



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 165

WASHINGTON, TUESDAY, DECEMBER 17, 2019

No. 204

## Senate

The Senate met at 10 a.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, help us to remember Your mighty acts. You are kind and merciful, better to us than we deserve. You feed the sparrows and cause the Sun to rise. You forgive our sins and provide us with strength for every challenge.

Lord, use our lawmakers today for Your glory. May they be courteous and kind as they seek to do what is best for this land we love. Remind them that they represent the hopes and dreams of many people.

Thank You, Lord, for the wonderful things that You continue to do for us all.

We pray in Your loving 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.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Under the previous order, the leadership time is reserved.

The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to address the Senate for 1 minute as in morning business.

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

### TAX CUTS AND JOBS ACT

Mr. GRASSLEY. Madam President, this week marks the second anniversary

of the passage of the Tax Cuts and Jobs Act—December 2017—when the biggest tax cut in the history of the country was passed by the Congress. It has been very successful.

The reason I come to honor this second anniversary is because polls show that people don't realize the benefits of the tax cuts. Some of them even wonder: Did we get a tax cut?

I have some appreciation for that because I spent 10 years on an assembly line in Cedar Falls, IA, and probably if I got a 50-cent cut every week, I wouldn't know until the end of the year that that added up to \$250 more in my pocket. So under the circumstances of the working men and women of America, it might be difficult to know that.

Studies show a great benefit to the middle-class families from this tax cut. Thanks to these historic tax cuts and reforms, Americans do in fact have more money in their paychecks and their pocketbooks. Individuals and families have more to spend or, if they want, to save it, and maybe a lot of people save for retirement.

Small businesses and entrepreneurs benefit from the tax cut. They have more to invest in their employees and in their business operations, and they probably hire more Americans.

As a result, we have experienced the longest U.S. economic expansion in history, higher wages, and historically low unemployment—the lowest since 1969.

I am proud to say on this 2-year anniversary of the tax reform that it has been a resounding success.

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.

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

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

### IMPEACHMENT

Mr. McCONNELL. Madam President, all signs seem to suggest that later this week, the House Democrats are finally going to do what many of them have been foreshadowing for 3 years now and impeach President Trump. It appears that the most rushed, least thorough, and most unfair impeachment inquiry in modern history is about to wind down after just 12 weeks and that its slapdash work product will be dumped on us over here in the Senate.

I will have much more to say to our colleagues and to the American people if and when the House does move ahead. As we speak today, House Democrats still have the opportunity to do the right thing for the country and avoid setting this toxic new precedent. The House can turn back from a cliff and not deploy this constitutional remedy of last resort to deliver a predetermined partisan outcome. This morning, I just want to speak to one very specific part of this.

Over the weekend, the Democratic leader decided to short-circuit the customary and collegial process for laying the basic groundwork in advance of a potential impeachment trial. The preferable path would have been an in-person conversation, which nonetheless I still hope to pursue. Instead, he chose to begin by writing me an 11-paragraph letter on Sunday evening, delivering it by way of the news media, and beginning a cable television campaign a few hours later.

The Democratic leader's letter is an interesting document from the very beginning. For example, in the second of his 11 paragraphs, our colleague literally misquotes the Constitution. That error actually aligns with our colleague's apparent confusion about some of the deeper questions. I will come back to that in a moment.

At first, our colleague's letter appears to request that a potential impeachment trial adopt similar procedures to the Clinton impeachment trial

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



Printed on recycled paper.

S7059

back in 1999. Now, I happen to think that is a good idea. The basic procedural framework of the Clinton impeachment trial served the Senate and the Nation well, in my view. But the problem is that while the Democratic leader notionally says he wants a potential 2020 trial to look like 1999, he goes on to demand things that would break with the 1999 model.

In President Clinton's trial, we handled procedural issues in two separate Senate resolutions that passed at different times. The first resolution passed unanimously before the trial. It sketched out basic things like scheduling, opening arguments, and the timing of a motion to dismiss. Other, more detailed questions about the middle and the end of the trial, including whether any witnesses would be called, were reserved for a second resolution that was passed in the middle of the trial itself. As a matter of fact, we passed it only after a number of Democrats, including Senator SCHUMER himself, voted to dismiss the case. They got a motion to dismiss before the Senate had even decided whether to depose a single witness.

