When a car ran into her stopped school bus on Tuesday, January 22 and caused the bus to catch on fire, Ms. Reed took action to make sure each and every child got off the bus safely and quickly. Because of her leadership and quick action, no one on the bus was injured, although the bus itself was consumed by flames minutes after the crash.

Although Ms. Reed had spent only 45 days on the job, the actions she took in this scary situation ensured the complete safety of all 40 of her schoolchildren. While she insists she is ''just a mother,'' Ms. Reed certainly deserves the title of hero.

I would like to join in the rest of the Darlington community and the State in recognizing her act of heroism and thanking her for assuring the safety of her schoolchildren.●

100TH ANNIVERSARY OF GREENWOOD INDEX-JOURNAL

● Mr. SCOTT of South Carolina. Mr. President, today it is my pleasure to honor the Greenwood Index-Journal, a newspaper that is celebrating 100 years in the Greenwood, SC, community.

Founded in February 1919, the Index-Journal started as an office above a movie theatre and a printing press on a dirt floor. Although much has changed 100 years later, the Index-Journal's commitment to keeping the residents of Greenwood informed has not.

The Greenwood Index-Journal remains owned and operated by local residents themselves, with family members of the original co-owners still running the paper today. It is truly a paper run by the people, for the people. The Index-Journal has remained vigilant in its coverage of the Lakelands area, and continues to be a vital part of the Greenwood community.

I congratulate all of the Index-Journal leadership and staff for 100 years of committed and meaningful journalism and look forward to their presence in our State for years to come.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Ridgway, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER WITH RESPECT TO VENEZUELA THAT TAKES ADDITIONAL STEPS WITH RESPECT TO THE NATIONAL EMERGENCY DECLARED IN EXECUTIVE ORDER 13692 ON MARCH 8, 2015—PM 2

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (IEEPA) (50 U.S.C. 1701 *et seq.*), I hereby report that I have issued an Executive Order with respect to Venezuela that takes additional steps with respect to the national emergency declared in Executive Order 13692 of March 8, 2015, and relied upon for additional steps taken in Executive Order 13808 of August 24, 2017, Executive Order 13827 of March 19, 2018, Executive Order 13835 of May 21, 2018, and Executive Order 13850 of November 1, 2018.

The Executive Order I have issued accounts for the swearing in of a legitimate Interim President of Venezuela, and addresses actions by persons affiliated with the illegitimate Maduro regime, including human rights violations and abuses in response to anti-Maduro protests, arbitrary arrest and detention of anti-Maduro protestors, curtailment of press freedom, harassment of political opponents, and continued attempts to undermine the Interim President of Venezuela and undermine the Venezuelan National Assembly. The Executive Order amends subsection (d) of section 6 of Executive Order 13692, subsection (d) of section 3 of Executive Order 13808, subsection (d) of section 3 of Executive Order 13827, subsection (d) of section 3 of Executive Order 13835, and subsection (d) of section 6 of Executive Order 13850, to read:

''(d) the term ''Government of Venezuela'' includes the state and Government of Venezuela, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Venezuela and Petroleos de Venezuela, S.A. (PDVSA), any person owned or controlled, directly or indirectly, by the foregoing, and any person who has acted or purported to act directly or indirectly for or on behalf of, any of the foregoing, including as a member of the Maduro regime.''

I am enclosing a copy of the Executive Order I have issued.

DONALD J. TRUMP.

THE WHITE HOUSE, *January 25, 2019.*

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on January 25, 2019, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has agreed to the amendment of the Senate to the joint resolution (H.J. Res. 28) making further continuing appropriations for fiscal year 2019, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on January 25, 2019, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled joint resolution:

H.J. Res. 28. Joint resolution making further continuing appropriations for fiscal year 2019, and for other purposes.

Under the authority of the order of the Senate of January 3, 2019, the enrolled joint resolution was signed on January 25, 2019, during the adjournment of the Senate, by the Acting President pro tempore (Mr. MCCONNELL).

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the joint resolution (H.J. Res. 31) making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes, agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mrs. LOWEY, Ms. ROYBAL-ALLARD, Mr. PRICE of North Carolina, Ms. LEE of California, Messrs. CUELLAR, AGUILAR, Ms. GRANGER, Messrs. FLEISCHMANN, GRAVES of Georgia, and PALAZZO, be the managers of the conference on the part of the House.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 648. An act making appropriations for the fiscal year ending September 30, 2019, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WHITEHOUSE (for himself, Mr. CARPER, Mr. UDALL, and Mr. VAN HOLLEN):

S. 232. A bill to amend the Ethics in Government Act of 1978 to require individuals nominated or appointed to Senate-confirmed positions or to positions of a confidential or policymaking character to disclose certain types of contributions made or solicited by, or at the request of, the individuals; to the Committee on Homeland Security and Governmental Affairs.

By Ms. DUCKWORTH (for herself and Mr. CARPER):

S. 233. A bill to amend the Safe Drinking Water Amendments of 1977 to require the Administrator of the Environmental Protection Agency to report certain hiring to carry out the Safe Drinking Water Act; to the Committee on Environment and Public Works.

By Mr. ENZI (for himself, Mr. BARRASSO, and Ms. ERNST):

S. 234. A bill to amend the Higher Education Act of 1965 to require the disclosure of the annual percentage rates applicable to Federal student loans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Ms. ERNST, Mr. GRASSLEY, Mr. GARDNER, Mr. MURPHY, Mr. WHITEHOUSE, Mr. JONES, Mr. ROBERTS, Mr. INHOFE, and Mr. REED):

S. 235. A bill to authorize the Secretary of Education to award grants to establish teacher leader development programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself and Mr. GRASSLEY):

S. 236. A bill to require a Special Counsel report, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN (for himself and Ms. COLLINS):

S. 237. A bill to amend title XVIII of the Social Security Act to permit nurse practitioners and physician assistants to satisfy the documentation requirement under the Medicare program for coverage of certain shoes for individuals with diabetes; to the Committee on Finance.

By Mr. RUBIO (for himself, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. MENENDEZ, Ms. ROSEN, Ms. WARREN, and Mr. GARDNER):

S. 238. A bill to amend the State Department Basic Authorities Act of 1956 to monitor and combat anti-Semitism globally, and for other purposes; to the Committee on Foreign Relations.

By Mrs. SHAHEEN (for herself and Ms. HASSAN):

S. 239. A bill to require the Secretary of the Treasury to mint coins in recognition of Christa McAuliffe; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. COLLINS (for herself and Mr. JONES):

S. 240. A bill to require the Internal Revenue Service to establish, incrementally over five years, a nationwide program to provide personal identification numbers to taxpayers to help prevent tax-related identity theft; to the Committee on Finance.

By Mr. BENNET:

S. 241. A bill to provide for the designation of certain wilderness areas, recreation management areas, and conservation areas in the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MCSALLY (for herself and Ms. SINEMA):

S. 242. A bill to require the Secretary of Agriculture to release reversionary and reserved interests in certain land in the Coconino National Forest in the State of Arizona; to the Committee on Energy and Natural Resources.

By Ms. MCSALLY (for herself and Ms. SINEMA):

S. 243. A bill to authorize, direct, expedite, and facilitate a land exchange in Bullhead City, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MCSALLY:

S. 244. A bill to provide for the unencumbering of title to non-Federal land owned by Embry-Riddle Aeronautical University, Florida, for purposes of economic development by conveyance of the Federal reversionary interest to the University; to the Committee on Energy and Natural Resources.

By Mr. BURR (for himself and Mr. WARNER):

S. 245. A bill to authorize appropriations for fiscal year 2019 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System; to the Select Committee on Intelligence.

By Mr. MURPHY (for himself, Mrs. FEINSTEIN, Mrs. MURRAY, Ms. HARRIS, Mrs. GILLIBRAND, Ms. HIRONO, Mr. MARKEY, Mr. COONS, Ms. WARREN, Mr. WHITEHOUSE, Mr. DURBIN, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. CARPER, Mr. UDALL, Mrs. SHAHEEN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. BENNET, Mr. CARDIN, Mr. MERKLEY, Mr. BOOKER, Mr. REED, Mr. WYDEN, Mr. SANDERS, Mr. BROWN, Ms. KLOBUCHAR, and Ms. HASSAN):

S. 246. A bill to block the implementation of certain presidential actions that restrict individuals from certain countries from entering the United States; to the Committee on the Judiciary.

By Mr. KAINE (for himself and Mr. WARNER):

S. 247. A bill to designate additions to the Rough Mountain Wilderness and the Rich Hole Wilderness of the George Washington National Forest, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TILLIS:

S. 248. A bill to ensure that the Secretary of the Interior collaborates fully with State and local authorities and certain nonprofit entities in managing the Corolla Wild Horse population on Federal land; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUMENTHAL (for himself, Mr. CARPER, Mr. MARKEY, Ms. HIRONO, Ms. HARRIS, Ms. KLOBUCHAR, Mr. BROWN, Mrs. MURRAY, Mr. LEAHY, Ms. CANTWELL, Ms. SMITH, Mr. MERKLEY, Mr. BOOKER, Mr. VAN HOLLEN, Mr. DURBIN, and Ms. DUCKWORTH):

S. Res. 32. A resolution recognizing January 27, 2019, as the anniversary of the first refugee and Muslim ban, and urging the President to demonstrate true leadership on refugee resettlement; to the Committee on the Judiciary.

By Mr. TOOMEY (for himself, Mr. MANCHIN, Mr. RUBIO, and Mr. CASEY):

S. Res. 33. A resolution supporting the contributions of Catholic schools; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 1

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

S. 30

At the request of Ms. BALDWIN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 30, a bill to require the Secretary of Defense to develop and implement a plan to provide chiropractic health care services for certain covered beneficiaries as part of the TRICARE program.

S. 39

At the request of Mr. BRAUN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 39, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 64

At the request of Ms. KLOBUCHAR, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 64, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, and to prohibit biological product manufacturers from compensating biosimilar and interchangeable companies to delay the entry of biosimilar biological products and interchangeable biological products.

S. 97

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 97, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the importation of affordable and safe drugs by wholesale distributors, pharmacies, and individuals.

S. 104

At the request of Mr. PORTMAN, the names of the Senator from Indiana (Mr. BRAUN), the Senator from Utah (Mr. ROMNEY), the Senator from Mississippi (Mr. WICKER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Wisconsin (Mr. JOHNSON) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 104, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 113

At the request of Mr. JOHNSON, the names of the Senator from Utah (Mr. LEE) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 113, a bill to appropriate funds for pay and allowances of excepted Federal employees, and for other purposes.

S. 152

At the request of Mr. COTTON, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 152, a bill to direct the President to impose penalties pursuant to denial orders with respect to certain Chinese telecommunications companies that are in violation of the export control or sanctions laws of the United States, and for other purposes.

S. 162

At the request of Ms. SMITH, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 162, a bill to provide back pay to low-wage contractor employees, and for other purposes.

S. 178

At the request of Mr. RUBIO, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

S. 200

At the request of Mr. MARKEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 200, a bill to prohibit the conduct of a first-use nuclear strike absent a declaration of war by Congress.

S. 201

At the request of Mr. MENENDEZ, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 201, a bill to amend title 13, United States Code, to make clear that each decennial census, as required for the apportionment of Representatives in Congress among the several States, shall tabulate the total number of persons in each State, and to provide that no information regarding United States citizenship or immigration status may be elicited in any such census.

S. 203

At the request of Mr. CRAPO, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 203, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit, and for other purposes.

S. 226

At the request of Mr. MORAN, the names of the Senator from North Dakota (Mr. CRAMER) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 226, a bill to clarify the rights of Indians and Indian Tribes on Indian lands under the National Labor Relations Act.

S.J. RES. 3

At the request of Mrs. HYDE-SMITH, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S.J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget.

S. RES. 22

At the request of Mr. COONS, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. Res. 22, a resolution condemning the terrorist attack in Nairobi, Kenya on January 15, 2019, and offering sincere condolences to all of the victims, their families and friends, and the people of Kenya.

S. RES. 23

At the request of Mr. TILLIS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. Res. 23, a resolution supporting the goals and ideals of Countering International Parental Child Abduction Month and expressing the sense of the Senate that Congress should raise awareness of the harm caused by international parental child abduction.

S. RES. 27

At the request of Mr. JOHNSON, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. Res. 27, a resolution calling for a prompt multinational freedom of navigation operation in the Black Sea and urging the cancellation of the Nord Stream 2 pipeline.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. JONES):

S. 240. A bill to require the Internal Revenue Service to establish, incrementally over five years, a nationwide program to provide personal identification numbers to taxpayers to help prevent tax-related identity theft; to the Committee on Finance.

Ms. COLLINS. Mr. President, this is the first day in which Americans across the country are eligible to file their 2018 tax returns. I rise today to introduce with my colleague from Alabama, Senator JONES, the Taxpayer Identity Protection Act. Our bill seeks to help prevent American taxpayers, including our seniors, from falling victim to identity theft and tax refund fraud.

Last year, the IRS received nearly 142 million individual income tax returns. Nearly 75 percent of these returns were eligible for refunds. For the most part, these refunds are the return of dollars belonging to taxpayers that were overwithheld from their paychecks in the prior year. Millions of American families eagerly await these tax refunds—money they may need to pay off debts, settle medical bills, or plug gaps in the family budget.

Unfortunately for some Americans, these refunds never come or are long delayed due to identity theft. Criminals have figured out that, in many instances, it is cheaper and easier for

them to steal taxpayers' identities and hijack their tax refunds than it is to traffic in drugs or rob banks.

Identity theft-refund fraud occurs when a criminal files a false tax return using a stolen Social Security number and other sensitive personal information from sources such as hospitals, schools, or assisted living facilities, sometimes by recruiting employees to steal that personal information. The fraudster then uses the data to prepare fraudulent tax returns. The thieves make sure to file early—as soon as the tax season opens in January—to increase their odds that they can get a tax refund before the real taxpayer who is entitled to the refund files his or her return.

The criminals are known to hold what they call make it rain parties, where they bring stolen laptops to a motel room with internet access and work together churning out scores of these fake tax returns. These criminals work under the premise of ''file early, file often.'' Once the thieves file the fraudulent tax return, the IRS processes it and issues the tax refund. With each refund worth on average $2,778, the money can add up pretty quickly for these criminals.

This is by no means a victimless crime. In 2017, the Federal Trade Commission received more than 371,000 complaints of identity theft, including 82,000 complaints related to employment or tax refund fraud. Taxpayers who have their refunds hijacked by fraudsters often have to wait for years to get everything straightened out and to get the refunds to which they are legally entitled. Many, sadly, are revictimized year after year. A substantial number become victims of other forms of identity theft.

Worst of all, victims are often the most vulnerable. The inspector general estimates that 76,000 very low income senior citizens were victims of tax fraud-identity theft in the year 2010 alone.

In 2016, the Lewiston, ME, Sun Journal published a story about Rick Zaccaro and Bonnie Washuk, a married couple who were the victims of tax fraud. They had filed their taxes in late January of 2015, and Rick, a retired financial analyst for the Postal Service, was checking the status of their return online in early February. That is when he learned they were the victims of identity theft. Someone had filed a tax return and claimed a tax refund using their names, dates of birth, and Social Security numbers. That fraudulent claim was paid by the IRS while their legitimate tax filing, with their appropriate W–2s, was stuck in limbo.

It took months of worrying, frozen bank accounts, and many calls to multiple government offices for this couple to straighten things out. When they finally received their overdue tax refund, they also received something called an identity protection personal identification number, better known as an IP PIN.

To provide relief to some victims of identity theft, the IRS began issuing IP PINs to eligible taxpayers in fiscal year 2011. An IP PIN is a six-digit number assigned to eligible taxpayers that allows tax returns and refunds to be processed without delay and helps prevent the misuse of an individual's Social Security number on fraudulent income tax returns.

Here is how it works. If a return is filed electronically with an individual's Social Security number and an incorrect or missing IP PIN, the IRS's system automatically rejects that tax return until it is submitted with the correct IP PIN or it is filed on paper. If the same conditions occur on a paper-filed return, the IRS will delay its processing and any refund that may be due while the Agency determines if the return actually belongs to the taxpayer.

In 2013, the IRS began a pilot program in which it offered IP PINs to all taxpayers—not just those who were victims of identity theft—who filed their Federal tax returns as residents of Florida, Georgia, or the District of Columbia. According to the IRS, these three locations were chosen because they have the highest per capita percentage of tax-related identity theft in the country. Taxpayers in these three jurisdictions may opt in to the IP PIN program if they want that extra layer of identity protection, even if they have not been victims of identity theft.

In preparation for last year's filing season, the IRS issued nearly 3.5 million IP PINs to taxpayers. That is a substantial increase from the 770,000 in 2013. According to the IRS, within just a month, it had rejected nearly 7,400 fraudulent tax returns that had been filed electronically. As of March 15, 2018, it had stopped nearly 1,500 paper-filed tax returns. This shows that this system works.

If a taxpayer has a special PIN number that has to appear on his or her or their tax return before the IRS will process the form electronically and issue the refund, it will stop a criminal, who would not have access to that special, individualized PIN number, from receiving someone else's tax refund.

The bipartisan Taxpayer Identity Protection Act of 2019 that the Senator from Alabama and I are introducing today would expand and make permanent the IRS's IP PIN pilot program to help combat identity theft-refund fraud across the Nation. Specifically, our bill would authorize the IRS to expand its pilot program nationally in phases over a 5-year period. Expanding the program would give all taxpayers, ultimately, the opportunity to further protect themselves from falling victim to tax refund fraud and identity theft while also saving taxpayers billions of dollars every year in tax refunds that are paid not to the taxpayers who deserve them but, rather, to criminals who are impersonating the taxpayers who deserve the refund.

Having an IP PIN has proven to protect against identity theft. I am pleased to report that the IRS supports expansion of this vital program over the next 5 years.

I urge my colleagues on both sides of the aisle to support the adoption of the Taxpayer Identity Protection Act of 2019. This is a concrete action we can take to help protect taxpayers and to ensure that tax refunds go to the taxpayers who deserve these refunds, who are entitled to these refunds, and that they don't get misdirected to a criminal who is seeking to rip off a taxpayer.

By Mr. KAINE (for himself and Mr. WARNER):

S. 247. A bill to designate additions to the Rough Mountain Wilderness and the Rich Hole Wilderness of the George Washington National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. KAINE. Mr. President, this bill authorizes additions to two existing wilderness areas within the George Washington National Forest in Bath County, Virginia. This text represents years of negotiation and compromise among Virginia stakeholders who rely in different ways on the GW Forest.

In many parts of America, Federal land management is controversial. Some may view these lands as repositories for timber, energy, or minerals. Others may enjoy using recreational trails through them. Others may believe that they should be left to nature and not disturbed. The truth, of course, is that all of these uses are important; the conflict lies in agreeing on which lands are best suited to which purposes.

In the lead-up to the latest multi-year GW Forest Management Plan, various forest users came together to see if they could find reasonable compromises that would avoid years of unproductive disagreement and litigation. This group, known as the George Washington National Forest Stakeholder Collaborative, succeeded. Through hard work and consensus, the Collaborative made joint recommendations to the U.S. Forest Service for forest management and protection. Preservation advocates consented to timber harvest and other active forest restoration and management in certain areas, while forest products interests consented to wilderness and light management in other areas. Following this fruitful collaboration, the Forest Service convened the Lower Cowpasture Restoration and Management Project, bringing together the Collaborative and other stakeholders to help develop management activities on this particular part of the Forest in Bath County. Again, this collaborative succeeded, with everyone getting some of what they want and giving some ground.

The Collaborative has now come together to support the wilderness additions in this bill, which designates 4,500

acres to be added to the Rich Hole Wilderness Area and 1,000 acres to be added to the Rough Mountain Wilderness Area. I am proud to partner on this with my colleague Senator MARK WARNER, and we are following in the path blazed by Senator John Warner and Representative Rick Boucher, who led the original Virginia Wilderness Act in 1984.