Instead of the tried-and-true 1999 model—start the trial and then see how Senators wish to proceed—the Democratic leader wants to write a completely new set of rules for President Trump. He wants one single resolution up front instead of two or however many are needed. He wants to guarantee up front that the Senate hear from very specific witnesses instead of letting the body evaluate the witness issue after opening arguments and Senators' questions, like back in 1999.

Very tellingly, our colleague from New York completely omits any motions to dismiss the case, like the one he was happy to vote for himself as a new Senator back in 1999.

Almost exactly 20 years ago today, prior to the Senate trial, Senator SCHUMER said this on television—a direct quote—this is what he said:

Certainly any senator, according to the rules, could move to dismiss, which is done. . . . Every day, in criminal and civil courts throughout America, motions to dismiss are made. And if a majority vote for that motion to dismiss, the procedure could be truncated.

That was Senator SCHUMER in January of 1999, but now the same process that Senator SCHUMER thought was good enough for President Clinton, he doesn't want to afford President Trump. Go figure.

Look, most people understand what the Democratic leader is really after: He is simply trying to lock in live witnesses. That is a strange request at this juncture for a couple of reasons.

For one thing, the 1999 version of Senator SCHUMER vocally opposed having witnesses—even when the question was raised after hours of opening arguments from the lawyers, hours of questions from Senators, and a failed motion to dismiss. How can he have prejudged that he favors live witnesses so strongly this time before the Senate even has articles in hand?

Moreover, presumably it will be the House prosecutors' job to ask for the witnesses they feel they need to make their case. Why does the Democratic leader here in the Senate want to predetermine the House impeachment managers' witness request for them before the House has even impeached the President? Might he—just might he be coordinating these questions with people outside the Senate?

Here is one possible explanation: Maybe the House's public proceedings have left the Democratic leader with the same impression they have left many of us: that from everything we can tell, House Democrats' slapdash impeachment inquiry has failed to come anywhere near—anywhere near—the bar for impeaching a duly-elected President, let alone removing him for the first time in American history. So those who have been eagerly hoping for impeachment are starting to scramble.

Chairman ADAM SCHIFF and House Democrats actively decided not to go to court and pursue potentially useful witnesses because they didn't want to wait for due process. Indeed, they threatened to impeach the President if they had to go to court at all. That intentional, political decision is the reason why the House is poised to send the Senate the thinnest, least thorough Presidential impeachment in our Nation's history.

By any ordinary legal standard, what the House Democrats have assembled appears to be woefully, woefully inadequate to prove what they want to allege. Now the Senate Democratic leader would apparently like our Chamber to do House Democrats' homework for them. He wants to volunteer the Senate's time and energy on a fishing expedition to see whether his own ideas could make Chairman SCHIFF's sloppy work more persuasive than Chairman SCHIFF himself bothered to make it. This concept is dead wrong. The Senate is meant to act as judge and jury, to hear a trial, not to rerun the entire factfinding investigation because angry partisans rushed sloppily through it.

The trajectory that the Democratic leader apparently wants to take us down before he has even heard opening arguments could set a nightmarish precedent for our institution. If the Senate volunteers ourselves to do House Democrats' homework for them, we will only incentivize an endless stream of dubious partisan impeachments in the future, and we will invite future Houses to paralyze future Senates with frivolous impeachments at will.

This misunderstanding about constitutional roles brings me back to something I raised earlier. The Democratic leader's letter to me, by way of the press, literally misquoted the Constitution. Senator SCHUMER wrote that we should exercise "the Senate's 'sole Power of Impeachment' under the Constitution with integrity and dignity." He attributed to the Senate the "sole

Power of Impeachment." Well, there is his problem. That is the role the Constitution gives, actually, to the House, not to the Senate. It gives it to the House. Article I, section 2 says: "The House of Representatives . . . shall have the sole Power of Impeachment." It doesn't sound ambiguous to me.

If my colleague wants to read about our responsibilities here in the Senate, he needs to turn to the next page. Article I, section 3 says: "The Senate shall have the sole Power to try all Impeachments." We don't create impeachments over here; we judge them.

The House chose this road. It is their duty to investigate. It is their duty to meet the very high bar for undoing the national election. As Speaker PELOSI herself once said, it is the House's obligation to "build an ironclad case to act." That is Speaker PELOSI. "It is the House's obligation to build an ironclad case to act." If they fail, they fail. It is not the Senate's job to leap into the breach and search desperately for ways to get to guilty. That would hardly be impartial justice.

The fact that my colleague is already desperate to sign up the Senate for new factfinding, which House Democrats themselves were too impatient to see through, well, that suggests something to me. It suggests that even Democrats who do not like this President are beginning to realize how dramatically insufficient the House's rushed process has been.

Well, look, I hope the House of Representatives sees that too. If the House Democrats' case is this deficient and this thin, the answer is not for the judge and jury to cure it over here in the Senate; the answer is that the House should not impeach on this basis in the first place. If the House plows ahead, if this ends up here in the Senate, we certainly do not need jurors to start brainstorming witness lists for the prosecution and demanding to lock them in before we have even heard opening arguments.

I still believe the Senate should try to follow the 1999 model—two resolutions—first thing's first. The middle and the end of this process will come later.

So I look forward to meeting with the Democratic leader very soon and getting our very important conversation back on the right foot.

(Mr. ROUNDS assumed the Chair.)

#### LEGISLATIVE AGENDA

Mr. MCCONNELL. Mr. President, on an entirely different matter, there remains a great deal of outstanding legislation the Senate must complete for the American people before we adjourn for the holidays.

I was glad to see yesterday's overwhelming bipartisan vote to advance the conference report to the 59th consecutive National Defense Authorization Act. We moved it in the Senate by a vote of 76 to 6.

For months, unprecedented partisan delays threatened a nearly six-decade

tradition of expressing Congress's bipartisan commitment to our national defense, but with the Senate's final vote later today, we will finally put this vital legislation on the President's desk. I look forward to voting to pass the NDAA today by another overwhelming bipartisan vote for our servicemembers and the critical missions they carry out.

Of course, the Senate needs to follow up the Defense authorization bill with appropriations measures and funding our national defense and domestic priorities. Ensuring the Federal Government makes careful use of taxpayer dollars is an uphill battle by definition. So it is critical that we plan in advance and deliver clarity for the full year ahead, rather than careen from one short-term stopgap to another. This point is especially crucial for our Armed Forces. Underwriting the commitments we make to the security of America's interests and our allies are the investments we make in a 21st century fighting force.

Our Nation's top military commanders have been crystal clear: This requires stable and predictable annual funding. It is as simple as that. As the Chairman of the Joint Chiefs, General Milley, put it recently, continuing resolutions are "a very ineffective and inefficient use of the taxpayers' dollars."

The Secretary of Defense hasn't minced words either: "Every day that a CR continues is one less day that we can invest in future capabilities and future technologies."

As a simple matter of good governance, avoiding another stopgap CR is an important step. So I am encouraged that the House is preparing to advance full-year appropriations bills this week. Obviously, what is actually in these bills certainly matters. So I am glad to say the efforts of Chairman SHELBY, Senator LEAHY, and their counterparts in the House and White House negotiators have produced a bipartisan package of full-year funding measures that will make needed investments in our Nation's top priorities.

First is a topline increase in funding that our national defense requires. For the third consecutive year, President Trump and Republicans in Congress will deliver on our commitment to continue rebuilding America's military after nearly a decade of forced belt-tightening.

As threats to the United States, our allies, and our interests continue to emerge and evolve, this work is more important than ever. America no longer stands unchallenged in the international system.

As Russia tests the reach of its meddling influence in Europe and the Middle East, as China invests heavily in reshaping the order of the Asia-Pacific region in its image, a new era of great power competition demands our attention and our action.