Taking care of our Nation's public lands is good for the economy and good for the environment. Land disputes may often be contentious, but this example proves they don't have to be. When everyone comes to the table and invests the necessary time, we can find common ground. I hope this will be a lesson for us in other tough policy challenges, and I encourage the Senate to support this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 32—RECOGNIZING JANUARY 27, 2019, AS THE ANNIVERSARY OF THE FIRST REFUGEE AND MUSLIM BAN, AND URGING THE PRESIDENT TO DEMONSTRATE TRUE LEADERSHIP ON REFUGEE RESETTLEMENT

Mr. BLUMENTHAL (for himself, Mr. CARPER, Mr. MARKEY, Ms. HIRONO, Ms. HARRIS, Ms. KLOBUCHAR, Mr. BROWN, Mrs. MURRAY, Mr. LEAHY, Ms. CANTWELL, Ms. SMITH, Mr. MERKLEY, Mr. BOOKER, Mr. VAN HOLLEN, Mr. DURBIN, and Ms. DUCKWORTH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 32

Whereas the world is in the midst of the worst global displacement crisis in history, with more than 25,400,000 refugees worldwide, according to estimates from the United Nations High Commissioner for Refugees (referred to in this Resolution as ''UNHCR'');

Whereas UNHCR estimated that nearly 1,200,000 refugees were in need of resettlement to a third country in 2018, and this projection continues to grow in 2019;

Whereas the United States Refugee Admissions Program (referred to in this Resolution as ''USRAP'') is a life-saving solution critical to global humanitarian efforts, which—

(1) strengthens global security;

(2) leverages United States foreign policy goals;

(3) supports regional host countries; and

(4) serves individuals and families in need;

Whereas the United States has been a global leader in—

(1) responding to displacement crises around the world; and

(2) promoting the safety, health, and well-being of refugees and displaced persons;

Whereas refugees are the most vetted travelers to enter the United States and are subject to extensive screening checks, including in person interviews, biometric data checks, and multiple interagency checks;

Whereas the United States leverages resettlement to encourage other countries—

(1) to keep their doors open to refugees;

(2) to allow refugee children to attend school; and

(3) to allow refugee adults to work;

Whereas refugees contribute to their communities by starting businesses, paying taxes, sharing their cultural traditions, and being good neighbors;

Whereas refugees contribute more to society than they consume in State-funded services, including costs relating to schooling and health care;

Whereas, for more than 40 years the United States resettled up to 200,000 refugees per year, with an average ceiling of 95,000 refugees per year, and an average of 80,000 refugees per year actually being resettled in the United States;

Whereas the United States has abdicated its leadership by setting a record low refugee admissions goal in fiscal year 2019 of 30,000;

Whereas, on January 27, 2017, President Donald J. Trump issued Executive Order 13769, which placed a 90-day suspension on the admission into the United States of individuals from 7 Muslim-majority countries and suspended USRAP for 120 days; and

Whereas, since issuing that executive order, President Trump has taken further executive and administrative actions—

(1) to restrict the admission into the United States of people from certain Muslim-majority countries; and

(2) to dismantle USRAP, which has lowered the capacity of, and diminished the institutional memory and experience in, USRAP:

Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms our Nation's proud history of refugee resettlement;

(2) recognizes January 27, 2019, as the 2nd anniversary of the executive order that suspended the admission of refugees and individuals from specified Muslim-majority countries;

(3) reaffirms the strong bipartisan commitment of the United States to promote the safety, health, and well-being of refugees, including by facilitating the resettlement in the United States of refugees who cannot safely return to their homes or rebuild their lives in countries from which they fled to preserve their lives;

(4) emphasizes the importance of USRAP as a critical tool for United States global leadership;

(5) recognizes the profound consequences faced by refugees and their families who have been stranded, separated, and scarred by existing United States refugee policies, which have stranded many refugees who were in the middle of the refugee resettlement process and have left other refugees with little hope of anticipated entry into the United States; and

(6) calls upon the United States Government—

(A) to resettle a robust number of refugees to meet its share of the global need during fiscal years 2019 and 2020, with an emphasis on rebuilding USRAP and returning to historic levels of refugee admissions;

(B) to operate USRAP in good faith in order to meet the stated objectives of the program and to restore historic levels of refugee arrivals;

(C) to uphold its international leadership role in responding to displacement crises with humanitarian assistance and protection of the most vulnerable populations;

(D) to improve consultation with Congress and adherence to the clear congressional intent of the Refugee Act of 1980; and

(E) to recommit to offering freedom from oppression and resettling the most vulnerable refugees regardless of their country of origin or religious beliefs.

SENATE RESOLUTION 33—SUPPORTING THE CONTRIBUTIONS OF CATHOLIC SCHOOLS

Mr. TOOMEY (for himself, Mr. MANCHIN, Mr. RUBIO, and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 33

Whereas Catholic schools in the United States are internationally acclaimed for their academic excellence and provide students with more than just an exceptional scholastic education;

Whereas Catholic schools instill a broad, values-added education emphasizing the lifelong development of moral, intellectual, physical, and social values in young people in the United States;

Whereas Catholic schools serve the United States by providing a diverse student population, from all regions of the country and all socioeconomic backgrounds, a strong academic and moral foundation, and of that student population—

(1) more than 38 percent of students are from racial and ethnic minority backgrounds; and

(2) 19 percent of students are from non-Catholic families;

Whereas Catholic schools are an affordable option for parents, particularly in underserved urban areas;

Whereas Catholic schools produce students who are strongly dedicated to their faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual, character, and moral development;

Whereas Catholic schools are committed to community service, producing graduates who hold ''helping others'' as a core value;

Whereas the total Catholic school student enrollment for the 2018–2019 academic year is almost 1,800,000, with a student-teacher ratio of 12 to 1;

Whereas the Catholic high school graduation rate is 99 percent, with 87 percent of graduates attending 4-year colleges;

Whereas, in the 1972 pastoral message concerning Catholic education, the National Conference of Catholic Bishops stated: ''Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives.'';

Whereas the week of January 27, 2019, to February 2, 2019, has been designated as National Catholic Schools Week by the National Catholic Educational Association and the United States Conference of Catholic Bishops, and January 30, 2019, has been designated National Appreciation Day for Catholic Schools;

Whereas National Catholic Schools Week was first established in 1974 and has been celebrated annually for the past 45 years;

Whereas, while Catholic schools must work hard to maintain enrollment, the demand and enthusiasm for Catholic schools remains strong;

Whereas 30 percent of Catholic schools have waiting lists for admission, and new schools are opening across the United States; and

Whereas the theme for National Catholic Schools Week 2019 is Catholic Schools:

Learn. Serve. Lead. Succeed.: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of National Catholic Schools Week, an event—

(A) cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops; and

(B) established to recognize the vital contributions of the thousands of Catholic elementary and secondary schools in the United States;

(2) applauds the National Catholic Educational Association and the United States Conference of Catholic Bishops on the selection of a theme that all people can celebrate; and

(3) supports—

(A) the continued dedication of Catholic schools, students, parents, and teachers across the United States to academic excellence; and

(B) the key role that Catholic schools, students, parents, and teachers across the United States play in promoting and ensuring a brighter, stronger future for the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 56. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1, to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes; which was ordered to lie on the table.

SA 57. Mr. BURR (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 58. Mr. SCOTT, of South Carolina submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 56. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1, to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE V—AUTHORIZATION FOR USE OF FORCE TO DEFEND THE KURDS IN SYRIA

SEC. 501. SHORT TITLE.

This title may be cited as the ''Authorization for Use of Military Force in Defense of the Kurds in Syria Resolution of 2019''.

SEC. 502. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION.—The President is authorized to use the Armed Forces of the United States as the President determines to be necessary and appropriate in order to defend the Kurds in Syria.

(b) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution (50 U.S.C. 1547(a)(1)), Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)).

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this title supersedes any requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SA 57. Mr. BURR (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1, to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ___—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEARS 2018 AND 2019

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019''.

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

SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

SEC. 3. EXPLANATORY STATEMENT.

The explanatory statement regarding this division, printed in the Senate section of the Congressional Record, by the Chairman of the Select Committee on Intelligence of the Senate, shall have the same effect with respect to the implementation of this division as if it were a joint explanatory statement of a committee of conference.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2019.—Funds are hereby authorized to be appropriated for fiscal year 2019 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.
(2) The Central Intelligence Agency.
(3) The Department of Defense.
(4) The Defense Intelligence Agency.
(5) The National Security Agency.
(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(7) The Coast Guard.
(8) The Department of State.
(9) The Department of the Treasury.
(10) The Department of Energy.
(11) The Department of Justice.
(12) The Federal Bureau of Investigation.
(13) The Drug Enforcement Administration.
(14) The National Reconnaissance Office.
(15) The National Geospatial-Intelligence Agency.
(16) The Department of Homeland Security.

(b) FISCAL YEAR 2018.—Funds that were appropriated for fiscal year 2018 for the conduct of the intelligence and intelligence-related activities of the elements of the United States set forth in subsection (a) are hereby authorized.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified

Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2019 the sum of $522,424,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2019 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2019.

SEC. 202. COMPUTATION OF ANNUITIES FOR EMPLOYEES OF THE CENTRAL INTELLIGENCE AGENCY.

(a) COMPUTATION OF ANNUITIES.—

(1) IN GENERAL.—Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2031) is amended—

(A) in subsection (a)(3)(B), by striking the period at the end and inserting '', as determined by using the annual rate of basic pay that would be payable for full-time service in that position.'';

(B) in subsection (b)(1)(C)(i), by striking ''12-month'' and inserting ''2-year'';

(C) in subsection (f)(2), by striking ''one year'' and inserting ''two years'';

(D) in subsection (g)(2), by striking ''one year'' each place such term appears and inserting ''two years'';

(E) by redesignating subsections (h), (i), (j), (k), and (l) as subsections (i), (j), (k), (l), and (m), respectively; and

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

''(h) CONDITIONAL ELECTION OF INSURABLE INTEREST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT THE TIME OF RETIREMENT.—

''(1) AUTHORITY TO MAKE DESIGNATION.—Subject to the rights of former spouses under subsection (b) and section 222, at the time of retirement a married participant found by the Director to be in good health may elect to receive an annuity reduced in accordance with subsection (f)(1)(B) and designate in writing an individual having an insurable interest in the participant to receive an annuity under the system after the participant's death, except that any such election to provide an insurable interest survivor annuity to the participant's spouse shall only be effective if the participant's spouse waives the spousal right to a survivor annuity under this Act. The amount of the annuity shall be equal to 55 percent of the participant's reduced annuity.

''(2) REDUCTION IN PARTICIPANT'S ANNUITY.—The annuity payable to the participant making such election shall be reduced by 10 percent of an annuity computed under subsection (a) and by an additional 5 percent for each full 5 years the designated individual is younger than the participant. The total reduction under this subparagraph may not exceed 40 percent.

''(3) COMMENCEMENT OF SURVIVOR ANNUITY.—The annuity payable to the designated individual shall begin on the day after the retired participant dies and terminate on the last day of the month before the designated individual dies.

''(4) RECOMPUTATION OF PARTICIPANT'S ANNUITY ON DEATH OF DESIGNATED INDIVIDUAL.—An annuity that is reduced under this subsection shall, effective the first day of the month following the death of the designated individual, be recomputed and paid as if the annuity had not been so reduced.''.

(2) CONFORMING AMENDMENTS.—

(A) CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.—The Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.) is amended—

(i) in section 232(b)(1) (50 U.S.C. 2052(b)(1)), by striking ''221(h),'' and inserting ''221(i),''; and

(ii) in section 252(h)(4) (50 U.S.C. 2082(h)(4)), by striking ''221(k)'' and inserting ''221(l)''.

(B) CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Subsection (a) of section 14 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3514(a)) is amended by striking ''221(h)(2), 221(i), 221(l),'' and inserting ''221(i)(2), 221(j), 221(m),''.

(b) ANNUITIES FOR FORMER SPOUSES.—Subparagraph (B) of section 222(b)(5) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2032(b)(5)(B)) is amended by striking ''one year'' and inserting ''two years''.

(c) PRIOR SERVICE CREDIT.—Subparagraph (A) of section 252(b)(3) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2082(b)(3)(A)) is amended by striking ''October 1, 1990'' both places that term appears and inserting ''March 31, 1991''.

(d) REEMPLOYMENT COMPENSATION.—Section 273 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2113) is amended—

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

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

''(b) PART-TIME REEMPLOYED ANNUITANTS.—The Director shall have the authority to reemploy an annuitant on a part-time basis in accordance with section 8344(l) of title 5, United States Code.''.

(e) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsection (a)(1)(A) and subsection (c) shall take effect as if enacted on October 28, 2009, and shall apply to computations or participants, respectively, as of such date.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. MODIFICATION OF SPECIAL PAY AUTHORITY FOR SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS POSITIONS AND ADDITION OF SPECIAL PAY AUTHORITY FOR CYBER POSITIONS.

Section 113B of the National Security Act of 1947 (50 U.S.C. 3049a) is amended—

(1) by amending subsection (a) to read as follows:

''(a) SPECIAL RATES OF PAY FOR POSITIONS REQUIRING EXPERTISE IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.—

''(1) IN GENERAL.—Notwithstanding part III of title 5, United States Code, the head of each element of the intelligence community may, for 1 or more categories of positions in such element that require expertise in science, technology, engineering, or mathematics—

''(A) establish higher minimum rates of pay; and

''(B) make corresponding increases in all rates of pay of the pay range for each grade or level, subject to subsection (b) or (c), as applicable.

''(2) TREATMENT.—The special rate supplements resulting from the establishment of higher rates under paragraph (1) shall be basic pay for the same or similar purposes as those specified in section 5305(j) of title 5, United States Code.'';

(2) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

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

''(b) SPECIAL RATES OF PAY FOR CYBER POSITIONS.—

''(1) IN GENERAL.—Notwithstanding subsection (c), the Director of the National Security Agency may establish a special rate of pay—

''(A) not to exceed the rate of basic pay payable for level II of the Executive Schedule under section 5313 of title 5, United States Code, if the Director certifies to the Under Secretary of Defense for Intelligence, in consultation with the Under Secretary of Defense for Personnel and Readiness, that the rate of pay is for positions that perform functions that execute the cyber mission of the Agency; or

''(B) not to exceed the rate of basic pay payable for the Vice President of the United States under section 104 of title 3, United States Code, if the Director certifies to the Secretary of Defense, by name, individuals that have advanced skills and competencies and that perform critical functions that execute the cyber mission of the Agency.

''(2) PAY LIMITATION.—Employees receiving a special rate under paragraph (1) shall be subject to an aggregate pay limitation that parallels the limitation established in section 5307 of title 5, United States Code, except that—

''(A) any allowance, differential, bonus, award, or other similar cash payment in addition to basic pay that is authorized under title 10, United States Code, (or any other applicable law in addition to title 5 of such Code, excluding the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.)) shall also be counted as part of aggregate compensation; and

''(B) aggregate compensation may not exceed the rate established for the Vice President of the United States under section 104 of title 3, United States Code.

''(3) LIMITATION ON NUMBER OF RECIPIENTS.—The number of individuals who receive basic pay established under paragraph (1)(B) may not exceed 100 at any time.

''(4) LIMITATION ON USE AS COMPARATIVE REFERENCE.—Notwithstanding any other provision of law, special rates of pay and the limitation established under paragraph (1)(B)

may not be used as comparative references for the purpose of fixing the rates of basic pay or maximum pay limitations of qualified positions under section 1599f of title 10, United States Code, or section 226 of the Homeland Security Act of 2002 (6 U.S.C. 147).'';

(4) in subsection (c), as redesignated by paragraph (2), by striking ''A minimum'' and inserting ''Except as provided in subsection (b), a minimum'';

(5) in subsection (d), as redesignated by paragraph (2), by inserting ''or (b)'' after ''by subsection (a)''; and

(6) in subsection (g), as redesignated by paragraph (2)—

(A) in paragraph (1), by striking ''Not later than 90 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2017'' and inserting ''Not later than 90 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019''; and

(B) in paragraph (2)(A), by inserting ''or (b)'' after ''subsection (a)''.

SEC. 304. MODIFICATION OF APPOINTMENT OF CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103G(a) of the National Security Act of 1947 (50 U.S.C. 3032(a)) is amended by striking ''President'' and inserting ''Director''.

SEC. 305. DIRECTOR OF NATIONAL INTELLIGENCE REVIEW OF PLACEMENT OF POSITIONS WITHIN THE INTELLIGENCE COMMUNITY ON THE EXECUTIVE SCHEDULE.

(a) REVIEW.—The Director of National Intelligence, in coordination with the Director of the Office of Personnel Management, shall conduct a review of positions within the intelligence community regarding the placement of such positions on the Executive Schedule under subchapter II of chapter 53 of title 5, United States Code. In carrying out such review, the Director of National Intelligence, in coordination with the Director of the Office of Personnel Management, shall determine—

(1) the standards under which such review will be conducted;

(2) which positions should or should not be on the Executive Schedule; and

(3) for those positions that should be on the Executive Schedule, the level of the Executive Schedule at which such positions should be placed.

(b) REPORT.—Not later than 60 days after the date on which the review under subsection (a) is completed, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives an unredacted report describing the standards by which the review was conducted and the outcome of the review.

SEC. 306. SUPPLY CHAIN AND COUNTERINTELLIGENCE RISK MANAGEMENT TASK FORCE.

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

(1) The congressional intelligence committees.

(2) The Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on Armed Services, the Committee on Homeland Security, and the Committee on Oversight and Government Reform of the House of Representatives.

(b) REQUIREMENT TO ESTABLISH.—The Director of National Intelligence shall establish a Supply Chain and Counterintelligence Risk Management Task Force to standardize information sharing between the intelligence community and the acquisition community of the United States Government with respect to the supply chain and counterintelligence risks.

(c) MEMBERS.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall be composed of—

(1) a representative of the Defense Security Service of the Department of Defense;

(2) a representative of the General Services Administration;

(3) a representative of the Office of Federal Procurement Policy of the Office of Management and Budget;

(4) a representative of the Department of Homeland Security;

(5) a representative of the Federal Bureau of Investigation;

(6) the Director of the National Counterintelligence and Security Center; and

(7) any other members the Director of National Intelligence determines appropriate.

(d) SECURITY CLEARANCES.—Each member of the Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall have a security clearance at the top secret level and be able to access sensitive compartmented information.

(e) ANNUAL REPORT.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall submit to the appropriate congressional committees an annual report that describes the activities of the Task Force during the previous year, including identification of the supply chain and counterintelligence risks shared with the acquisition community of the United States Government by the intelligence community.

SEC. 307. CONSIDERATION OF ADVERSARIAL TELECOMMUNICATIONS AND CYBERSECURITY INFRASTRUCTURE WHEN SHARING INTELLIGENCE WITH FOREIGN GOVERNMENTS AND ENTITIES.

Whenever the head of an element of the intelligence community enters into an intelligence sharing agreement with a foreign government or any other foreign entity, the head of the element shall consider the pervasiveness of telecommunications and cybersecurity infrastructure, equipment, and services provided by adversaries of the United States, particularly China and Russia, or entities of such adversaries in the country or region of the foreign government or other foreign entity entering into the agreement.

SEC. 308. CYBER PROTECTION SUPPORT FOR THE PERSONNEL OF THE INTELLIGENCE COMMUNITY IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) DEFINITIONS.—In this section:

(1) PERSONAL ACCOUNTS.—The term ''personal accounts'' means accounts for online and telecommunications services, including telephone, residential Internet access, email, text and multimedia messaging, cloud computing, social media, health care, and financial services, used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community.

(2) PERSONAL TECHNOLOGY DEVICES.—The term ''personal technology devices'' means technology devices used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community, including networks to which such devices connect.

(b) AUTHORITY TO PROVIDE CYBER PROTECTION SUPPORT.—

(1) IN GENERAL.—Subject to a determination by the Director of National Intelligence, the Director may provide cyber protection support for the personal technology devices and personal accounts of the personnel described in paragraph (2).

(2) AT-RISK PERSONNEL.—The personnel described in this paragraph are personnel of the intelligence community—

(A) who the Director determines to be highly vulnerable to cyber attacks and hostile information collection activities because of the positions occupied by such personnel in the intelligence community; and

(B) whose personal technology devices or personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(c) NATURE OF CYBER PROTECTION SUPPORT.—Subject to the availability of resources, the cyber protection support provided to personnel under subsection (b) may include training, advice, assistance, and other services relating to cyber attacks and hostile information collection activities.

(d) LIMITATION ON SUPPORT.—Nothing in this section shall be construed—

(1) to encourage personnel of the intelligence community to use personal technology devices for official business; or

(2) to authorize cyber protection support for senior intelligence community personnel using personal devices, networks, and personal accounts in an official capacity.

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees a report on the provision of cyber protection support under subsection (b). The report shall include—

(1) a description of the methodology used to make the determination under subsection (b)(2); and

(2) guidance for the use of cyber protection support and tracking of support requests for personnel receiving cyber protection support under subsection (b).

SEC. 309. MODIFICATION OF AUTHORITY RELATING TO MANAGEMENT OF SUPPLY-CHAIN RISK.

(a) MODIFICATION OF EFFECTIVE DATE.—Subsection (f) of section 309 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–87; 50 U.S.C. 3329 note) is amended by striking ''the date that is 180 days after''.

(b) REPEAL OF SUNSET.—Such section is amended by striking subsection (g).