The defense funding measure the House will consider today answers

these realities with a significant increase in defense funding. Our commanders will have more resources to modernize force structure, develop cutting-edge weapon capabilities, and ensure that American servicemembers receive the best training, equipment, and support available. It includes much needed upgrades to the nuclear force that backs up America's strategic posture, investments in hypersonic technologies to keep pace with our biggest adversaries, and renewed commitments to our servicemembers and their families here at home.

But our efforts are about more than equipping the U.S. military to win a fight. The funding bill takes a comprehensive approach to the security of the United States and our allies. It will unlock targeted resources for countering the creeping influence of authoritarian powers so military engagements become less likely in the first place.

I am particularly proud that, thanks to my own efforts, the legislation modernizes the reporting requirements of the Hong Kong Policy Act I sponsored back in 1992. It expands our support for democracy in Hong Kong, including legal support to Hong Kong activists, and increases the Countering Russian Influence Fund.

Of course, our work goes beyond defense and foreign affairs. We are talking about full-year funding for the Federal Government's domestic work as well, for example, big wins for the President's agenda to bring more security to the southern border. This year's funding bills provide another \$1.4 billion for the border wall system plus more flexibility on location than last year's funding. Despite the efforts of some House Democrats during this process, Presidential authorities to transfer necessary funds remain intact.

The bills also fund critical transportation infrastructure grants and inland waterways projects. They provide for our Nation's continuing fight against the opioid epidemic and help equip local authorities and first responders combating the scourge of addiction nationwide.

I am very proud and pleased that this legislation also includes Tobacco 21 legislation that I introduced with my friend from Virginia, Senator KAINE, this year. Raising the age of purchasing vaping devices and other tobacco products to 21 years old nationwide will take bold, direct action to stem the tide of early nicotine addiction upon our Nation's youth.

In another provision I fought to include in this legislation, we will secure the pension benefits of nearly 100,000 coal miners and their dependents in Kentucky and across the country.

Another key section provides hundreds of millions of dollars more for election security, another step in the work by Congress and this administration to make sure the lapses that took place on the Obama administration's watch in 2016 are not repeated.

The list goes on and on. All manner of important priorities will benefit this bipartisan legislation. It is not just about what these bills will continue, it is also about what this legislation will end.

It will take several more big bites out of the failures of ObamaCare by repealing more of its burdensome taxes. Already Republicans have repealed the board that ObamaCare set up to micro-manage healthcare and zeroed out the individual mandate penalty. We have already done that. Now this legislation the House will pass today will repeal even more of ObamaCare's misguided measures such as the medical device tax and the Cadillac tax.

So there are two timeless truths about the appropriations process in divided government. First, neither side will ever get what they would consider to be perfect bills, but, second, full-year funding definitely beats drifting endlessly from CR to CR. This legislation we expect the House to send us today satisfies the important priorities for the White House, for each of my colleagues, and for the American people. I look forward to supporting it, and I hope Senators on both sides of the aisle will do the same.

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.

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

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

---

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

---

#### LEGISLATIVE SESSION

---

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020—CONFERENCE REPORT—Resumed

The PRESIDING OFFICER. The Senate will now resume legislative session.

Under the previous order, the Senate will resume consideration of the conference report to accompany S. 1790, which will be stated by title.

The senior assistant legislative clerk read as follows:

The committee of conference on the votes of the two Houses on the amendment of the House to the bill (S. 1790) to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, having met, have agreed that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

#### NATIONAL LABOR RELATIONS BOARD

Mrs. MURRAY. Mr. President, I come here today to address the current status of the National Labor Relations Board and, in particular, how the rights of workers are being undermined by Republican obstructionism. You see, for decades, Presidents have nominated—and Democrats and Republicans in the Senate have confirmed—NLRB nominees from both parties in order to ensure the agency can enforce laws necessary to protect workers' rights.

Yet, for the first time in the history of the Board, we are now left with zero Democratic members on the Board because of Republican inactions. To say this is highly problematic is an understatement. We will be left with zero Democrats, because, yesterday, Lauren McFerran's term expired. Now, Lauren McFerran is a dedicated, highly-qualified, and well-respected public servant.