(c) REPORTS.—Such section, as amended by subsection (b), is further amended—

(1) by redesignating subsection (f), as amended by subsection (a), as subsection (g); and

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

''(f) ANNUAL REPORTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), not later than 180 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019 and not less frequently than once each calendar year thereafter, the Director of National Intelligence shall, in consultation with each head of a covered agency, submit to the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), a report that details the determinations and notifications made under subsection (c) during the most recently completed calendar year.

''(2) INITIAL REPORT.—The first report submitted under paragraph (1) shall detail all the determinations and notifications made under subsection (c) before the date of the submittal of the report.''.

SEC. 310. LIMITATIONS ON DETERMINATIONS REGARDING CERTAIN SECURITY CLASSIFICATIONS.

(a) PROHIBITION.—An officer of an element of the intelligence community who has been

nominated by the President for a position that requires the advice and consent of the Senate may not make a classification decision with respect to information related to such officer's nomination.

(b) CLASSIFICATION DETERMINATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), in a case in which an officer described in subsection (a) has been nominated as described in such subsection and classification authority rests with the officer or another officer who reports directly to such officer, a classification decision with respect to information relating to the officer shall be made by the Director of National Intelligence.

(2) NOMINATIONS OF DIRECTOR OF NATIONAL INTELLIGENCE.—In a case described in paragraph (1) in which the officer nominated is the Director of National Intelligence, the classification decision shall be made by the Principal Deputy Director of National Intelligence.

(c) REPORTS.—Whenever the Director or the Principal Deputy Director makes a decision under subsection (b), the Director or the Principal Deputy Director, as the case may be, shall submit to the congressional intelligence committees a report detailing the reasons for the decision.

SEC. 311. JOINT INTELLIGENCE COMMUNITY COUNCIL.

(a) MEETINGS.—Section 101A(d) of the National Security Act of 1947 (50 U.S.C. 3022(d)) is amended—

(1) by striking ''regular''; and

(2) by inserting ''as the Director considers appropriate'' after ''Council''.

(b) REPORT ON FUNCTION AND UTILITY OF THE JOINT INTELLIGENCE COMMUNITY COUNCIL.—

(1) IN GENERAL.—No later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Executive Office of the President and members of the Joint Intelligence Community Council, shall submit to the congressional intelligence committees a report on the function and utility of the Joint Intelligence Community Council.

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

(A) The number of physical or virtual meetings held by the Council per year since the Council's inception.

(B) A description of the effect and accomplishments of the Council.

(C) An explanation of the unique role of the Council relative to other entities, including with respect to the National Security Council and the Executive Committee of the intelligence community.

(D) Recommendations for the future role and operation of the Council.

(E) Such other matters relating to the function and utility of the Council as the Director considers appropriate.

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

SEC. 312. INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

(a) DEFINITIONS.—In this section:

(1) CORE SERVICE.—The term ''core service'' means a capability that is available to multiple elements of the intelligence community and required for consistent operation of the intelligence community information technology environment.

(2) INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.—The term ''intelligence community information technology environment'' means all of the information technology services across the intelligence community, including the data sharing and protection environment across multiple classification domains.

(b) ROLES AND RESPONSIBILITIES.—

(1) DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall be responsible for coordinating the performance by elements of the intelligence community of the intelligence community information technology environment, including each of the following:

(A) Ensuring compliance with all applicable environment rules and regulations of such environment.

(B) Ensuring measurable performance goals exist for such environment.

(C) Documenting standards and practices of such environment.

(D) Acting as an arbiter among elements of the intelligence community related to any disagreements arising out of the implementation of such environment.

(E) Delegating responsibilities to the elements of the intelligence community and carrying out such other responsibilities as are necessary for the effective implementation of such environment.

(2) CORE SERVICE PROVIDERS.—Providers of core services shall be responsible for—

(A) providing core services, in coordination with the Director of National Intelligence; and

(B) providing the Director with information requested and required to fulfill the responsibilities of the Director under paragraph (1).

(3) USE OF CORE SERVICES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each element of the intelligence community shall use core services when such services are available.

(B) EXCEPTION.—The Director of National Intelligence may provide for a written exception to the requirement under subparagraph (A) if the Director determines there is a compelling financial or mission need for such exception.

(c) MANAGEMENT ACCOUNTABILITY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall designate and maintain one or more accountable executives of the intelligence community information technology environment to be responsible for—

(1) management, financial control, and integration of such environment;

(2) overseeing the performance of each core service, including establishing measurable service requirements and schedules;

(3) to the degree feasible, ensuring testing of each core service of such environment, including testing by the intended users, to evaluate performance against measurable service requirements and to ensure the capability meets user requirements; and

(4) coordinate transition or restructuring efforts of such environment, including phase-out of legacy systems.

(d) SECURITY PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall develop and maintain a security plan for the intelligence community information technology environment.

(e) LONG-TERM ROADMAP.—Not later than 180 days after the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a long-term roadmap that shall include each of the following:

(1) A description of the minimum required and desired core service requirements, including—

(A) key performance parameters; and

(B) an assessment of current, measured performance.

(2) implementation milestones for the intelligence community information technology environment, including each of the following:

(A) A schedule for expected deliveries of core service capabilities during each of the following phases:

(i) Concept refinement and technology maturity demonstration.

(ii) Development, integration, and demonstration.

(iii) Production, deployment, and sustainment.

(iv) System retirement.

(B) Dependencies of such core service capabilities.

(C) Plans for the transition or restructuring necessary to incorporate core service capabilities.

(D) A description of any legacy systems and discontinued capabilities to be phased out.

(3) Such other matters as the Director determines appropriate.

(f) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a business plan that includes each of the following:

(1) A systematic approach to identify core service funding requests for the intelligence community information technology environment within the proposed budget, including multiyear plans to implement the long-term roadmap required by subsection (e).

(2) A uniform approach by which each element of the intelligence community shall identify the cost of legacy information technology or alternative capabilities where services of the intelligence community information technology environment will also be available.

(3) A uniform effort by which each element of the intelligence community shall identify transition and restructuring costs for new, existing, and retiring services of the intelligence community information technology environment, as well as services of such environment that have changed designations as a core service.

(g) QUARTERLY PRESENTATIONS.—Beginning not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the congressional intelligence committees quarterly updates regarding ongoing implementation of the intelligence community information technology environment as compared to the requirements in the most recently submitted security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f).

(h) ADDITIONAL NOTIFICATIONS.—The Director of National Intelligence shall provide timely notification to the congressional intelligence committees regarding any policy changes related to or affecting the intelligence community information technology environment, new initiatives or strategies related to or impacting such environment, and changes or deficiencies in the execution of the security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f)

(i) SUNSET.—The section shall have no effect on or after September 30, 2024.

SEC. 313. REPORT ON DEVELOPMENT OF SECURE MOBILE VOICE SOLUTION FOR INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency and the Director of the National Security Agency, shall submit to the congressional intelligence committees a

classified report on the feasibility, desirability, cost, and required schedule associated with the implementation of a secure mobile voice solution for the intelligence community.

(b) CONTENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) The benefits and disadvantages of a secure mobile voice solution.

(2) Whether the intelligence community could leverage commercially available technology for classified voice communications that operates on commercial mobile networks in a secure manner and identifying the accompanying security risks to such networks.

(3) A description of any policies or community guidance that would be necessary to govern the potential solution, such as a process for determining the appropriate use of a secure mobile telephone and any limitations associated with such use.

SEC. 314. POLICY ON MINIMUM INSIDER THREAT STANDARDS.

(a) POLICY REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall establish a policy for minimum insider threat standards that is consistent with the National Insider Threat Policy and Minimum Standards for Executive Branch Insider Threat Programs.

(b) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the head of each element of the intelligence community shall implement the policy established under subsection (a).

SEC. 315. SUBMISSION OF INTELLIGENCE COMMUNITY POLICIES.

(a) DEFINITIONS.—In this section:

(1) ELECTRONIC REPOSITORY.—The term ''electronic repository'' means the electronic distribution mechanism, in use as of the date of the enactment of this Act, or any successor electronic distribution mechanism, by which the Director of National Intelligence submits to the congressional intelligence committees information.

(2) POLICY.—The term ''policy'', with respect to the intelligence community, includes unclassified or classified—

(A) directives, policy guidance, and policy memoranda of the intelligence community;

(B) executive correspondence of the Director of National Intelligence; and

(C) any equivalent successor policy instruments.

(b) SUBMISSION OF POLICIES.—

(1) CURRENT POLICY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees using the electronic repository all nonpublicly available policies issued by the Director of National Intelligence for the intelligence community that are in effect as of the date of the submission.

(2) CONTINUOUS UPDATES.—Not later than 15 days after the date on which the Director of National Intelligence issues, modifies, or rescinds a policy of the intelligence community, the Director shall—

(A) notify the congressional intelligence committees of such addition, modification, or removal; and

(B) update the electronic repository with respect to such addition, modification, or removal.

SEC. 316. EXPANSION OF INTELLIGENCE COMMUNITY RECRUITMENT EFFORTS.

In order to further increase the diversity of the intelligence community workforce, not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with heads of elements of the Intelligence Community, shall create, implement, and submit to the congressional intelligence committees a written plan to ensure that rural and underrepresented regions are more fully and consistently represented in such elements' employment recruitment efforts. Upon receipt of the plan, the congressional committees shall have 60 days to submit comments to the Director of National Intelligence before such plan shall be implemented.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. AUTHORITY FOR PROTECTION OF CURRENT AND FORMER EMPLOYEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by striking ''such personnel of the Office of the Director of National Intelligence as the Director of National Intelligence may designate;'' and inserting ''current and former personnel of the Office of the Director of National Intelligence and their immediate families as the Director of National Intelligence may designate;''.

SEC. 402. DESIGNATION OF THE PROGRAM MANAGER-INFORMATION SHARING ENVIRONMENT.

(a) INFORMATION SHARING ENVIRONMENT.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

(1) in paragraph (1), by striking ''President'' and inserting ''Director of National Intelligence''; and

(2) in paragraph (2), by striking ''President'' both places that term appears and inserting ''Director of National Intelligence''.

(b) PROGRAM MANAGER.—Section 1016(f)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(f)(1)) is amended by striking ''The individual designated as the program manager shall serve as program manager until removed from service or replaced by the President (at the President's sole discretion).'' and inserting ''Beginning on the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019, each individual designated as the program manager shall be appointed by the Director of National Intelligence.''.

SEC. 403. TECHNICAL MODIFICATION TO THE EXECUTIVE SCHEDULE.

Section 5315 of title 5, United States Code, is amended by adding at the end the following:

''Director of the National Counterintelligence and Security Center.''.

SEC. 404. CHIEF FINANCIAL OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103I(a) of the National Security Act of 1947 (50 U.S.C. 3034(a)) is amended by adding at the end the following new sentence: ''The Chief Financial Officer shall report directly to the Director of National Intelligence.''.

SEC. 405. CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103G(a) of the National Security Act of 1947 (50 U.S.C. 3032(a)) is amended by adding at the end the following new sentence: ''The Chief Information Officer shall report directly to the Director of National Intelligence.''.

Subtitle B—Central Intelligence Agency

SEC. 411. CENTRAL INTELLIGENCE AGENCY SUBSISTENCE FOR PERSONNEL ASSIGNED TO AUSTERE LOCATIONS.

Subsection (a) of section 5 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506) is amended—

(1) in paragraph (1), by striking ''(50 U.S.C. 403–4a).,'' and inserting ''(50 U.S.C. 403–4a),'';

(2) in paragraph (6), by striking ''and'' at the end;

(3) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following new paragraph (8):

''(8) Upon the approval of the Director, provide, during any fiscal year, with or without reimbursement, subsistence to any personnel assigned to an overseas location designated by the Agency as an austere location.''.

SEC. 412. SPECIAL RULES FOR CERTAIN MONTHLY WORKERS' COMPENSATION PAYMENTS AND OTHER PAYMENTS FOR CENTRAL INTELLIGENCE AGENCY PERSONNEL.

(a) IN GENERAL.—The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended by inserting after section 19 the following new section:

''SEC. 19A. SPECIAL RULES FOR CERTAIN INDIVIDUALS INJURED BY REASON OF WAR, INSURGENCY, HOSTILE ACT, OR TERRORIST ACTIVITIES.

''(a) DEFINITIONS.—In this section:

''(1) COVERED DEPENDENT.—The term 'covered dependent' means a family member (as defined by the Director) of a covered employee who, on or after September 11, 2001—

''(A) accompanies the covered employee to an assigned duty station in a foreign country; and

''(B) becomes injured by reason of a qualifying injury.

''(2) COVERED EMPLOYEE.—The term 'covered employee' means an officer or employee of the Central Intelligence Agency who, on or after September 11, 2001, becomes injured by reason of a qualifying injury.

''(3) COVERED INDIVIDUAL.—The term 'covered individual' means an individual who—

''(A)(i) is detailed to the Central Intelligence Agency from other agencies of the United States Government or from the Armed Forces; or

''(ii) is affiliated with the Central Intelligence Agency, as determined by the Director; and

''(B) who, on or after September 11, 2001, becomes injured by reason of a qualifying injury.

''(4) QUALIFYING INJURY.—The term 'qualifying injury' means the following:

''(A) With respect to a covered dependent, an injury incurred—

''(i) during war, insurgency, hostile act, or terrorist activities occurring during a period in which the covered dependent is accompanying the covered employee to an assigned duty station in a foreign country; and

''(ii) that was not the result of the willful misconduct of the covered dependent.

''(B) With respect to a covered employee or a covered individual, an injury incurred—

''(i) during war, insurgency, hostile act, or terrorist activities occurring during a period of assignment to a duty station in a foreign country; and

''(ii) that was not the result of the willful misconduct of the covered employee or the covered individual.

''(b) ADJUSTMENT OF COMPENSATION FOR CERTAIN INJURIES.—

''(1) INCREASE.—The Director may increase the amount of monthly compensation paid to a covered employee under section 8105 of title 5, United States Code. Subject to paragraph (2), the Director may determine the amount of each such increase by taking into account—

''(A) the severity of the qualifying injury;

''(B) the circumstances by which the covered employee became injured; and

''(C) the seniority of the covered employee.

''(2) MAXIMUM.—Notwithstanding chapter 81 of title 5, United States Code, the total

amount of monthly compensation increased under paragraph (1) may not exceed the monthly pay of the maximum rate of basic pay for GS–15 of the General Schedule under section 5332 of such title.

''(c) COSTS FOR TREATING QUALIFYING INJURIES.—The Director may pay the costs of treating a qualifying injury of a covered employee, a covered individual, or a covered dependent, or may reimburse a covered employee, a covered individual, or a covered dependent for such costs, that are not otherwise covered by chapter 81 of title 5, United States Code, or other provision of Federal law.

''(d) TREATMENT OF AMOUNTS.—For purposes of section 104 of the Internal Revenue Code of 1986, amounts paid pursuant to this section shall be treated as amounts paid under chapter 81 of title 5, United States Code.''.

(b) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall—

(1) prescribe regulations ensuring the fair and equitable implementation of section 19A of the Central Intelligence Agency Act of 1949, as added by subsection (a); and

(2) submit to the congressional intelligence committees such regulations.

(c) APPLICATION.—Section 19A of the Central Intelligence Agency Act of 1949, as added by subsection (a), shall apply with respect to—

(1) payments made to covered employees (as defined in such section) under section 8105 of title 5, United States Code, beginning on or after the date of the enactment of this Act; and

(2) treatment described in subsection (b) of such section 19A occurring on or after the date of the enactment of this Act.

SEC. 413. EXPANSION OF SECURITY PROTECTIVE SERVICE JURISDICTION OF THE CENTRAL INTELLIGENCE AGENCY.

Subsection (a) of section 15 of the Central Intelligence Act of 1949 (50 U.S.C. 3515(a)) is amended—

(1) in the subsection heading, by striking ''POLICEMEN'' and inserting ''POLICE OFFICERS''; and

(2) in paragraph (1)—

(A) in subparagraph (B), by striking ''500 feet;'' and inserting ''500 yards;''; and

(B) in subparagraph (D), by striking ''500 feet.'' and inserting ''500 yards.''.

SEC. 414. REPEAL OF FOREIGN LANGUAGE PROFICIENCY REQUIREMENT FOR CERTAIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGENCY.

(a) REPEAL OF FOREIGN LANGUAGE PROFICIENCY REQUIREMENT.—Section 104A of the National Security Act of 1947 (50 U.S.C. 3036) is amended by striking subsection (g).

(b) CONFORMING REPEAL OF REPORT REQUIREMENT.—Section 611 of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487) is amended by striking subsection (c).

Subtitle C—Office of Intelligence and Counterintelligence of Department of Energy

SEC. 421. CONSOLIDATION OF DEPARTMENT OF ENERGY OFFICES OF INTELLIGENCE AND COUNTERINTELLIGENCE.

(a) IN GENERAL.—Section 215 of the Department of Energy Organization Act (42 U.S.C. 7144b) is amended to read as follows:

''OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE

''SEC. 215. (a) DEFINITIONS.—In this section, the terms 'intelligence community' and 'National Intelligence Program' have the meanings given such terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(b) IN GENERAL.—There is in the Department an Office of Intelligence and Counterintelligence. Such office shall be under the National Intelligence Program.

''(c) DIRECTOR.—(1) The head of the Office shall be the Director of the Office of Intelligence and Counterintelligence, who shall be an employee in the Senior Executive Service, the Senior Intelligence Service, the Senior National Intelligence Service, or any other Service that the Secretary, in coordination with the Director of National Intelligence, considers appropriate. The Director of the Office shall report directly to the Secretary.

''(2) The Secretary shall select an individual to serve as the Director from among individuals who have substantial expertise in matters relating to the intelligence community, including foreign intelligence and counterintelligence.

''(d) DUTIES.—(1) Subject to the authority, direction, and control of the Secretary, the Director shall perform such duties and exercise such powers as the Secretary may prescribe.

''(2) The Director shall be responsible for establishing policy for intelligence and counterintelligence programs and activities at the Department.''.

(b) CONFORMING REPEAL.—Section 216 of the Department of Energy Organization Act (42 U.S.C. 7144c) is hereby repealed.

(c) CLERICAL AMENDMENT.—The table of contents at the beginning of the Department of Energy Organization Act is amended by striking the items relating to sections 215 and 216 and inserting the following new item:

''215. Office of Intelligence and Counterintelligence.''.

SEC. 422. ESTABLISHMENT OF ENERGY INFRASTRUCTURE SECURITY CENTER.

Section 215 of the Department of Energy Organization Act (42 U.S.C. 7144b), as amended by section 421, is further amended by adding at the end the following:

''(e) ENERGY INFRASTRUCTURE SECURITY CENTER.—(1)(A) The President shall establish an Energy Infrastructure Security Center, taking into account all appropriate government tools to analyze and disseminate intelligence relating to the security of the energy infrastructure of the United States.

''(B) The Secretary shall appoint the head of the Energy Infrastructure Security Center.

''(C) The Energy Infrastructure Security Center shall be located within the Office of Intelligence and Counterintelligence.

''(2) In establishing the Energy Infrastructure Security Center, the Director of the Office of Intelligence and Counterintelligence shall address the following missions and objectives to coordinate and disseminate intelligence relating to the security of the energy infrastructure of the United States:

''(A) Establishing a primary organization within the United States Government for analyzing and integrating all intelligence possessed or acquired by the United States pertaining to the security of the energy infrastructure of the United States.

''(B) Ensuring that appropriate departments and agencies have full access to and receive intelligence support needed to execute the plans or activities of the agencies, and perform independent, alternative analyses.

''(C) Establishing a central repository on known and suspected foreign threats to the energy infrastructure of the United States, including with respect to any individuals, groups, or entities engaged in activities targeting such infrastructure, and the goals, strategies, capabilities, and networks of such individuals, groups, or entities.

''(D) Disseminating intelligence information relating to the security of the energy infrastructure of the United States, including threats and analyses, to the President, to the appropriate departments and agencies, and to the appropriate committees of Congress.

''(3) The President may waive the requirements of this subsection, and any parts thereof, if the President determines that such requirements do not materially improve the ability of the United States Government to prevent and halt attacks against the energy infrastructure of the United States. Such waiver shall be made in writing to Congress and shall include a description of how the missions and objectives in paragraph (2) are being met.

''(4) If the President decides not to exercise the waiver authority granted by paragraph (3), the President shall submit to Congress from time to time updates and plans regarding the establishment of an Energy Infrastructure Security Center.''.

SEC. 423. REPEAL OF DEPARTMENT OF ENERGY INTELLIGENCE EXECUTIVE COMMITTEE AND BUDGET REPORTING REQUIREMENT.

Section 214 of the Department of Energy Organization Act (42 U.S.C. 7144a) is amended—

(1) by striking ''(a) DUTY OF SECRETARY.—''; and

(2) by striking subsections (b) and (c).

Subtitle D—Other Elements

SEC. 431. PLAN FOR DESIGNATION OF COUNTERINTELLIGENCE COMPONENT OF DEFENSE SECURITY SERVICE AS AN ELEMENT OF INTELLIGENCE COMMUNITY.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and Under Secretary of Defense for Intelligence, in coordination with the Director of the National Counterintelligence and Security Center, shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a plan to designate the counterintelligence component of the Defense Security Service of the Department of Defense as an element of the intelligence community by not later than January 1, 2019. Such plan shall—

(1) address the implications of such designation on the authorities, governance, personnel, resources, information technology, collection, analytic products, information sharing, and business processes of the Defense Security Service and the intelligence community; and

(2) not address the personnel security functions of the Defense Security Service.

SEC. 432. NOTICE NOT REQUIRED FOR PRIVATE ENTITIES.

Section 3553 of title 44, United States Code, is amended—

(1) by redesignating subsection (j) as subsection (k); and

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

''(j) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Secretary to provide notice to any private entity before the Secretary issues a binding operational directive under subsection (b)(2).''.

SEC. 433. FRAMEWORK FOR ROLES, MISSIONS, AND FUNCTIONS OF DEFENSE INTELLIGENCE AGENCY.

(a) IN GENERAL.—The Director of National Intelligence and the Secretary of Defense shall jointly establish a framework to ensure the appropriate balance of resources for the roles, missions, and functions of the Defense Intelligence Agency in its capacity as an element of the intelligence community and as a combat support agency. The framework shall include supporting processes to provide for the consistent and regular reevaluation of

the responsibilities and resources of the Defense Intelligence Agency to prevent imbalanced priorities, insufficient or misaligned resources, and the unauthorized expansion of mission parameters.

(b) MATTERS FOR INCLUSION.—The framework required under subsection (a) shall include each of the following:

(1) A lexicon providing for consistent definitions of relevant terms used by both the intelligence community and the Department of Defense, including each of the following:

(A) Defense intelligence enterprise.
(B) Enterprise manager.
(C) Executive agent.
(D) Function.
(E) Functional manager.
(F) Mission.
(G) Mission manager.
(H) Responsibility.
(I) Role.
(J) Service of common concern.

(2) An assessment of the necessity of maintaining separate designations for the intelligence community and the Department of Defense for intelligence functional or enterprise management constructs.

(3) A repeatable process for evaluating the addition, transfer, or elimination of defense intelligence missions, roles, and functions, currently performed or to be performed in the future by the Defense Intelligence Agency, which includes each of the following:

(A) A justification for the addition, transfer, or elimination of a mission, role, or function.

(B) The identification of which, if any, element of the Federal Government performs the considered mission, role, or function.

(C) In the case of any new mission, role, or function—

(i) an assessment of the most appropriate agency or element to perform such mission, role, or function, taking into account the resource profiles, scope of responsibilities, primary customers, and existing infrastructure necessary to support such mission, role, or function; and

(ii) a determination of the appropriate resource profile and an identification of the projected resources needed and the proposed source of such resources over the future-years defense program, to be provided in writing to any elements of the intelligence community or the Department of Defense affected by the assumption, transfer, or elimination of any mission, role, or function.

(D) In the case of any mission, role, or function proposed to be assumed, transferred, or eliminated, an assessment, which shall be completed jointly by the heads of each element affected by such assumption, transfer, or elimination, of the risks that would be assumed by the intelligence community and the Department if such mission, role, or function is assumed, transferred, or eliminated.

(E) A description of how determinations are made regarding the funding of programs and activities under the National Intelligence Program and the Military Intelligence Program, including—

(i) which programs or activities are funded under each such Program;

(ii) which programs or activities should be jointly funded under both such Programs and how determinations are made with respect to funding allocations for such programs and activities; and

(iii) the thresholds and process for changing a program or activity from being funded under one such Program to being funded under the other such Program.

SEC. 434. ESTABLISHMENT OF ADVISORY BOARD FOR NATIONAL RECONNAISSANCE OFFICE.

(a) ESTABLISHMENT.—Section 106A of the National Security Act of 1947 (50 U.S.C. 3041a) is amended by adding at the end the following new subsection:

''(d) ADVISORY BOARD.—

''(1) ESTABLISHMENT.—There is established in the National Reconnaissance Office an advisory board (in this section referred to as the 'Board').

''(2) DUTIES.—The Board shall—

''(A) study matters relating to the mission of the National Reconnaissance Office, including with respect to promoting innovation, competition, and resilience in space, overhead reconnaissance, acquisition, and other matters; and

''(B) advise and report directly to the Director with respect to such matters.

''(3) MEMBERS.—

''(A) NUMBER AND APPOINTMENT.—

''(i) IN GENERAL.—The Board shall be composed of 5 members appointed by the Director from among individuals with demonstrated academic, government, business, or other expertise relevant to the mission and functions of the National Reconnaissance Office.

''(ii) NOTIFICATION.—Not later than 30 days after the date on which the Director appoints a member to the Board, the Director shall notify the congressional intelligence committees and the congressional defense committees (as defined in section 101(a) of title 10, United States Code) of such appointment.

''(B) TERMS.—Each member shall be appointed for a term of 2 years. Except as provided by subparagraph (C), a member may not serve more than 3 terms.

''(C) VACANCY.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

''(D) CHAIR.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

''(E) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

''(F) EXECUTIVE SECRETARY.—The Director may appoint an executive secretary, who shall be an employee of the National Reconnaissance Office, to support the Board.

''(4) MEETINGS.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

''(5) REPORTS.—Not later than March 31 of each year, the Board shall submit to the Director and to the congressional intelligence committees a report on the activities and significant findings of the Board during the preceding year.

''(6) NONAPPLICABILITY OF CERTAIN REQUIREMENTS.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

''(7) TERMINATION.—The Board shall terminate on the date that is 3 years after the date of the first meeting of the Board.''.

(b) INITIAL APPOINTMENTS.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Reconnaissance Office shall appoint the initial 5 members to the advisory board under subsection (d) of section 106A of the National Security Act of 1947 (50 U.S.C. 3041a), as added by subsection (a).

SEC. 435. COLLOCATION OF CERTAIN DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT FIELD LOCATIONS.

(a) IDENTIFICATION OF OPPORTUNITIES FOR COLLOCATION.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall identify, in consultation with the Commissioner of U.S. Customs and Border Protection, the Administrator of the Transportation Security Administration, the Director of U.S. Immigration and Customs Enforcement, and the heads of such other elements of the Department of Homeland Security as the Under Secretary considers appropriate, opportunities for collocation of officers of the Office of Intelligence and Analysis in the field outside of the greater Washington, District of Columbia, area in order to support operational units from U.S. Customs and Border Protection, the Transportation Security Administration, U.S. Immigration and Customs Enforcement, and other elements of the Department of Homeland Security.

(b) PLAN FOR COLLOCATION.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary shall submit to the congressional intelligence committees a report that includes a plan for collocation as described in subsection (a).

TITLE V—ELECTION MATTERS

SEC. 501. REPORT ON CYBER ATTACKS BY FOREIGN GOVERNMENTS AGAINST UNITED STATES ELECTION INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

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

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Homeland Security of the House of Representatives;

(D) the Committee on Foreign Relations of the Senate; and

(E) the Committee on Foreign Affairs of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.
(B) The minority leader of the Senate.
(C) The Speaker of the House of Representatives.
(D) The minority leader of the House of Representatives.

(3) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall submit to congressional leadership and the appropriate congressional committees a report on cyber attacks and attempted cyber attacks by foreign governments on United States election infrastructure in States and localities in connection with the 2016 Presidential election in the United States and such cyber attacks or attempted cyber attacks as the Under Secretary anticipates against such infrastructure. Such report shall identify the States and localities affected and shall include cyber attacks and attempted cyber attacks against voter registration databases, voting machines, voting-related computer networks, and the networks of Secretaries of State and other election officials of the various States.

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

SEC. 502. REVIEW OF INTELLIGENCE COMMUNITY'S POSTURE TO COLLECT AGAINST AND ANALYZE RUSSIAN EFFORTS TO INFLUENCE THE PRESIDENTIAL ELECTION.

(a) REVIEW REQUIRED.—Not later than 1 year after the date of the enactment of this

Act, the Director of National Intelligence shall—

(1) complete an after action review of the posture of the intelligence community to collect against and analyze efforts of the Government of Russia to interfere in the 2016 Presidential election in the United States; and

(2) submit to the congressional intelligence committees a report on the findings of the Director with respect to such review.

(b) ELEMENTS.—The review required by subsection (a) shall include, with respect to the posture and efforts described in paragraph (1) of such subsection, the following:

(1) An assessment of whether the resources of the intelligence community were properly aligned to detect and respond to the efforts described in subsection (a)(1).

(2) An assessment of the information sharing that occurred within elements of the intelligence community.

(3) An assessment of the information sharing that occurred between elements of the intelligence community.

(4) An assessment of applicable authorities necessary to collect on any such efforts and any deficiencies in those authorities.

(5) A review of the use of open source material to inform analysis and warning of such efforts.

(6) A review of the use of alternative and predictive analysis.

(c) FORM OF REPORT.—The report required by subsection (a)(2) shall be submitted to the congressional intelligence committees in a classified form.

SEC. 503. ASSESSMENT OF FOREIGN INTELLIGENCE THREATS TO FEDERAL ELECTIONS.

(a) DEFINITIONS.—In this section:

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

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(3) SECURITY VULNERABILITY.—The term ''security vulnerability'' has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(b) IN GENERAL.—The Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the heads of other relevant elements of the intelligence community, shall—

(1) commence not later than 1 year before any regularly scheduled Federal election occurring after December 31, 2018, and complete not later than 180 days before such election, an assessment of security vulnerabilities of State election systems; and

(2) not later than 180 days before any regularly scheduled Federal election occurring after December 31, 2018, submit a report on such security vulnerabilities and an assessment of foreign intelligence threats to the election to—

(A) congressional leadership; and

(B) the appropriate congressional committees.

(c) UPDATE.—Not later than 90 days before any regularly scheduled Federal election occurring after December 31, 2018, the Director of National Intelligence shall—

(1) update the assessment of foreign intelligence threats to that election; and

(2) submit the updated assessment to—

(A) congressional leadership; and

(B) the appropriate congressional committees.

SEC. 504. STRATEGY FOR COUNTERING RUSSIAN CYBER THREATS TO UNITED STATES ELECTIONS.

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

(1) The congressional intelligence committees.

(2) The Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(4) The Committee on Foreign Relations of the Senate.

(5) The Committee on Foreign Affairs of the House of Representatives.

(b) REQUIREMENT FOR A STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, the Secretary of State, the Secretary of Defense, and the Secretary of the Treasury, shall develop a whole-of-government strategy for countering the threat of Russian cyber attacks and attempted cyber attacks against electoral systems and processes in the United States, including Federal, State, and local election systems, voter registration databases, voting tabulation equipment, and equipment and processes for the secure transmission of election results.

(c) ELEMENTS OF THE STRATEGY.—The strategy required by subsection (b) shall include the following elements:

(1) A whole-of-government approach to protecting United States electoral systems and processes that includes the agencies and departments indicated in subsection (b) as well as any other agencies and departments of the United States, as determined appropriate by the Director of National Intelligence and the Secretary of Homeland Security.

(2) Input solicited from Secretaries of State of the various States and the chief election officials of the States.

(3) Technical security measures, including auditable paper trails for voting machines, securing wireless and Internet connections, and other technical safeguards.

(4) Detection of cyber threats, including attacks and attempted attacks by Russian government or nongovernment cyber threat actors.

(5) Improvements in the identification and attribution of Russian government or nongovernment cyber threat actors.

(6) Deterrence, including actions and measures that could or should be undertaken against or communicated to the Government of Russia or other entities to deter attacks against, or interference with, United States election systems and processes.

(7) Improvements in Federal Government communications with State and local election officials.

(8) Public education and communication efforts.

(9) Benchmarks and milestones to enable the measurement of concrete steps taken and progress made in the implementation of the strategy.

(d) CONGRESSIONAL BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Homeland Security shall jointly brief the appropriate congressional committees on the strategy developed under subsection (b).

SEC. 505. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLUENCE CAMPAIGNS DIRECTED AT FOREIGN ELECTIONS AND REFERENDA.

(a) RUSSIAN INFLUENCE CAMPAIGN DEFINED.—In this section, the term ''Russian influence campaign'' means any effort, covert or overt, and by any means, attributable to the Russian Federation directed at an election, referendum, or similar process in a country other than the Russian Federation or the United States.

(b) ASSESSMENT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—

(1) a summary of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, are being conducted, or likely will be conducted, as appropriate, and the specific goal of each such campaign;

(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;

(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and

(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).

(c) FORM.—The report required by subsection (b) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.

SEC. 506. FOREIGN COUNTERINTELLIGENCE AND CYBERSECURITY THREATS TO FEDERAL ELECTION CAMPAIGNS.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—As provided in paragraph (2), for each Federal election, the Director of National Intelligence, in coordination with the Under Secretary of Homeland Security for Intelligence and Analysis and the Director of the Federal Bureau of Investigation, shall make publicly available on an Internet website an advisory report on foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices. Each such report shall include, consistent with the protection of sources and methods, each of the following:

(A) A description of foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices.

(B) A summary of best practices that election campaigns for Federal offices can employ in seeking to counter such threats.

(C) An identification of any publicly available resources, including United States Government resources, for countering such threats.

(2) SCHEDULE FOR SUBMITTAL.—A report under this subsection shall be made available as follows:

(A) In the case of a report regarding an election held for the office of Senator or Member of the House of Representatives during 2018, not later than the date that is 60 days after the date of the enactment of this Act.

(B) In the case of a report regarding an election for a Federal office during any subsequent year, not later than the date that is 1 year before the date of the election.

(3) INFORMATION TO BE INCLUDED.—A report under this subsection shall reflect the most current information available to the Director of National Intelligence regarding foreign counterintelligence and cybersecurity threats.

(b) TREATMENT OF CAMPAIGNS SUBJECT TO HEIGHTENED THREATS.—If the Director of the Federal Bureau of Investigation and the Under Secretary of Homeland Security for Intelligence and Analysis jointly determine that an election campaign for Federal office is subject to a heightened foreign counterintelligence or cybersecurity threat, the Director and the Under Secretary, consistent with the protection of sources and methods, may make available additional information to the appropriate representatives of such campaign.

SEC. 507. INFORMATION SHARING WITH STATE ELECTION OFFICIALS.

(a) STATE DEFINED.—In this section, the term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(b) SECURITY CLEARANCES.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall support the Under Secretary of Homeland Security for Intelligence and Analysis, and any other official of the Department of Homeland Security designated by the Secretary of Homeland Security, in sponsoring a security clearance up to the top secret level for each eligible chief election official of a State or the District of Columbia, and additional eligible designees of such election official as appropriate, at the time that such election official assumes such position.

(2) INTERIM CLEARANCES.—Consistent with applicable policies and directives, the Director of National Intelligence may issue interim clearances, for a period to be determined by the Director, to a chief election official as described in paragraph (1) and up to 1 designee of such official under such paragraph.

(c) INFORMATION SHARING.—

(1) IN GENERAL.—The Director of National Intelligence shall assist the Under Secretary of Homeland Security for Intelligence and Analysis and the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department (as specified in section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H))) with sharing any appropriate classified information related to threats to election systems and to the integrity of the election process with chief election officials and such designees who have received a security clearance under subsection (b).

(2) COORDINATION.—The Under Secretary of Homeland Security for Intelligence and Analysis shall coordinate with the Director of National Intelligence and the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department (as specified in section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H))) to facilitate the sharing of information to the affected Secretaries of State or States.

SEC. 508. NOTIFICATION OF SIGNIFICANT FOREIGN CYBER INTRUSIONS AND ACTIVE MEASURES CAMPAIGNS DIRECTED AT ELECTIONS FOR FEDERAL OFFICES.

(a) DEFINITIONS.—In this section:

(1) ACTIVE MEASURES CAMPAIGN.—The term ''active measures campaign'' means a foreign semi-covert or covert intelligence operation.

(2) CANDIDATE, ELECTION, AND POLITICAL PARTY.—The terms ''candidate'', ''election'', and ''political party'' have the meanings given those terms in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(3) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(4) CYBER INTRUSION.—The term ''cyber intrusion'' means an electronic occurrence that actually or imminently jeopardizes, without lawful authority, electronic election infrastructure, or the integrity, confidentiality, or availability of information within such infrastructure.

(5) ELECTRONIC ELECTION INFRASTRUCTURE.—The term ''electronic election infrastructure'' means an electronic information system of any of the following that is related to an election for Federal office:

(A) The Federal Government.

(B) A State or local government.

(C) A political party.

(D) The election campaign of a candidate.

(6) FEDERAL OFFICE.—The term ''Federal office'' has the meaning given that term in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(7) HIGH CONFIDENCE.—The term ''high confidence'', with respect to a determination, means that the determination is based on high-quality information from multiple sources.

(8) MODERATE CONFIDENCE.—The term ''moderate confidence'', with respect to a determination, means that a determination is credibly sourced and plausible but not of sufficient quality or corroborated sufficiently to warrant a higher level of confidence.

(9) OTHER APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''other appropriate congressional committees'' means—

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

(B) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(b) DETERMINATIONS OF SIGNIFICANT FOREIGN CYBER INTRUSIONS AND ACTIVE MEASURES CAMPAIGNS.—The Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security shall jointly carry out subsection (c) if such Directors and the Secretary jointly determine—

(1) that on or after the date of the enactment of this Act, a significant foreign cyber intrusion or active measures campaign intended to influence an upcoming election for any Federal office has occurred or is occurring; and

(2) with moderate or high confidence, that such intrusion or campaign can be attributed to a foreign state or to a foreign nonstate person, group, or other entity.

(c) BRIEFING.—

(1) IN GENERAL.—Not later than 14 days after making a determination under subsection (b), the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security shall jointly provide a briefing to the congressional leadership, the congressional intelligence committees and, consistent with the protection of sources and methods, the other appropriate congressional committees. The briefing shall be classified and address, at a minimum, the following:

(A) A description of the significant foreign cyber intrusion or active measures campaign, as the case may be, covered by the determination.

(B) An identification of the foreign state or foreign nonstate person, group, or other entity, to which such intrusion or campaign has been attributed.

(C) The desirability and feasibility of the public release of information about the cyber intrusion or active measures campaign.

(D) Any other information such Directors and the Secretary jointly determine appropriate.

(2) ELECTRONIC ELECTION INFRASTRUCTURE BRIEFINGS.—With respect to a significant foreign cyber intrusion covered by a determination under subsection (b), the Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Director of the Federal Bureau of Investigation, shall offer to the owner or operator of any electronic election infrastructure directly affected by such intrusion, a briefing on such intrusion, including steps that may be taken to mitigate such intrusion. Such briefing may be classified and made available only to individuals with appropriate security clearances.

(3) PROTECTION OF SOURCES AND METHODS.—This subsection shall be carried out in a manner that is consistent with the protection of sources and methods.

SEC. 509. DESIGNATION OF COUNTERINTELLIGENCE OFFICER TO LEAD ELECTION SECURITY MATTERS.

(a) IN GENERAL.—The Director of National Intelligence shall designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate counterintelligence matters relating to election security.

(b) ADDITIONAL RESPONSIBILITIES.—The person designated under subsection (a) shall also lead, manage, and coordinate counterintelligence matters relating to risks posed by interference from foreign powers (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)) to the following:

(1) The Federal Government election security supply chain.

(2) Election voting systems and software.

(3) Voter registration databases.

(4) Critical infrastructure related to elections.

(5) Such other Government goods and services as the Director of National Intelligence considers appropriate.

TITLE VI—SECURITY CLEARANCES

SEC. 601. DEFINITIONS.

In this title:

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

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Armed Services of the House of Representatives;

(F) the Committee on Appropriations of the House of Representatives;

(G) the Committee on Homeland Security of the House of Representatives; and

(H) the Committee on Oversight and Government Reform of the House of Representatives.

(2) APPROPRIATE INDUSTRY PARTNERS.—The term ''appropriate industry partner'' means

a contractor, licensee, or grantee (as defined in section 101(a) of Executive Order 12829 (50 U.S.C. 3161 note; relating to National Industrial Security Program)) that is participating in the National Industrial Security Program established by such Executive Order.

(3) CONTINUOUS VETTING.—The term ''continuous vetting'' has the meaning given such term in Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information).

(4) COUNCIL.—The term ''Council'' means the Security, Suitability, and Credentialing Performance Accountability Council established pursuant to such Executive Order, or any successor entity.

(5) SECURITY EXECUTIVE AGENT.—The term ''Security Executive Agent'' means the officer serving as the Security Executive Agent pursuant to section 803 of the National Security Act of 1947, as added by section 605.

(6) SUITABILITY AND CREDENTIALING EXECUTIVE AGENT.—The term ''Suitability and Credentialing Executive Agent'' means the Director of the Office of Personnel Management acting as the Suitability and Credentialing Executive Agent in accordance with Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information), or any successor entity.

SEC. 602. REPORTS AND PLANS RELATING TO SECURITY CLEARANCES AND BACKGROUND INVESTIGATIONS.

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

(1) ensuring the trustworthiness and security of the workforce, facilities, and information of the Federal Government is of the highest priority to national security and public safety;

(2) the President and Congress should prioritize the modernization of the personnel security framework to improve its efficiency, effectiveness, and accountability;

(3) the current system for security clearance, suitability and fitness for employment, and credentialing lacks efficiencies and capabilities to meet the current threat environment, recruit and retain a trusted workforce, and capitalize on modern technologies; and

(4) changes to policies or processes to improve this system should be vetted through the Council to ensure standardization, portability, and reciprocity in security clearances across the Federal Government.

(b) ACCOUNTABILITY PLANS AND REPORTS.—

(1) PLANS.—Not later than 90 days after the date of the enactment of this Act, the Council shall submit to the appropriate congressional committees and make available to appropriate industry partners the following:

(A) A plan, with milestones, to reduce the background investigation inventory to 200,000, or an otherwise sustainable steady-level, by the end of year 2020. Such plan shall include notes of any required changes in investigative and adjudicative standards or resources.

(B) A plan to consolidate the conduct of background investigations associated with the processing for security clearances in the most effective and efficient manner between the National Background Investigation Bureau and the Defense Security Service, or a successor organization. Such plan shall address required funding, personnel, contracts, information technology, field office structure, policy, governance, schedule, transition costs, and effects on stakeholders.

(2) REPORT ON THE FUTURE OF PERSONNEL SECURITY.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report on the future of personnel security to reflect changes in threats, the workforce, and technology.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) A risk framework for granting and renewing access to classified information.

(ii) A discussion of the use of technologies to prevent, detect, and monitor threats.

(iii) A discussion of efforts to address reciprocity and portability.

(iv) A discussion of the characteristics of effective insider threat programs.

(v) An analysis of how to integrate data from continuous evaluation, insider threat programs, and human resources data.

(vi) Recommendations on interagency governance.

(3) PLAN FOR IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a plan to implement the report's framework and recommendations submitted under paragraph (2)(A).

(4) CONGRESSIONAL NOTIFICATIONS.—Not less frequently than quarterly, the Security Executive Agent shall make available to the public a report regarding the status of the disposition of requests received from departments and agencies of the Federal Government for a change to, or approval under, the Federal investigative standards, the national adjudicative guidelines, continuous evaluation, or other national policy regarding personnel security.

SEC. 603. IMPROVING THE PROCESS FOR SECURITY CLEARANCES.

(a) REVIEWS.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that includes the following:

(1) A review of whether the information requested on the Questionnaire for National Security Positions (Standard Form 86) and by the Federal Investigative Standards prescribed by the Office of Personnel Management and the Office of the Director of National Intelligence appropriately supports the adjudicative guidelines under Security Executive Agent Directive 4 (known as the ''National Security Adjudicative Guidelines''). Such review shall include identification of whether any such information currently collected is unnecessary to support the adjudicative guidelines.

(2) An assessment of whether such Questionnaire, Standards, and guidelines should be revised to account for the prospect of a holder of a security clearance becoming an insider threat.

(3) Recommendations to improve the background investigation process by—

(A) simplifying the Questionnaire for National Security Positions (Standard Form 86) and increasing customer support to applicants completing such Questionnaire;

(B) using remote techniques and centralized locations to support or replace field investigation work;

(C) using secure and reliable digitization of information obtained during the clearance process;

(D) building the capacity of the background investigation labor sector; and

(E) replacing periodic reinvestigations with continuous evaluation techniques in all appropriate circumstances.

(b) POLICY, STRATEGY, AND IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent shall, in coordination with the members of the Council, establish the following:

(1) A policy and implementation plan for the issuance of interim security clearances.

(2) A policy and implementation plan to ensure contractors are treated consistently in the security clearance process across agencies and departments of the United States as compared to employees of such agencies and departments. Such policy shall address—

(A) prioritization of processing security clearances based on the mission the contractors will be performing;

(B) standardization in the forms that agencies issue to initiate the process for a security clearance;

(C) digitization of background investigation-related forms;

(D) use of the polygraph;

(E) the application of the adjudicative guidelines under Security Executive Agent Directive 4 (known as the ''National Security Adjudicative Guidelines'');

(F) reciprocal recognition of clearances across agencies and departments of the United States, regardless of status of periodic reinvestigation;

(G) tracking of clearance files as individuals move from employment with an agency or department of the United States to employment in the private sector;

(H) collection of timelines for movement of contractors across agencies and departments;

(I) reporting on security incidents and job performance, consistent with section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), that may affect the ability to hold a security clearance;

(J) any recommended changes to the Federal Acquisition Regulations (FAR) necessary to ensure that information affecting contractor clearances or suitability is appropriately and expeditiously shared between and among agencies and contractors; and

(K) portability of contractor security clearances between or among contracts at the same agency and between or among contracts at different agencies that require the same level of clearance.

(3) A strategy and implementation plan that—

(A) provides for periodic reinvestigations as part of a security clearance determination only on an as-needed, risk-based basis;

(B) includes actions to assess the extent to which automated records checks and other continuous evaluation methods may be used to expedite or focus reinvestigations; and

(C) provides an exception for certain populations if the Security Executive Agent—

(i) determines such populations require reinvestigations at regular intervals; and

(ii) provides written justification to the appropriate congressional committees for any such determination.

(4) A policy and implementation plan for agencies and departments of the United States, as a part of the security clearance process, to accept automated records checks generated pursuant to a security clearance applicant's employment with a prior employer.

(5) A policy for the use of certain background materials on individuals collected by the private sector for background investigation purposes.

(6) Uniform standards for agency continuous evaluation programs to ensure quality and reciprocity in accepting enrollment in a continuous vetting program as a substitute for a periodic investigation for continued access to classified information.

SEC. 604. GOALS FOR PROMPTNESS OF DETERMINATIONS REGARDING SECURITY CLEARANCES.

(a) RECIPROCITY DEFINED.—In this section, the term ''reciprocity'' means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) IN GENERAL.—The Council shall reform the security clearance process with the objective that, by December 31, 2021, 90 percent of all determinations, other than determinations regarding populations identified under section 603(b)(3)(C), regarding—

(1) security clearances—

(A) at the secret level are issued in 30 days or fewer; and

(B) at the top secret level are issued in 90 days or fewer; and

(2) reciprocity of security clearances at the same level are recognized in 2 weeks or fewer.

(c) CERTAIN REINVESTIGATIONS.—The Council shall reform the security clearance process with the goal that by December 31, 2021, reinvestigation on a set periodicity is not required for more than 10 percent of the population that holds a security clearance.

(d) EQUIVALENT METRICS.—

(1) IN GENERAL.—If the Council develops a set of performance metrics that it certifies to the appropriate congressional committees should achieve substantially equivalent outcomes as those outlined in subsections (b) and (c), the Council may use those metrics for purposes of compliance within this provision.

(2) NOTICE.—If the Council uses the authority provided by paragraph (1) to use metrics as described in such paragraph, the Council shall, not later than 30 days after communicating such metrics to departments and agencies, notify the appropriate congressional committees that it is using such authority.

(e) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Council shall submit to the appropriate congressional committees and make available to appropriate industry partners a plan to carry out this section. Such plan shall include recommended interim milestones for the goals set forth in subsections (b) and (c) for 2019, 2020, and 2021.

SEC. 605. SECURITY EXECUTIVE AGENT.

(a) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended—

(1) by redesignating sections 803 and 804 as sections 804 and 805, respectively; and

(2) by inserting after section 802 the following:

''SEC. 803. SECURITY EXECUTIVE AGENT.

''(a) IN GENERAL.—The Director of National Intelligence, or such other officer of the United States as the President may designate, shall serve as the Security Executive Agent for all departments and agencies of the United States.

''(b) DUTIES.—The duties of the Security Executive Agent are as follows:

''(1) To direct the oversight of investigations, reinvestigations, adjudications, and, as applicable, polygraphs for eligibility for access to classified information or eligibility to hold a sensitive position made by any Federal agency.

''(2) To review the national security background investigation and adjudication programs of Federal agencies to determine whether such programs are being implemented in accordance with this section.

''(3) To develop and issue uniform and consistent policies and procedures to ensure the effective, efficient, timely, and secure completion of investigations, polygraphs, and adjudications relating to determinations of eligibility for access to classified information or eligibility to hold a sensitive position.

''(4) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to conduct investigations of persons who are proposed for access to classified information or for eligibility to hold a sensitive position to ascertain whether such persons satisfy the criteria for obtaining and retaining access to classified information or eligibility to hold a sensitive position, as applicable.

''(5) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to determine eligibility for access to classified information or eligibility to hold a sensitive position in accordance with Executive Order 12968 (50 U.S.C. 3161 note; relating to access to classified information).

''(6) To ensure reciprocal recognition of eligibility for access to classified information or eligibility to hold a sensitive position among Federal agencies, including acting as the final authority to arbitrate and resolve disputes among such agencies involving the reciprocity of investigations and adjudications of eligibility.

''(7) To execute all other duties assigned to the Security Executive Agent by law.

''(c) AUTHORITIES.—The Security Executive Agent shall—

''(1) issue guidelines and instructions to the heads of Federal agencies to ensure appropriate uniformity, centralization, efficiency, effectiveness, timeliness, and security in processes relating to determinations by such agencies of eligibility for access to classified information or eligibility to hold a sensitive position, including such matters as investigations, polygraphs, adjudications, and reciprocity;

''(2) have the authority to grant exceptions to, or waivers of, national security investigative requirements, including issuing implementing or clarifying guidance, as necessary;

''(3) have the authority to assign, in whole or in part, to the head of any Federal agency (solely or jointly) any of the duties of the Security Executive Agent described in subsection (b) or the authorities described in paragraphs (1) and (2), provided that the exercise of such assigned duties or authorities is subject to the oversight of the Security Executive Agent, including such terms and conditions (including approval by the Security Executive Agent) as the Security Executive Agent determines appropriate; and

''(4) define and set standards for continuous evaluation for continued access to classified information and for eligibility to hold a sensitive position.''.

(b) REPORT ON RECOMMENDATIONS FOR REVISING AUTHORITIES.—Not later than 30 days after the date on which the Chairman of the Council submits to the appropriate congressional committees the report required by section 602(b)(2)(A), the Chairman shall submit to the appropriate congressional committees such recommendations as the Chairman may have for revising the authorities of the Security Executive Agent.

(c) CONFORMING AMENDMENT.—Section 103H(j)(4)(A) of such Act (50 U.S.C. 3033(j)(4)(A)) is amended by striking ''in section 804'' and inserting ''in section 805''.

(d) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of such Act (50 U.S.C. 3002) is amended by striking the items relating to sections 803 and 804 and inserting the following:

''Sec. 803. Security Executive Agent.
''Sec. 804. Exceptions.
''Sec. 805. Definitions.''.

SEC. 606. REPORT ON UNIFIED, SIMPLIFIED, GOVERNMENTWIDE STANDARDS FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent, in coordination with the other members of the Council, shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a report regarding the advisability and the risks, benefits, and costs to the Government and to industry of consolidating to not more than 3 tiers for positions of trust and security clearances.

SEC. 607. REPORT ON CLEARANCE IN PERSON CONCEPT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that to reflect the greater mobility of the modern workforce, alternative methodologies merit analysis to allow greater flexibility for individuals moving in and out of positions that require access to classified information, while still preserving security.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that describes the requirements, feasibility, and advisability of implementing a clearance in person concept described in subsection (c).

(c) CLEARANCE IN PERSON CONCEPT.—The clearance in person concept—

(1) permits an individual who once held a security clearance to maintain his or her eligibility for access to classified information, networks, and facilities for up to 3 years after the individual's eligibility for access to classified information would otherwise lapse; and

(2) recognizes, unless otherwise directed by the Security Executive Agent, an individual's security clearance and background investigation as current, regardless of employment status, contingent on enrollment in a continuous vetting program.

(d) CONTENTS.—The report required under subsection (b) shall address—

(1) requirements for an individual to voluntarily remain in a continuous evaluation program validated by the Security Executive Agent even if the individual is not in a position requiring access to classified information;

(2) appropriate safeguards for privacy;

(3) advantages to government and industry;

(4) the costs and savings associated with implementation;

(5) the risks of such implementation, including security and counterintelligence risks;

(6) an appropriate funding model; and

(7) fairness to small companies and independent contractors.

SEC. 608. BUDGET REQUEST DOCUMENTATION ON FUNDING FOR BACKGROUND INVESTIGATIONS.

(a) IN GENERAL.—As part of the fiscal year 2020 budget request submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the President shall include exhibits that identify the resources expended by each agency during the prior fiscal year for processing background investigations and continuous evaluation programs, disaggregated by tier and whether the individual was a Government employee or contractor.

(b) CONTENTS.—Each exhibit submitted under subsection (a) shall include details on—

(1) the costs of background investigations or reinvestigations;

(2) the costs associated with background investigations for Government or contract personnel;

(3) costs associated with continuous evaluation initiatives monitoring for each person for whom a background investigation or reinvestigation was conducted, other than costs associated with adjudication;

(4) the average per person cost for each type of background investigation; and

(5) a summary of transfers and reprogrammings that were executed in the previous year to support the processing of security clearances.

SEC. 609. REPORTS ON RECIPROCITY FOR SECURITY CLEARANCES INSIDE OF DEPARTMENTS AND AGENCIES.

(a) RECIPROCALLY RECOGNIZED DEFINED.—In this section, the term ''reciprocally recognized'' means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) REPORTS TO SECURITY EXECUTIVE AGENT.—The head of each Federal department or agency shall submit an annual report to the Security Executive Agent that—

(1) identifies the number of individuals whose security clearances take more than 2 weeks to be reciprocally recognized after such individuals move to another part of such department or agency; and

(2) breaks out the information described in paragraph (1) by type of clearance and the reasons for any delays.

(c) ANNUAL REPORT.—Not less frequently than once each year, the Security Executive Agent shall submit to the appropriate congressional committees and make available to industry partners an annual report that summarizes the information received pursuant to subsection (b) during the period covered by such report.

SEC. 610. INTELLIGENCE COMMUNITY REPORTS ON SECURITY CLEARANCES.

Section 506H of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A)(ii), by adding ''and'' at the end;

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

(C) by striking subparagraph (C);

(2) by redesignating subsection (b) as subsection (c);

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

''(b) INTELLIGENCE COMMUNITY REPORTS.—(1)(A) Not later than March 1 of each year, the Director of National Intelligence shall submit a report to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Oversight and Government Reform of the House of Representatives regarding the security clearances processed by each element of the intelligence community during the preceding fiscal year.

''(B) The Director shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives such portions of the report submitted under subparagraph (A) as the Director determines address elements of the intelligence community that are within the Department of Defense.

''(C) Each report submitted under this paragraph shall separately identify security clearances processed for Federal employees and contractor employees sponsored by each such element.

''(2) Each report submitted under paragraph (1)(A) shall include, for each element of the intelligence community for the fiscal year covered by the report, the following:

''(A) The total number of initial security clearance background investigations sponsored for new applicants.

''(B) The total number of security clearance periodic reinvestigations sponsored for existing employees.

''(C) The total number of initial security clearance background investigations for new applicants that were adjudicated with notice of a determination provided to the prospective applicant, including—

''(i) the total number of such adjudications that were adjudicated favorably and granted access to classified information; and

''(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

''(D) The total number of security clearance periodic background investigations that were adjudicated with notice of a determination provided to the existing employee, including—

''(i) the total number of such adjudications that were adjudicated favorably; and

''(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

''(E) The total number of pending security clearance background investigations, including initial applicant investigations and periodic reinvestigations, that were not adjudicated as of the last day of such year and that remained pending, categorized as follows:

''(i) For 180 days or shorter.

''(ii) For longer than 180 days, but shorter than 12 months.

''(iii) For 12 months or longer, but shorter than 18 months.

''(iv) For 18 months or longer, but shorter than 24 months.

''(v) For 24 months or longer.

''(F) For any security clearance determinations completed or pending during the year preceding the year for which the report is submitted that have taken longer than 12 months to complete—

''(i) an explanation of the causes for the delays incurred during the period covered by the report; and

''(ii) the number of such delays involving a polygraph requirement.

''(G) The percentage of security clearance investigations, including initial and periodic reinvestigations, that resulted in a denial or revocation of a security clearance.

''(H) The percentage of security clearance investigations that resulted in incomplete information.

''(I) The percentage of security clearance investigations that did not result in enough information to make a decision on potentially adverse information.

''(3) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.''; and

(4) in subsection (c), as redesignated, by striking ''subsection (a)(1)'' and inserting ''subsections (a)(1) and (b)''.

SEC. 611. PERIODIC REPORT ON POSITIONS IN THE INTELLIGENCE COMMUNITY THAT CAN BE CONDUCTED WITHOUT ACCESS TO CLASSIFIED INFORMATION, NETWORKS, OR FACILITIES.

Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report that reviews the intelligence community for which positions can be conducted without access to classified information, networks, or facilities, or may only require a security clearance at the secret level.

SEC. 612. INFORMATION SHARING PROGRAM FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall establish and implement a program to share between and among agencies of the Federal Government and industry partners of the Federal Government relevant background information regarding individuals applying for and currently occupying national security positions and positions of trust, in order to ensure the Federal Government maintains a trusted workforce.

(2) DESIGNATION.—The program established under paragraph (1) shall be known as the ''Trusted Information Provider Program'' (in this section referred to as the ''Program'').

(b) PRIVACY SAFEGUARDS.—The Security Executive Agent and the Suitability and Credentialing Executive Agent shall ensure that the Program includes such safeguards for privacy as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate.

(c) PROVISION OF INFORMATION TO THE FEDERAL GOVERNMENT.—The Program shall include requirements that enable investigative service providers and agencies of the Federal Government to leverage certain pre-employment information gathered during the employment or military recruiting process, and other relevant security or human resources information obtained during employment with or for the Federal Government, that satisfy Federal investigative standards, while safeguarding personnel privacy.

(d) INFORMATION AND RECORDS.—The information and records considered under the Program shall include the following:

(1) Date and place of birth.

(2) Citizenship or immigration and naturalization information.

(3) Education records.

(4) Employment records.

(5) Employment or social references.

(6) Military service records.

(7) State and local law enforcement checks.

(8) Criminal history checks.

(9) Financial records or information.

(10) Foreign travel, relatives, or associations.

(11) Social media checks.

(12) Such other information or records as may be relevant to obtaining or maintaining national security, suitability, fitness, or credentialing eligibility.

(e) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a plan for the implementation of the Program.

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

(A) Mechanisms that address privacy, national security, suitability or fitness, credentialing, and human resources or military recruitment processes.

(B) Such recommendations for legislative or administrative action as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate to carry out or improve the Program.

(f) PLAN FOR PILOT PROGRAM ON TWO-WAY INFORMATION SHARING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a plan for the implementation of a pilot program to assess the feasibility and advisability of expanding the Program to include the sharing of information held by the Federal Government related to contract personnel with the security office of the employers of those contractor personnel.

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

(A) Mechanisms that address privacy, national security, suitability or fitness, credentialing, and human resources or military recruitment processes.

(B) Such recommendations for legislative or administrative action as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate to carry out or improve the pilot program.

(g) REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a review of the plans submitted under subsections (e)(1) and (f)(1) and utility and effectiveness of the programs described in such plans.

SEC. 613. REPORT ON PROTECTIONS FOR CONFIDENTIALITY OF WHISTLEBLOWER-RELATED COMMUNICATIONS.

Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent shall, in coordination with the Inspector General of the Intelligence Community, submit to the appropriate congressional committees a report detailing the controls employed by the intelligence community to ensure that continuous vetting programs, including those involving user activity monitoring, protect the confidentiality of whistleblower-related communications.

TITLE VII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers

SEC. 701. LIMITATION RELATING TO ESTABLISHMENT OR SUPPORT OF CYBERSECURITY UNIT WITH THE RUSSIAN FEDERATION.

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

(1) the congressional intelligence committees;

(2) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(3) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(b) LIMITATION.—

(1) IN GENERAL.—No amount may be expended by the Federal Government, other than the Department of Defense, to enter into or implement any bilateral agreement between the United States and the Russian Federation regarding cybersecurity, including the establishment or support of any cybersecurity unit, unless, at least 30 days prior to the conclusion of any such agreement, the Director of National Intelligence submits to the appropriate congressional committees a report on such agreement that includes the elements required by subsection (c).

(2) DEPARTMENT OF DEFENSE AGREEMENTS.—Any agreement between the Department of Defense and the Russian Federation regarding cybersecurity shall be conducted in accordance with section 1232 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), as amended by section 1231 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(c) ELEMENTS.—If the Director submits a report under subsection (b) with respect to an agreement, such report shall include a description of each of the following:

(1) The purpose of the agreement.

(2) The nature of any intelligence to be shared pursuant to the agreement.

(3) The expected value to national security resulting from the implementation of the agreement.

(4) Such counterintelligence concerns associated with the agreement as the Director may have and such measures as the Director expects to be taken to mitigate such concerns.

(d) RULE OF CONSTRUCTION.—This section shall not be construed to affect any existing authority of the Director of National Intelligence, the Director of the Central Intelligence Agency, or another head of an element of the intelligence community, to share or receive foreign intelligence on a case-by-case basis.

SEC. 702. REPORT ON RETURNING RUSSIAN COMPOUNDS.

(a) COVERED COMPOUNDS DEFINED.—In this section, the term ''covered compounds'' means the real property in New York, the real property in Maryland, and the real property in San Francisco, California, that were under the control of the Government of Russia in 2016 and were removed from such control in response to various transgressions by the Government of Russia, including the interference by the Government of Russia in the 2016 election in the United States.

(b) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives (only with respect to the unclassified report), a report on the intelligence risks of returning the covered compounds to Russian control.

(c) FORM OF REPORT.—The report required by this section shall be submitted in classified and unclassified forms.

SEC. 703. ASSESSMENT OF THREAT FINANCE RELATING TO RUSSIA.

(a) THREAT FINANCE DEFINED.—In this section, the term ''threat finance'' means—

(1) the financing of cyber operations, global influence campaigns, intelligence service activities, proliferation, terrorism, or transnational crime and drug organizations;

(2) the methods and entities used to spend, store, move, raise, conceal, or launder money or value, on behalf of threat actors;

(3) sanctions evasion; and

(4) other forms of threat finance activity domestically or internationally, as defined by the President.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Assistant Secretary of the Treasury for Intelligence and Analysis, shall submit to the congressional intelligence committees a report containing an assessment of Russian threat finance. The assessment shall be based on intelligence from all sources, including from the Office of Terrorism and Financial Intelligence of the Department of the Treasury.

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

(1) A summary of leading examples from the 3-year period preceding the date of the submittal of the report of threat finance activities conducted by, for the benefit of, or at the behest of—

(A) officials of the Government of Russia;

(B) persons subject to sanctions under any provision of law imposing sanctions with respect to Russia;

(C) Russian nationals subject to sanctions under any other provision of law; or

(D) Russian oligarchs or organized criminals.

(2) An assessment with respect to any trends or patterns in threat finance activities relating to Russia, including common methods of conducting such activities and global nodes of money laundering used by Russian threat actors described in paragraph (1) and associated entities.

(3) An assessment of any connections between Russian individuals involved in money laundering and the Government of Russia.

(4) A summary of engagement and coordination with international partners on threat finance relating to Russia, especially in Europe, including examples of such engagement and coordination.

(5) An identification of any resource and collection gaps.

(6) An identification of—

(A) entry points of money laundering by Russian and associated entities into the United States;

(B) any vulnerabilities within the United States legal and financial system, including specific sectors, which have been or could be exploited in connection with Russian threat finance activities; and

(C) the counterintelligence threat posed by Russian money laundering and other forms of threat finance, as well as the threat to the United States financial system and United States efforts to enforce sanctions and combat organized crime.

(7) Any other matters the Director determines appropriate.

(d) FORM OF REPORT.—The report required under subsection (b) may be submitted in classified form.

SEC. 704. NOTIFICATION OF AN ACTIVE MEASURES CAMPAIGN.

(a) DEFINITIONS.—In this section:

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

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(C) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(b) REQUIREMENT FOR NOTIFICATION.—The Director of National Intelligence, in cooperation with the Director of the Federal Bureau of Investigation and the head of any other relevant agency, shall notify the congressional leadership and the Chairman and Vice Chairman or Ranking Member of each of the appropriate congressional committees, and of other relevant committees of jurisdiction,

each time the Director of National Intelligence determines there is credible information that a foreign power has, is, or will attempt to employ a covert influence or active measures campaign with regard to the modernization, employment, doctrine, or force posture of the nuclear deterrent or missile defense.

(c) CONTENT OF NOTIFICATION.—Each notification required by subsection (b) shall include information concerning actions taken by the United States to expose or halt an attempt referred to in subsection (b).

SEC. 705. NOTIFICATION OF TRAVEL BY ACCREDITED DIPLOMATIC AND CONSULAR PERSONNEL OF THE RUSSIAN FEDERATION IN THE UNITED STATES.

In carrying out the advance notification requirements set out in section 502 of the Intelligence Authorization Act for Fiscal Year 2017 (division N of Public Law 115–31; 131 Stat. 825; 22 U.S.C. 254a note), the Secretary of State shall—

(1) ensure that the Russian Federation provides notification to the Secretary of State at least 2 business days in advance of all travel that is subject to such requirements by accredited diplomatic and consular personnel of the Russian Federation in the United States, and take necessary action to secure full compliance by Russian personnel and address any noncompliance; and

(2) provide notice of travel described in paragraph (1) to the Director of National Intelligence and the Director of the Federal Bureau of Investigation within 1 hour of receiving notice of such travel.

SEC. 706. REPORT ON OUTREACH STRATEGY ADDRESSING THREATS FROM UNITED STATES ADVERSARIES TO THE UNITED STATES TECHNOLOGY SECTOR.

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

(1) the congressional intelligence committees;

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

(3) the Committee on Armed Services, Committee on Homeland Security, and the Committee on Oversight and Government Reform of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report detailing outreach by the intelligence community and the Defense Intelligence Enterprise to United States industrial, commercial, scientific, technical, and academic communities on matters relating to the efforts of adversaries of the United States to acquire critical United States technology, intellectual property, and research and development information.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) A review of the current outreach efforts of the intelligence community and the Defense Intelligence Enterprise described in subsection (b), including the type of information conveyed in the outreach.

(2) A determination of the appropriate element of the intelligence community to lead such outreach efforts.

(3) An assessment of potential methods for improving the effectiveness of such outreach, including an assessment of the following:

(A) Those critical technologies, infrastructure, or related supply chains that are at risk from the efforts of adversaries described in subsection (b).

(B) The necessity and advisability of granting security clearances to company or community leadership, when necessary and appropriate, to allow for tailored classified briefings on specific targeted threats.

(C) The advisability of partnering with entities of the Federal Government that are not elements of the intelligence community and relevant regulatory and industry groups described in subsection (b), to convey key messages across sectors targeted by United States adversaries.

(D) Strategies to assist affected elements of the communities described in subparagraph (C) in mitigating, deterring, and protecting against the broad range of threats from the efforts of adversaries described in subsection (b), with focus on producing information that enables private entities to justify business decisions related to national security concerns.

(E) The advisability of the establishment of a United States Government-wide task force to coordinate outreach and activities to combat the threats from efforts of adversaries described in subsection (b).

(F) Such other matters as the Director of National Intelligence may consider necessary.

(d) CONSULTATION ENCOURAGED.—In preparing the report required by subsection (b), the Director is encouraged to consult with other government agencies, think tanks, academia, representatives of the financial industry, or such other entities as the Director considers appropriate.

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

SEC. 707. REPORT ON IRANIAN SUPPORT OF PROXY FORCES IN SYRIA AND LEBANON.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

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

(2) ARMS OR RELATED MATERIAL.—The term ''arms or related material'' means—

(A) nuclear, biological, chemical, or radiological weapons or materials or components of such weapons;

(B) ballistic or cruise missile weapons or materials or components of such weapons;

(C) destabilizing numbers and types of advanced conventional weapons;

(D) defense articles or defense services, as those terms are defined in paragraphs (3) and (4), respectively, of section 47 of the Arms Export Control Act (22 U.S.C. 2794);

(E) defense information, as that term is defined in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403); or

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

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on Iranian support of proxy forces in Syria and Lebanon and the threat posed to Israel, other United States regional allies, and other specified interests of the United States as a result of such support.

(c) MATTERS FOR INCLUSION.—The report required under subsection (b) shall include information relating to the following matters with respect to both the strategic and tactical implications for the United States and its allies:

(1) A description of arms or related materiel transferred by Iran to Hizballah since March 2011, including the number of such arms or related materiel and whether such transfer was by land, sea, or air, as well as financial and additional technological capabilities transferred by Iran to Hizballah.

(2) A description of Iranian and Iranian-controlled personnel, including Hizballah, Shiite militias, and Iran's Revolutionary Guard Corps forces, operating within Syria, including the number and geographic distribution of such personnel operating within 30 kilometers of the Israeli borders with Syria and Lebanon.

(3) An assessment of Hizballah's operational lessons learned based on its recent experiences in Syria.

(4) A description of any rocket-producing facilities in Lebanon for nonstate actors, including whether such facilities were assessed to be built at the direction of Hizballah leadership, Iranian leadership, or in consultation between Iranian leadership and Hizballah leadership.

(5) An analysis of the foreign and domestic supply chains that significantly facilitate, support, or otherwise aid Hizballah's acquisition or development of missile production facilities, including the geographic distribution of such foreign and domestic supply chains.

(6) An assessment of the provision of goods, services, or technology transferred by Iran or its affiliates to Hizballah to indigenously manufacture or otherwise produce missiles.

(7) An identification of foreign persons that are based on credible information, facilitating the transfer of significant financial support or arms or related materiel to Hizballah.

(8) A description of the threat posed to Israel and other United States allies in the Middle East by the transfer of arms or related material or other support offered to Hizballah and other proxies from Iran.

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

SEC. 708. ANNUAL REPORT ON IRANIAN EXPENDITURES SUPPORTING FOREIGN MILITARY AND TERRORIST ACTIVITIES.

(a) ANNUAL REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Director of National Intelligence shall submit to Congress a report describing Iranian expenditures in the previous calendar year on military and terrorist activities outside the country, including each of the following:

(1) The amount spent in such calendar year on activities by the Islamic Revolutionary Guard Corps, including activities providing support for—

(A) Hizballah;

(B) Houthi rebels in Yemen;

(C) Hamas;

(D) proxy forces in Iraq and Syria; or

(E) any other entity or country the Director determines to be relevant.

(2) The amount spent in such calendar year for ballistic missile research and testing or other activities that the Director determines are destabilizing to the Middle East region.

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

SEC. 709. EXPANSION OF SCOPE OF COMMITTEE TO COUNTER ACTIVE MEASURES AND REPORT ON ESTABLISHMENT OF FOREIGN MALIGN INFLUENCE CENTER.

(a) SCOPE OF COMMITTEE TO COUNTER ACTIVE MEASURES.—

(1) IN GENERAL.—Section 501 of the Intelligence Authorization Act for Fiscal Year

2017 (Public Law 115–31; 50 U.S.C. 3001 note) is amended—

(A) in subsections (a) through (h)—

(i) by inserting '', the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or other nation state'' after ''Russian Federation'' each place it appears; and

(ii) by inserting '', China, Iran, North Korea, or other nation state'' after ''Russia'' each place it appears; and

(B) in the section heading, by inserting ''**, THE PEOPLE'S REPUBLIC OF CHINA, THE ISLAMIC REPUBLIC OF IRAN, THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA, OR OTHER NATION STATE**'' after ''**RUSSIAN FEDERATION**''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 501 and inserting the following new item:

''Sec. 501. Committee to counter active measures by the Russian Federation, the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, and other nation states to exert covert influence over peoples and governments.''.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with such elements of the intelligence community as the Director considers relevant, shall submit to the congressional intelligence committees a report on the feasibility and advisability of establishing a center, to be known as the ''Foreign Malign Influence Response Center'', that—

(A) is comprised of analysts from all appropriate elements of the intelligence community, including elements with related diplomatic and law enforcement functions;

(B) has access to all intelligence and other reporting acquired by the United States Government on foreign efforts to influence, through overt and covert malign activities, United States political processes and elections;

(C) provides comprehensive assessment, and indications and warning, of such activities; and

(D) provides for enhanced dissemination of such assessment to United States policy makers.

(2) CONTENTS.—The Report required by paragraph (1) shall include the following:

(A) A discussion of the desirability of the establishment of such center and any barriers to such establishment.

(B) Such recommendations and other matters as the Director considers appropriate.

Subtitle B—Reports

SEC. 711. TECHNICAL CORRECTION TO INSPECTOR GENERAL STUDY.

Section 11001(d) of title 5, United States Code, is amended—

(1) in the subsection heading, by striking ''AUDIT'' and inserting ''REVIEW'';

(2) in paragraph (1), by striking ''audit'' and inserting ''review''; and

(3) in paragraph (2), by striking ''audit'' and inserting ''review''.

SEC. 712. REPORTS ON AUTHORITIES OF THE CHIEF INTELLIGENCE OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(2) HOMELAND SECURITY INTELLIGENCE ENTERPRISE.—The term ''Homeland Security Intelligence Enterprise'' has the meaning given such term in Department of Homeland Security Instruction Number 264–01–001, or successor authority.

(b) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Under Secretary of Homeland Security for Intelligence and Analysis, shall submit to the appropriate committees of Congress a report on the authorities of the Under Secretary.

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

(1) An analysis of whether the Under Secretary has the legal and policy authority necessary to organize and lead the Homeland Security Intelligence Enterprise, with respect to intelligence, and, if not, a description of—

(A) the obstacles to exercising the authorities of the Chief Intelligence Officer of the Department and the Homeland Security Intelligence Council, of which the Chief Intelligence Officer is the chair; and

(B) the legal and policy changes necessary to effectively coordinate, organize, and lead intelligence activities of the Department of Homeland Security.

(2) A description of the actions that the Secretary has taken to address the inability of the Under Secretary to require components of the Department, other than the Office of Intelligence and Analysis of the Department to—

(A) coordinate intelligence programs; and

(B) integrate and standardize intelligence products produced by such other components.

SEC. 713. REPORT ON CYBER EXCHANGE PROGRAM.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the potential establishment of a fully voluntary exchange program between elements of the intelligence community and private technology companies under which—

(1) an employee of an element of the intelligence community with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to a private technology company that has elected to receive the detailee; and

(2) an employee of a private technology company with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to an element of the intelligence community that has elected to receive the detailee.

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

(1) An assessment of the feasibility of establishing the exchange program described in such subsection.

(2) Identification of any challenges in establishing the exchange program.

(3) An evaluation of the benefits to the intelligence community that would result from the exchange program.

SEC. 714. REVIEW OF INTELLIGENCE COMMUNITY WHISTLEBLOWER MATTERS.

(a) REVIEW OF WHISTLEBLOWER MATTERS.—The Inspector General of the Intelligence Community, in consultation with the inspectors general for the Central Intelligence Agency, the National Security Agency, the National Geospatial-Intelligence Agency, the Defense Intelligence Agency, and the National Reconnaissance Office, shall conduct a review of the authorities, policies, investigatory standards, and other practices and procedures relating to intelligence community whistleblower matters, with respect to such inspectors general.

(b) OBJECTIVE OF REVIEW.—The objective of the review required under subsection (a) is to identify any discrepancies, inconsistencies, or other issues, which frustrate the timely and effective reporting of intelligence community whistleblower matters to appropriate inspectors general and to the congressional intelligence committees, and the fair and expeditious investigation and resolution of such matters.

(c) CONDUCT OF REVIEW.—The Inspector General of the Intelligence Community shall take such measures as the Inspector General determines necessary in order to ensure that the review required by subsection (a) is conducted in an independent and objective fashion.

(d) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a written report containing the results of the review required under subsection (a), along with recommendations to improve the timely and effective reporting of intelligence community whistleblower matters to inspectors general and to the congressional intelligence committees and the fair and expeditious investigation and resolution of such matters.

SEC. 715. REPORT ON ROLE OF DIRECTOR OF NATIONAL INTELLIGENCE WITH RESPECT TO CERTAIN FOREIGN INVESTMENTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community determined appropriate by the Director, shall submit to the congressional intelligence committees a report on the role of the Director in preparing analytic materials in connection with the evaluation by the Federal Government of national security risks associated with potential foreign investments into the United States.

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

(1) a description of the current process for the provision of the analytic materials described in subsection (a);

(2) an identification of the most significant benefits and drawbacks of such process with respect to the role of the Director, including the sufficiency of resources and personnel to prepare such materials; and

(3) recommendations to improve such process.

SEC. 716. REPORT ON SURVEILLANCE BY FOREIGN GOVERNMENTS AGAINST UNITED STATES TELECOMMUNICATIONS NETWORKS.

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

(1) The congressional intelligence committees.

(2) The Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the

Federal Bureau of Investigation, and the Secretary of Homeland Security, submit to the appropriate congressional committees a report describing—

(1) any attempts known to the intelligence community by foreign governments to exploit cybersecurity vulnerabilities in United States telecommunications networks (including Signaling System No. 7) to target for surveillance United States persons, including employees of the Federal Government; and

(2) any actions, as of the date of the enactment of this Act, taken by the intelligence community to protect agencies and personnel of the United States Government from surveillance conducted by foreign governments.

SEC. 717. BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.

(a) INTELLIGENCE COMMUNITY INTERAGENCY WORKING GROUP.—

(1) REQUIREMENT TO ESTABLISH.—The Director of National Intelligence shall establish an intelligence community interagency working group to prepare the biennial reports required by subsection (b).

(2) CHAIRPERSON.—The Director of National Intelligence shall serve as the chairperson of such interagency working group.

(3) MEMBERSHIP.—Such interagency working group shall be composed of representatives of each element of the intelligence community that the Director of National Intelligence determines appropriate.

(b) BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 2 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report on foreign investment risks prepared by the interagency working group established under subsection (a).

(2) ELEMENTS.—Each report required by paragraph (1) shall include identification, analysis, and explanation of the following:

(A) Any current or projected major threats to the national security of the United States with respect to foreign investment.

(B) Any strategy used by a foreign country that such interagency working group has identified to be a country of special concern to use foreign investment to target the acquisition of critical technologies, critical materials, or critical infrastructure.

(C) Any economic espionage efforts directed at the United States by a foreign country, particularly such a country of special concern.

SEC. 718. MODIFICATION OF CERTAIN REPORTING REQUIREMENT ON TRAVEL OF FOREIGN DIPLOMATS.

Section 502(d)(2) of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31) is amended by striking ''the number'' and inserting ''a best estimate''.

SEC. 719. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 3231 et seq.) is amended by adding at the end the following new section:

''SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

''(a) DEFINITIONS.—In this section:

''(1) COVERED OFFICIAL.—The term 'covered official' means—

''(A) the heads of each element of the intelligence community; and

''(B) the inspectors general with oversight responsibility for an element of the intelligence community.

''(2) INVESTIGATION.—The term 'investigation' means any inquiry, whether formal or informal, into the existence of an unauthorized public disclosure of classified information.

''(3) UNAUTHORIZED DISCLOSURE OF CLASSIFIED INFORMATION.—The term 'unauthorized disclosure of classified information' means any unauthorized disclosure of classified information to any recipient.

''(4) UNAUTHORIZED PUBLIC DISCLOSURE OF CLASSIFIED INFORMATION.—The term 'unauthorized public disclosure of classified information' means the unauthorized disclosure of classified information to a journalist or media organization.

''(b) INTELLIGENCE COMMUNITY REPORTING.—

''(1) IN GENERAL.—Not less frequently than once every 6 months, each covered official shall submit to the congressional intelligence committees a report on investigations of unauthorized public disclosures of classified information.

''(2) ELEMENTS.—Each report submitted under paragraph (1) shall include, with respect to the preceding 6-month period, the following:

''(A) The number of investigations opened by the covered official regarding an unauthorized public disclosure of classified information.

''(B) The number of investigations completed by the covered official regarding an unauthorized public disclosure of classified information.

''(C) Of the number of such completed investigations identified under subparagraph (B), the number referred to the Attorney General for criminal investigation.

''(c) DEPARTMENT OF JUSTICE REPORTING.—

''(1) IN GENERAL.—Not less frequently than once every 6 months, the Assistant Attorney General for National Security of the Department of Justice, in consultation with the Director of the Federal Bureau of Investigation, shall submit to the congressional intelligence committees, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives a report on the status of each referral made to the Department of Justice from any element of the intelligence community regarding an unauthorized disclosure of classified information made during the most recent 365-day period or any referral that has not yet been closed, regardless of the date the referral was made.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for each referral covered by the report, at a minimum, the following:

''(A) The date the referral was received.

''(B) A statement indicating whether the alleged unauthorized disclosure described in the referral was substantiated by the Department of Justice.

''(C) A statement indicating the highest level of classification of the information that was revealed in the unauthorized disclosure.

''(D) A statement indicating whether an open criminal investigation related to the referral is active.

''(E) A statement indicating whether any criminal charges have been filed related to the referral.

''(F) A statement indicating whether the Department of Justice has been able to attribute the unauthorized disclosure to a particular entity or individual.

''(d) FORM OF REPORTS.—Each report submitted under this section shall be submitted in unclassified form, but may have a classified annex.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 1104 the following new item:

''Sec. 1105. Semiannual reports on investigations of unauthorized disclosures of classified information.''.

SEC. 720. CONGRESSIONAL NOTIFICATION OF DESIGNATION OF COVERED INTELLIGENCE OFFICER AS PERSONA NON GRATA.

(a) COVERED INTELLIGENCE OFFICER DEFINED.—In this section, the term ''covered intelligence officer'' means—

(1) a United States intelligence officer serving in a post in a foreign country; or

(2) a known or suspected foreign intelligence officer serving in a United States post.

(b) REQUIREMENT FOR REPORTS.—Not later than 72 hours after a covered intelligence officer is designated as a persona non grata, the Director of National Intelligence, in consultation with the Secretary of State, shall submit to the congressional intelligence committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification of that designation. Each such notification shall include—

(1) the date of the designation;

(2) the basis for the designation; and

(3) a justification for the expulsion.

SEC. 721. REPORTS ON INTELLIGENCE COMMUNITY PARTICIPATION IN VULNERABILITIES EQUITIES PROCESS OF FEDERAL GOVERNMENT.

(a) DEFINITIONS.—In this section:

(1) VULNERABILITIES EQUITIES POLICY AND PROCESS DOCUMENT.—The term ''Vulnerabilities Equities Policy and Process document'' means the executive branch document entitled ''Vulnerabilities Equities Policy and Process'' dated November 15, 2017.

(2) VULNERABILITIES EQUITIES PROCESS.—The term ''Vulnerabilities Equities Process'' means the interagency review of vulnerabilities, pursuant to the Vulnerabilities Equities Policy and Process document or any successor document.

(3) VULNERABILITY.—The term ''vulnerability'' means a weakness in an information system or its components (for example, system security procedures, hardware design, and internal controls) that could be exploited or could affect confidentiality, integrity, or availability of information.

(b) REPORTS ON PROCESS AND CRITERIA UNDER VULNERABILITIES EQUITIES POLICY AND PROCESS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a written report describing—

(A) with respect to each element of the intelligence community—

(i) the title of the official or officials responsible for determining whether, pursuant to criteria contained in the Vulnerabilities Equities Policy and Process document or any successor document, a vulnerability must be submitted for review under the Vulnerabilities Equities Process; and

(ii) the process used by such element to make such determination; and

(B) the roles or responsibilities of that element during a review of a vulnerability submitted to the Vulnerabilities Equities Process.

(2) CHANGES TO PROCESS OR CRITERIA.—Not later than 30 days after any significant change is made to the process and criteria used by any element of the intelligence community for determining whether to submit a

vulnerability for review under the Vulnerabilities Equities Process, such element shall submit to the congressional intelligence committees a report describing such change.

(3) FORM OF REPORTS.—Each report submitted under this subsection shall be submitted in unclassified form, but may include a classified annex.

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Not less frequently than once each calendar year, the Director of National Intelligence shall submit to the congressional intelligence committees a classified report containing, with respect to the previous year—

(A) the number of vulnerabilities submitted for review under the Vulnerabilities Equities Process;

(B) the number of vulnerabilities described in subparagraph (A) disclosed to each vendor responsible for correcting the vulnerability, or to the public, pursuant to the Vulnerabilities Equities Process; and

(C) the aggregate number, by category, of the vulnerabilities excluded from review under the Vulnerabilities Equities Process, as described in paragraph 5.4 of the Vulnerabilities Equities Policy and Process document.

(2) UNCLASSIFIED INFORMATION.—Each report submitted under paragraph (1) shall include an unclassified appendix that contains—

(A) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process; and

(B) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process known to have been patched.

(3) NON-DUPLICATION.—The Director of National Intelligence may forgo submission of an annual report required under this subsection for a calendar year, if the Director notifies the intelligence committees in writing that, with respect to the same calendar year, an annual report required by paragraph 4.3 of the Vulnerabilities Equities Policy and Process document already has been submitted to Congress, and such annual report contains the information that would otherwise be required to be included in an annual report under this subsection.

SEC. 722. INSPECTORS GENERAL REPORTS ON CLASSIFICATION.

(a) REPORTS REQUIRED.—Not later than October 1, 2019, each Inspector General listed in subsection (b) shall submit to the congressional intelligence committees a report that includes, with respect to the department or agency of the Inspector General, analyses of the following:

(1) The accuracy of the application of classification and handling markers on a representative sample of finished reports, including such reports that are compartmented.

(2) Compliance with declassification procedures.

(3) The effectiveness of processes for identifying topics of public or historical importance that merit prioritization for a declassification review.

(b) INSPECTORS GENERAL LISTED.—The Inspectors General listed in this subsection are as follows:

(1) The Inspector General of the Intelligence Community.

(2) The Inspector General of the Central Intelligence Agency.

(3) The Inspector General of the National Security Agency.

(4) The Inspector General of the Defense Intelligence Agency.

(5) The Inspector General of the National Reconnaissance Office.

(6) The Inspector General of the National Geospatial-Intelligence Agency.

SEC. 723. REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS AND BRIEFING ON EMERGING INFECTIOUS DISEASE AND PANDEMICS.

(a) REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS.—

(1) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the implications of water insecurity on the national security interest of the United States, including consideration of social, economic, agricultural, and environmental factors.

(2) ASSESSMENT SCOPE AND FOCUS.—Each report submitted under paragraph (1) shall include an assessment of water insecurity described in such subsection with a global scope, but focus on areas of the world—

(A) of strategic, economic, or humanitarian interest to the United States—

(i) that are, as of the date of the report, at the greatest risk of instability, conflict, human insecurity, or mass displacement; or

(ii) where challenges relating to water insecurity are likely to emerge and become significant during the 5-year or the 20-year period beginning on the date of the report; and

(B) where challenges relating to water insecurity are likely to imperil the national security interests of the United States or allies of the United States.

(3) CONSULTATION.—In researching a report required by paragraph (1), the Director shall consult with—

(A) such stakeholders within the intelligence community, the Department of Defense, and the Department of State as the Director considers appropriate; and

(B) such additional Federal agencies and persons in the private sector as the Director considers appropriate.

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

(b) BRIEFING ON EMERGING INFECTIOUS DISEASE AND PANDEMICS.—

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

(A) the congressional intelligence committees;

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives; and

(C) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

(2) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the appropriate congressional committees a briefing on the anticipated geopolitical effects of emerging infectious disease (including deliberate, accidental, and naturally occurring infectious disease threats) and pandemics, and their implications on the national security of the United States.

(3) CONTENT.—The briefing under paragraph (2) shall include an assessment of—

(A) the economic, social, political, and security risks, costs, and impacts of emerging infectious diseases on the United States and the international political and economic system;

(B) the economic, social, political, and security risks, costs, and impacts of a major transnational pandemic on the United States and the international political and economic system; and

(C) contributing trends and factors to the matters assessed under subparagraphs (A) and (B).

(4) EXAMINATION OF RESPONSE CAPACITY.—In examining the risks, costs, and impacts of emerging infectious disease and a possible transnational pandemic under paragraph (3), the Director of National Intelligence shall also examine in the briefing under paragraph (2) the response capacity within affected countries and the international system. In considering response capacity, the Director shall include—

(A) the ability of affected nations to effectively detect and manage emerging infectious diseases and a possible transnational pandemic;

(B) the role and capacity of international organizations and nongovernmental organizations to respond to emerging infectious disease and a possible pandemic, and their ability to coordinate with affected and donor nations; and

(C) the effectiveness of current international frameworks, agreements, and health systems to respond to emerging infectious diseases and a possible transnational pandemic.

(5) FORM.—The briefing under paragraph (2) may be classified.

SEC. 724. ANNUAL REPORT ON MEMORANDA OF UNDERSTANDING BETWEEN ELEMENTS OF INTELLIGENCE COMMUNITY AND OTHER ENTITIES OF THE UNITED STATES GOVERNMENT REGARDING SIGNIFICANT OPERATIONAL ACTIVITIES OR POLICY.

Section 311 of the Intelligence Authorization Act for Fiscal Year 2017 (50 U.S.C. 3313) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, United States Code, each head of an element of the intelligence community shall submit to the congressional intelligence committees a report that lists each memorandum of understanding or other agreement regarding significant operational activities or policy entered into during the most recently completed fiscal year between or among such element and any other entity of the United States Government.

''(b) PROVISION OF DOCUMENTS.—Each head of an element of an intelligence community who receives a request from the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives for a copy of a memorandum of understanding or other document listed in a report submitted by the head under subsection (a) shall submit to such committee the requested copy as soon as practicable after receiving such request.''.

SEC. 725. STUDY ON THE FEASIBILITY OF ENCRYPTING UNCLASSIFIED WIRELINE AND WIRELESS TELEPHONE CALLS.

(a) STUDY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a study on the feasibility of encrypting unclassified wireline and wireless telephone calls between personnel in the intelligence community.

(b) REPORT.—Not later than 90 days after the date on which the Director completes the study required by subsection (a), the Director shall submit to the congressional intelligence committees a report on the Director's findings with respect to such study.

SEC. 726. MODIFICATION OF REQUIREMENT FOR ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES.

(a) EXPANSION OF PERIOD OF REPORT.—Subsection (a) of section 114 of the National Security Act of 1947 (50 U.S.C. 3050) is amended by inserting ''and the preceding 5 fiscal years'' after ''fiscal year''.

(b) CLARIFICATION ON DISAGGREGATION OF DATA.—Subsection (b) of such section is amended, in the matter before paragraph (1), by striking ''disaggregated data by category of covered person from each element of the intelligence community'' and inserting ''data, disaggregated by category of covered person and by element of the intelligence community,''.

SEC. 727. REPORTS ON INTELLIGENCE COMMUNITY LOAN REPAYMENT AND RELATED PROGRAMS.

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

(1) there should be established, through the issuing of an Intelligence Community Directive or otherwise, an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, for employees of the intelligence community;

(2) creating such a program would enhance the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions;

(3) such a program, including with respect to eligibility requirements, should be designed so as to maximize the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions; and

(4) to the extent possible, such a program should be uniform throughout the intelligence community and publicly promoted by each element of the intelligence community to both current employees of the element as well as to prospective employees of the element.

(b) REPORT ON POTENTIAL INTELLIGENCE COMMUNITY-WIDE PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in cooperation with the heads of the elements of the intelligence community and the heads of any other appropriate department or agency of the Federal Government, shall submit to the congressional intelligence committees a report on potentially establishing and carrying out an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, as described in subsection (a).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of the financial resources that the elements of the intelligence community would require to establish and initially carry out the program specified in paragraph (1).

(B) A description of the practical steps to establish and carry out such a program.

(C) The identification of any legislative action the Director determines necessary to establish and carry out such a program.

(c) ANNUAL REPORTS ON ESTABLISHED PROGRAMS.—

(1) COVERED PROGRAMS DEFINED.—In this subsection, the term ''covered programs'' means any loan repayment program, loan forgiveness program, financial counseling program, or similar program, established pursuant to title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) or any other provision of law that may be administered or used by an element of the intelligence community.

(2) ANNUAL REPORTS REQUIRED.—Not less frequently than once each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the covered programs. Each such report shall include, with respect to the period covered by the report, the following:

(A) The number of personnel from each element of the intelligence community who used each covered program.

(B) The total amount of funds each element expended for each such program.

(C) A description of the efforts made by each element to promote each covered program pursuant to both the personnel of the element of the intelligence community and to prospective personnel.

SEC. 728. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) CORRECTING LONG-STANDING MATERIAL WEAKNESSES.—Section 368 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 110–259; 50 U.S.C. 3051 note) is hereby repealed.

(b) INTERAGENCY THREAT ASSESSMENT AND COORDINATION GROUP.—Section 210D of the Homeland Security Act of 2002 (6 U.S.C. 124k) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) through (i) as subsections (c) through (h), respectively; and

(3) in subsection (c), as so redesignated—

(A) in paragraph (8), by striking ''; and'' and inserting a period; and

(B) by striking paragraph (9).

(c) INSPECTOR GENERAL REPORT.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking subsection (g); and

(2) by redesignating subsections (h) and (i) as subsections (g) and (h), respectively.

SEC. 729. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REPORT ON SENIOR EXECUTIVES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) SENIOR EXECUTIVE SERVICE POSITION DEFINED.—In this section, the term ''Senior Executive Service position'' has the meaning given that term in section 3132(a)(2) of title 5, United States Code, and includes any position above the GS–15, step 10, level of the General Schedule under section 5332 of such title.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on the number of Senior Executive Service positions in the Office of the Director of National Intelligence.

(c) MATTERS INCLUDED.—The report under subsection (b) shall include the following:

(1) The number of required Senior Executive Service positions for the Office of the Director of National Intelligence.

(2) Whether such requirements are reasonably based on the mission of the Office.

(3) A discussion of how the number of the Senior Executive Service positions in the Office compare to the number of senior positions at comparable organizations.

(d) COOPERATION.—The Director of National Intelligence shall provide to the Inspector General of the Intelligence Community any information requested by the Inspector General of the Intelligence Community that is necessary to carry out this section by not later than 14 calendar days after the date on which the Inspector General of the Intelligence Community makes such request.

SEC. 730. BRIEFING ON FEDERAL BUREAU OF INVESTIGATION OFFERING PERMANENT RESIDENCE TO SOURCES AND COOPERATORS.

Not later than 30 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall provide to the congressional intelligence committees a briefing on the ability of the Federal Bureau of Investigation to offer, as an inducement to assisting the Bureau, permanent residence within the United States to foreign individuals who are sources or cooperators in counterintelligence or other national security-related investigations. The briefing shall address the following:

(1) The extent to which the Bureau may make such offers, whether independently or in conjunction with other agencies and departments of the United States Government, including a discussion of the authorities provided by section 101(a)(15)(S) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(S)), section 7 of the Central Intelligence Agency Act (50 U.S.C. 3508), and any other provision of law under which the Bureau may make such offers.

(2) An overview of the policies and operational practices of the Bureau with respect to making such offers.

(3) The sufficiency of such policies and practices with respect to inducing individuals to cooperate with, serve as sources for such investigations, or both.

(4) Whether the Director recommends any legislative actions to improve such policies and practices, particularly with respect to the counterintelligence efforts of the Bureau.

SEC. 731. INTELLIGENCE ASSESSMENT OF NORTH KOREA REVENUE SOURCES.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Assistant Secretary of State for Intelligence and Research and the Assistant Secretary of the Treasury for Intelligence and Analysis, shall produce an intelligence assessment of the revenue sources of the North Korean regime. Such assessment shall include revenue from the following sources:

(1) Trade in coal, iron, and iron ore.

(2) The provision of fishing rights to North Korean territorial waters.

(3) Trade in gold, titanium ore, vanadium ore, copper, silver, nickel, zinc, or rare earth minerals, and other stores of value.

(4) Trade in textiles.

(5) Sales of conventional defense articles and services.

(6) Sales of controlled goods, ballistic missiles, and other associated items.

(7) Other types of manufacturing for export, as the Director of National Intelligence considers appropriate.

(8) The exportation of workers from North Korea in a manner intended to generate significant revenue, directly or indirectly, for use by the government of North Korea.

(9) The provision of nonhumanitarian goods (such as food, medicine, and medical devices) and services by other countries.

(10) The provision of services, including banking and other support, including by entities located in the Russian Federation, China, and Iran.

(11) Online commercial activities of the Government of North Korea, including online gambling.

(12) Criminal activities, including cyber-enabled crime and counterfeit goods.

(b) ELEMENTS.—The assessment required under subsection (a) shall include an identification of each of the following:

(1) The sources of North Korea's funding.

(2) Financial and non-financial networks, including supply chain management, transportation, and facilitation, through which

North Korea accesses the United States and international financial systems and repatriates and exports capital, goods, and services; and

(3) the global financial institutions, money services business, and payment systems that assist North Korea with financial transactions.

(c) SUBMITTAL TO CONGRESS.—Upon completion of the assessment required under subsection (a), the Director of National Intelligence shall submit to the congressional intelligence committees a copy of such assessment.

SEC. 732. REPORT ON POSSIBLE EXPLOITATION OF VIRTUAL CURRENCIES BY TERRORIST ACTORS.

(a) SHORT TITLE.—This section may be cited as the ''Stop Terrorist Use of Virtual Currencies Act''.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of the Treasury, shall submit to Congress a report on the possible exploitation of virtual currencies by terrorist actors. Such report shall include the following elements:

(1) An assessment of the means and methods by which international terrorist organizations and State sponsors of terrorism use virtual currencies.

(2) An assessment of the use by terrorist organizations and State sponsors of terrorism of virtual currencies compared to the use by such organizations and States of other forms of financing to support operations, including an assessment of the collection posture of the intelligence community on the use of virtual currencies by such organizations and States.

(3) A description of any existing legal impediments that inhibit or prevent the intelligence community from collecting information on or helping prevent the use of virtual currencies by international terrorist organizations and State sponsors of terrorism and an identification of any gaps in existing law that could be exploited for illicit funding by such organizations and States.

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

SEC. 733. INCLUSION OF DISCIPLINARY ACTIONS IN ANNUAL REPORT RELATING TO SECTION 702 OF THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Section 707(b)(1)(G)(ii) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881f(b)(1)(G)(ii)) is amended by inserting before the semicolon the following: '', including whether disciplinary actions were taken as a result of such an incident of noncompliance and the extent of such disciplinary actions''.

Subtitle C—Other Matters

SEC. 741. PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 710(b) of the Public Interest Declassification Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note) is amended by striking ''December 31, 2018'' and inserting ''December 31, 2028''.

SEC. 742. SECURING ENERGY INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

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

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Energy and Natural Resources of the Senate; and

(C) the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives.

(2) COVERED ENTITY.—The term ''covered entity'' means an entity identified pursuant to section 9(a) of Executive Order 13636 of February 12, 2013 (78 Fed. Reg. 11742), relating to identification of critical infrastructure where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

(3) EXPLOIT.—The term ''exploit'' means a software tool designed to take advantage of a security vulnerability.

(4) INDUSTRIAL CONTROL SYSTEM.—The term ''industrial control system'' means an operational technology used to measure, control, or manage industrial functions, and includes supervisory control and data acquisition systems, distributed control systems, and programmable logic or embedded controllers.

(5) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(6) PROGRAM.—The term ''Program'' means the pilot program established under subsection (b).

(7) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of Energy.

(8) SECURITY VULNERABILITY.—The term ''security vulnerability'' means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

(b) PILOT PROGRAM FOR SECURING ENERGY INFRASTRUCTURE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a 2-year control systems implementation pilot program within the National Laboratories for the purposes of—

(1) partnering with covered entities in the energy sector (including critical component manufacturers in the supply chain) that voluntarily participate in the Program to identify new classes of security vulnerabilities of the covered entities; and

(2) evaluating technology and standards, in partnership with covered entities, to isolate and defend industrial control systems of covered entities from security vulnerabilities and exploits in the most critical systems of the covered entities, including—

(A) analog and nondigital control systems;

(B) purpose-built control systems; and

(C) physical controls.

(c) WORKING GROUP TO EVALUATE PROGRAM STANDARDS AND DEVELOP STRATEGY.—

(1) ESTABLISHMENT.—The Secretary shall establish a working group—

(A) to evaluate the technology and standards used in the Program under subsection (b)(2); and

(B) to develop a national cyber-informed engineering strategy to isolate and defend covered entities from security vulnerabilities and exploits in the most critical systems of the covered entities.

(2) MEMBERSHIP.—The working group established under paragraph (1) shall be composed of not fewer than 10 members, to be appointed by the Secretary, at least 1 member of which shall represent each of the following:

(A) The Department of Energy.

(B) The energy industry, including electric utilities and manufacturers recommended by the Energy Sector coordinating councils.

(C)(i) The Department of Homeland Security; or

(ii) the Industrial Control Systems Cyber Emergency Response Team.

(D) The North American Electric Reliability Corporation.

(E) The Nuclear Regulatory Commission.

(F)(i) The Office of the Director of National Intelligence; or

(ii) the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(G)(i) The Department of Defense; or

(ii) the Assistant Secretary of Defense for Homeland Security and America's Security Affairs.

(H) A State or regional energy agency.

(I) A national research body or academic institution.

(J) The National Laboratories.

(d) REPORTS ON THE PROGRAM.—

(1) INTERIM REPORT.—Not later than 180 days after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees an interim report that—

(A) describes the results of the Program;

(B) includes an analysis of the feasibility of each method studied under the Program; and

(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1).

(2) FINAL REPORT.—Not later than 2 years after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees a final report that—

(A) describes the results of the Program;

(B) includes an analysis of the feasibility of each method studied under the Program; and

(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1).

(e) EXEMPTION FROM DISCLOSURE.—Information shared by or with the Federal Government or a State, Tribal, or local government under this section—

(1) shall be deemed to be voluntarily shared information;

(2) shall be exempt from disclosure under section 552 of title 5, United States Code, or any provision of any State, Tribal, or local freedom of information law, open government law, open meetings law, open records law, sunshine law, or similar law requiring the disclosure of information or records; and

(3) shall be withheld from the public, without discretion, under section 552(b)(3) of title 5, United States Code, and any provision of any State, Tribal, or local law requiring the disclosure of information or records.

(f) PROTECTION FROM LIABILITY.—

(1) IN GENERAL.—A cause of action against a covered entity for engaging in the voluntary activities authorized under subsection (b)—

(A) shall not lie or be maintained in any court; and

(B) shall be promptly dismissed by the applicable court.

(2) VOLUNTARY ACTIVITIES.—Nothing in this section subjects any covered entity to liability for not engaging in the voluntary activities authorized under subsection (b).

(g) NO NEW REGULATORY AUTHORITY FOR FEDERAL AGENCIES.—Nothing in this section authorizes the Secretary or the head of any other department or agency of the Federal Government to issue new regulations.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) PILOT PROGRAM.—There is authorized to be appropriated $10,000,000 to carry out subsection (b).

(2) WORKING GROUP AND REPORT.—There is authorized to be appropriated $1,500,000 to carry out subsections (c) and (d).

(3) AVAILABILITY.—Amounts made available under paragraphs (1) and (2) shall remain available until expended.

SEC. 743. BUG BOUNTY PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

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

(C) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(2) BUG BOUNTY PROGRAM.—The term ''bug bounty program'' means a program under which an approved computer security specialist or security researcher is temporarily authorized to identify and report vulnerabilities within the information system of an agency or department of the United States in exchange for compensation.

(3) INFORMATION SYSTEM.—The term ''information system'' has the meaning given that term in section 3502 of title 44, United States Code.

(b) BUG BOUNTY PROGRAM PLAN.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to appropriate committees of Congress a strategic plan for appropriate agencies and departments of the United States to implement bug bounty programs.

(2) CONTENTS.—The plan required by paragraph (1) shall include—

(A) an assessment of—

(i) the ''Hack the Pentagon'' pilot program carried out by the Department of Defense in 2016 and subsequent bug bounty programs in identifying and reporting vulnerabilities within the information systems of the Department of Defense; and

(ii) private sector bug bounty programs, including such programs implemented by leading technology companies in the United States; and

(B) recommendations on the feasibility of initiating bug bounty programs at appropriate agencies and departments of the United States.

SEC. 744. MODIFICATION OF AUTHORITIES RELATING TO THE NATIONAL INTELLIGENCE UNIVERSITY.

(a) CIVILIAN FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.—

(1) IN GENERAL.—Section 1595(c) of title 10, United States Code, is amended by adding at the end the following:

''(5) The National Intelligence University.''.

(2) COMPENSATION PLAN.—The Secretary of Defense shall provide each person employed as a full-time professor, instructor, or lecturer at the National Intelligence University on the date of the enactment of this Act an opportunity to elect to be paid under the compensation plan in effect on the day before the date of the enactment of this Act (with no reduction in pay) or under the authority of section 1595 of title 10, United States Code, as amended by paragraph (1).

(b) ACCEPTANCE OF FACULTY RESEARCH GRANTS.—Section 2161 of such title is amended by adding at the end the following:

''(d) ACCEPTANCE OF FACULTY RESEARCH GRANTS.—The Secretary of Defense may authorize the President of the National Intelligence University to accept qualifying research grants in the same manner and to the same degree as the President of the National Defense University under section 2165(e) of this title.''.

(c) PILOT PROGRAM ON ADMISSION OF PRIVATE SECTOR CIVILIANS TO RECEIVE INSTRUCTION.—

(1) PILOT PROGRAM REQUIRED.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall commence carrying out a pilot program to assess the feasability and advisability of permitting eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Intelligence University.

(B) DURATION.—The Secretary shall carry out the pilot program during the 3-year period beginning on the date of the commencement of the pilot program.

(C) EXISTING PROGRAM.—The Secretary shall carry out the pilot program in a manner that is consistent with section 2167 of title 10, United States Code.

(D) NUMBER OF PARTICIPANTS.—No more than the equivalent of 35 full-time student positions may be filled at any one time by private sector employees enrolled under the pilot program.

(E) DIPLOMAS AND DEGREES.—Upon successful completion of the course of instruction in which enrolled, any such private sector employee may be awarded an appropriate diploma or degree under section 2161 of title 10, United States Code.

(2) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—

(A) IN GENERAL.—For purposes of this subsection, an eligible private sector employee is an individual employed by a private firm that is engaged in providing to the Department of Defense, the intelligence community, or other Government departments or agencies significant and substantial intelligence or defense-related systems, products, or services or whose work product is relevant to national security policy or strategy.

(B) LIMITATION.—Under this subsection, a private sector employee admitted for instruction at the National Intelligence University remains eligible for such instruction only so long as that person remains employed by the same firm, holds appropriate security clearances, and complies with any other applicable security protocols.

(3) ANNUAL CERTIFICATION BY SECRETARY OF DEFENSE.—Under the pilot program, private sector employees may receive instruction at the National Intelligence University during any academic year only if, before the start of that academic year, the Secretary of Defense determines, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing instruction to private sector employees under this section during that year will further the national security interests of the United States.

(4) PILOT PROGRAM REQUIREMENTS.—The Secretary of Defense shall ensure that—

(A) the curriculum in which private sector employees may be enrolled under the pilot program is not readily available through other schools and concentrates on national security-relevant issues; and

(B) the course offerings at the National Intelligence University are determined by the needs of the Department of Defense and the intelligence community.

(5) TUITION.—The President of the National Intelligence University shall charge students enrolled under the pilot program a rate that—

(A) is at least the rate charged for employees of the United States outside the Department of Defense, less infrastructure costs; and

(B) considers the value to the school and course of the private sector student.

(6) STANDARDS OF CONDUCT.—While receiving instruction at the National Intelligence University, students enrolled under the pilot program, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the university.

(7) USE OF FUNDS.—

(A) IN GENERAL.—Amounts received by the National Intelligence University for instruction of students enrolled under the pilot program shall be retained by the university to defray the costs of such instruction.

(B) RECORDS.—The source, and the disposition, of such funds shall be specifically identified in records of the university.

(8) REPORTS.—

(A) ANNUAL REPORTS.—Each academic year in which the pilot program is carried out, the Secretary shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the number of eligible private sector employees participating in the pilot program.

(B) FINAL REPORT.—Not later than 90 days after the date of the conclusion of the pilot program, the Secretary shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the findings of the Secretary with respect to the pilot program. Such report shall include—

(i) the findings of the Secretary with respect to the feasability and advisability of permitting eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Intelligence University; and

(ii) a recommendation as to whether the pilot program should be extended.

SEC. 745. TECHNICAL AND CLERICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

(a) TABLE OF CONTENTS.—The table of contents at the beginning of the National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

(1) by inserting after the item relating to section 2 the following new item:

''Sec. 3. Definitions.'';

(2) by striking the item relating to section 107;

(3) by striking the item relating to section 113B and inserting the following new item:

''Sec. 113B. Special pay authority for science, technology, engineering, or mathematics positions.'';

(4) by striking the items relating to sections 202, 203, 204, 208, 209, 210, 211, 212, 213, and 214; and

(5) by inserting after the item relating to section 311 the following new item:

''Sec. 312. Repealing and saving provisions.''.

(b) OTHER TECHNICAL CORRECTIONS.—Such Act is further amended—

(1) in section 102A—

(A) in subparagraph (G) of paragraph (1) of subsection (g), by moving the margins of such subparagraph 2 ems to the left; and

(B) in paragraph (3) of subsection (v), by moving the margins of such paragraph 2 ems to the left;

(2) in section 106—

(A) by inserting ''SEC. 106'' before ''(a)''; and

(B) in subparagraph (I) of paragraph (2) of subsection (b), by moving the margins of such subparagraph 2 ems to the left;

(3) by striking section 107;

(4) in section 108(c), by striking ''in both a classified and an unclassified form'' and inserting ''to Congress in classified form, but may include an unclassified summary'';

(5) in section 112(c)(1), by striking ''section 103(c)(7)'' and inserting ''section 102A(i)'';

(6) by amending section 201 to read as follows:

''SEC. 201. DEPARTMENT OF DEFENSE.

''Except to the extent inconsistent with the provisions of this Act or other provisions of law, the provisions of title 5, United States Code, shall be applicable to the Department of Defense.'';

(7) in section 205, by redesignating subsections (b) and (c) as subsections (a) and (b), respectively;

(8) in section 206, by striking ''(a)'';

(9) in section 207, by striking ''(c)'';

(10) in section 308(a), by striking ''this Act'' and inserting ''sections 2, 101, 102, 103, and 303 of this Act'';

(11) by redesignating section 411 as section 312;

(12) in section 503—

(A) in paragraph (5) of subsection (c)—

(i) by moving the margins of such paragraph 2 ems to the left; and

(ii) by moving the margins of subparagraph (B) of such paragraph 2 ems to the left; and

(B) in paragraph (2) of subsection (d), by moving the margins of such paragraph 2 ems to the left; and

(13) in subparagraph (B) of paragraph (3) of subsection (a) of section 504, by moving the margins of such subparagraph 2 ems to the right.

SEC. 746. TECHNICAL AMENDMENTS RELATED TO THE DEPARTMENT OF ENERGY.

(a) NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.—

(1) CLARIFICATION OF FUNCTIONS OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.—Subsection (b) of section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402(b)) is amended—

(A) by striking paragraphs (11) and (12); and

(B) by redesignating paragraphs (13) through (19) as paragraphs (11) through (17), respectively.

(2) COUNTERINTELLIGENCE PROGRAMS.—Section 3233(b) of the National Nuclear Security Administration Act (50 U.S.C. 2423(b)) is amended—

(A) by striking ''Administration'' and inserting ''Department''; and

(B) by inserting ''Intelligence and'' after ''the Office of''.

(b) ATOMIC ENERGY DEFENSE ACT.—Section 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 2674(b)(2)) is amended by inserting ''Intelligence and'' after ''The Director of''.

(c) NATIONAL SECURITY ACT OF 1947.—Paragraph (2) of section 106(b) of the National Security Act of 1947 (50 U.S.C. 3041(b)(2)) is amended—

(1) in subparagraph (E), by inserting ''and Counterintelligence'' after ''Office of Intelligence'';

(2) by striking subparagraph (F);

(3) by redesignating subparagraphs (G), (H), and (I) as subparagraphs (F), (G), and (H), respectively; and

(4) in subparagraph (H), as so redesignated, by realigning the margin of such subparagraph 2 ems to the left.

SEC. 747. SENSE OF CONGRESS ON NOTIFICATION OF CERTAIN DISCLOSURES OF CLASSIFIED INFORMATION.

(a) DEFINITIONS.—In this section:

(1) ADVERSARY FOREIGN GOVERNMENT.—The term ''adversary foreign government'' means the government of any of the following foreign countries:

(A) North Korea.

(B) Iran.

(C) China.

(D) Russia.

(E) Cuba.

(2) COVERED CLASSIFIED INFORMATION.—The term ''covered classified information'' means classified information that was—

(A) collected by an element of the intelligence community; or

(B) provided by the intelligence service or military of a foreign country to an element of the intelligence community.

(3) ESTABLISHED INTELLIGENCE CHANNELS.—The term ''established intelligence channels'' means methods to exchange intelligence to coordinate foreign intelligence relationships, as established pursuant to law by the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Security Agency, or other head of an element of the intelligence community.

(4) INDIVIDUAL IN THE EXECUTIVE BRANCH.—The term ''individual in the executive branch'' means any officer or employee of the executive branch, including individuals—

(A) occupying a position specified in article II of the Constitution;

(B) appointed to a position by an individual described in subparagraph (A); or

(C) serving in the civil service or the Senior Executive Service (or similar service for senior executives of particular departments or agencies).

(b) FINDINGS.—Congress finds that section 502 of the National Security Act of 1947 (50 U.S.C. 3092) requires elements of the intelligence community to keep the congressional intelligence committees ''fully and currently informed'' about all ''intelligence activities'' of the United States, and to ''furnish to the congressional intelligence committees any information or material concerning intelligence activities * * * which is requested by either of the congressional intelligence committees in order to carry out its authorized responsibilities.''.

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

(1) section 502 of the National Security Act of 1947 (50 U.S.C. 3092), together with other intelligence community authorities, obligates an element of the intelligence community to submit to the congressional intelligence committees written notification, by not later than 7 days after becoming aware, that an individual in the executive branch has disclosed covered classified information to an official of an adversary foreign government using methods other than established intelligence channels; and

(2) each such notification should include—

(A) the date and place of the disclosure of classified information covered by the notification;

(B) a description of such classified information;

(C) identification of the individual who made such disclosure and the individual to whom such disclosure was made; and

(D) a summary of the circumstances of such disclosure.

SEC. 748. SENSE OF CONGRESS ON CONSIDERATION OF ESPIONAGE ACTIVITIES WHEN CONSIDERING WHETHER OR NOT TO PROVIDE VISAS TO FOREIGN INDIVIDUALS TO BE ACCREDITED TO A UNITED NATIONS MISSION IN THE UNITED STATES.

It is the sense of the Congress that the Secretary of State, in considering whether or not to provide a visa to a foreign individual to be accredited to a United Nations mission in the United States, should consider—

(1) known and suspected intelligence activities, espionage activities, including activities constituting precursors to espionage, carried out by the individual against the United States, foreign allies of the United States, or foreign partners of the United States; and

(2) the status of an individual as a known or suspected intelligence officer for a foreign adversary.

SEC. 749. SENSE OF CONGRESS ON WIKILEAKS.

It is the sense of Congress that WikiLeaks and the senior leadership of WikiLeaks resemble a nonstate hostile intelligence service often abetted by state actors and should be treated as such a service by the United States.

SA 58. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 1, to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ANTI-SEMITISM AWARENESS.

(a) SHORT TITLE.—This section may be cited as the ''Anti-Semitism Awareness Act of 2019''.

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

(1) Title VI of the Civil Rights Act of 1964 (referred to in the subsection as ''title VI'') is one of the principal antidiscrimination statutes enforced by the Department of Education's Office for Civil Rights.

(2) Title VI prohibits discrimination on the basis of race, color, or national origin.

(3) Both the Department of Justice and the Department of Education have properly concluded that title VI prohibits discrimination against Jews, Muslims, Sikhs, and members of other religious groups when the discrimination is based on the group's actual or perceived shared ancestry or ethnic characteristics or when the discrimination is based on actual or perceived citizenship or residence in a country whose residents share a dominant religion or a distinct religious identity.

(4) A September 8, 2010, letter from Assistant Attorney General Thomas E. Perez to Assistant Secretary for Civil Rights Russlynn H. Ali stated that ''[a]lthough Title VI does not prohibit discrimination on the basis of religion, discrimination against Jews, Muslims, Sikhs, and members of other groups violates Title VI when that discrimination is based on the group's actual or perceived shared ancestry or ethnic characteristics''.

(5) To assist State and local educational agencies and schools in their efforts to comply with Federal law, the Department of Education periodically issues Dear Colleague letters. On a number of occasions, these letters set forth the Department of Education's interpretation of the statutory and regulatory obligations of schools under title VI.

(6) On September 13, 2004, the Department of Education issued a Dear Colleague letter regarding the obligations of schools (including colleges) under title VI to address incidents involving religious discrimination. The 2004 letter specifically notes that ''since the attacks of September 11, 2001, OCR has received complaints of race or national origin harassment commingled with aspects of religious discrimination against Arab Muslim, Sikh, and Jewish students.''.

(7) An October 26, 2010, Dear Colleague letter issued by the Department of Education stated, ''While Title VI does not cover discrimination based solely on religion, groups that face discrimination on the basis of actual or perceived shared ancestry or ethnic characteristics may not be denied protection under Title VI on the ground that they also share a common faith. These principles apply not just to Jewish students, but also to students from any discrete religious group that shares, or is perceived to share, ancestry or ethnic characteristics (e.g., Muslims or Sikhs).''.

(8) Anti-Semitism, and harassment on the basis of actual or perceived shared ancestry or ethnic characteristics with a religious group, remains a persistent, disturbing problem in elementary and secondary schools and on college campuses.

(9) Students from a range of diverse backgrounds, including Jewish, Arab Muslim, and Sikh students, are being threatened, harassed, or intimidated in their schools (including on their campuses) on the basis of their shared ancestry or ethnic characteristics including through harassing conduct that creates a hostile environment so severe, pervasive, or persistent so as to interfere with or limit some students' ability to participate in or benefit from the services, activities, or opportunities offered by schools.

(10) The 2010 Dear Colleague letter cautioned schools that they ''must take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment, and its effects, and prevent the harassment from recurring,'' but did not provide guidance on current manifestations of anti-Semitism, including discriminatory anti-Semitic conduct that is couched as anti-Israel or anti-Zionist.

(11) The definition and examples referred to in paragraphs (1) and (2) of subsection (c) have been valuable tools to help identify contemporary manifestations of anti-Semitism, and include useful examples of discriminatory anti-Israel conduct that crosses the line into anti-Semitism.

(12) Awareness of this definition of anti-Semitism will increase understanding of the parameters of contemporary anti-Jewish conduct and will assist the Department of Education in determining whether an investigation of anti-Semitism under title VI is warranted.

(c) DEFINITIONS.—For purposes of this section, the term ''definition of anti-Semitism''—

(1) includes the definition of anti-Semitism set forth by the Special Envoy to Monitor and Combat Anti-Semitism of the Department of State in the Fact Sheet issued on June 8, 2010; and

(2) includes the examples set forth under the headings ''Contemporary Examples of Anti-Semitism'' and ''What is Anti-Semitism Relative to Israel?'' of the Fact Sheet.

(d) RULE OF CONSTRUCTION FOR TITLE VI OF THE CIVIL RIGHTS ACT OF 1964.—In reviewing, investigating, or deciding whether there has been a violation of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) on the basis of race, color, or national origin, based on an individual's actual or perceived shared Jewish ancestry or Jewish ethnic characteristics, the Department of Education shall take into consideration the definition of anti-Semitism as part of the Department's assessment of whether the practice was motivated by anti-Semitic intent.

(e) ADMINISTRATION.—The Assistant Secretary for Civil Rights shall administer and enforce title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) in a manner that is consistent with the manner of administration and enforcement described in the Dear Colleague letter issued on September 13, 2004, by the Deputy Assistant Secretary for Enforcement of the Department of Education, entitled ''Title VI and Title IX Religious Discrimination in Schools and Colleges''.

(f) OTHER RULES OF CONSTRUCTION.—

(1) GENERAL RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(A) to expand the authority of the Secretary of Education;

(B) to alter the standards pursuant to which the Department of Education makes a determination that harassing conduct amounts to actionable discrimination; or

(C) to diminish or infringe upon the rights protected under any other provision of law that is in effect as of the date of enactment of this Act.

(2) CONSTITUTIONAL PROTECTIONS.—Nothing in this section shall be construed to diminish or infringe upon any right protected under the First Amendment to the Constitution of the United States.

ORDERS FOR TUESDAY, JANUARY 29, 2019

Mr. BOOZMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, January 29; 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 morning business be closed; further, I ask that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, I ask that all time during adjournment, recess, morning business, and leader remarks count postcloture on the motion to proceed to S. 1.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BOOZMAN. 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 6:52 p.m., adjourned until Tuesday, January 29, 2019, at 10 a.m.