Despite the repeated requests my colleagues and I have sent to the White House, President Trump refuses to renominate Ms. McFerran. Last year, Republicans in the Senate stalled the renomination of another exceptionally qualified nominee to the NLRB, Mark Gaston Pearce. How? Just by simply refusing to hold the vote—instead, allowing that seat to remain empty. Now, workers are confronted with a Board made up solely of three Republicans and zero Democrats to serve on this historically bipartisan agency.

That is simply unacceptable. I get it—Board members, nominations, Washington infighting—to many folks, this may seem like “inside baseball,” but let me explain what this will mean for everyday people. When workers stand together to form a union, the NLRB ensures that the election is fair. If a worker is fired or unfairly punished because they want to join a former union, the NLRB is there and tasked with protecting their rights. If a company refuses to negotiate fairly with unions who are fighting for higher rates or better benefits or safer working conditions, it is the NLRB that safeguards those rights that have helped build our country's middle class.

Quite frankly, the NLRB is a critical worker protections agency, and workers across the country will suffer because of the Republicans' dereliction of duty, especially as the Republican NLRB members are now mired in allegations of ethics issues. They are pursuing an aggressive rulemaking agenda that will gut workers' rights and are undermining efforts that will enforce protections for workers. It is clear that workers in this country today cannot afford, now, an imbalanced and increasingly partisan NLRB.

By the way, that is just the latest example of Republicans standing in the

way of Democratic nominees. I am still waiting for a Democratic nominee to the Equal Employment Opportunity Commission after Republicans blocked the renomination of Chai Feldblum last year.

I am deeply disappointed by the inaction of the Republicans. I deplore them to return to the normal process. The NLRB must not become a playing field for partisan politics. We need to end this obstructionism and fill these seats without any further delay.

Thank you, Mr. President.

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.

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.

#### IMPEACHMENT

Mr. SCHUMER. Mr. President, I just listened to Leader MCCONNELL's lengthy response to my letter proposing the outlines of a fair impeachment trial in the Senate. Leader MCCONNELL was apparently upset that I sent him the letter on Sunday, saying the first step was for the two leaders to meet and then discuss a resolution. Well, if we were allowed to show a video here on the Senate floor of a Republican leader's appearance on Sean Hannity's program last week, it would expose the fallacy of his argument.

Leader MCCONNELL, unfortunately, skipped his first step when he began publicly talking about the rules of a Senate trial, telling Hannity that he would be taking cues from the White House and his idea for how to conduct a trial long before any conversation—which he still hasn't had—with me. My letter was intended as a good-faith proposal to kick-start the discussions that Leader MCCONNELL has so far delayed in scheduling. I still expect we will sit down and discuss trial parameters despite his public appearances on FOX News, but let me say this: I listened to the leader's speech. I did not hear a single argument as to why the witnesses I suggested should not give testimony. Impeachment trials, like most trials, have witnesses. To have none would be an aberration.

Why is the President so afraid of having these witnesses come testify? What are they afraid the witnesses would say? I would like to hear Leader MCCONNELL come to the floor and give specific reasons why the four witnesses we have asked for should not testify. I do not know what they will say. They are President Trump appointees. They might have something exculpatory to say about President Trump, or they might not, but they are certainly the four key people who saw exactly what was going on.

What is Leader MCCONNELL afraid of? What is President Trump afraid of? The truth? But the American people want the truth, and that is why we have asked for witnesses and documents to get at the whole truth and nothing but.

This week, the House of Representatives will vote on Articles of Impeachment against the President of the United States. If these articles pass the House, the Constitution dictates that the Senate serve as a court of impeachment. Conducting an impeachment trial is a tremendously weighty and solemn responsibility entrusted to us by our Founders. If such a trial is to happen, Democrats strongly believe it must be fair, and the American people must regard it as fair. A fair trial is one that allows Senators to get all the relevant facts and adjudicate the case impartially.

In the letter I sent to Leader MCCONNELL, I proposed a very reasonable structure for a fair trial. I have sent that same letter to every one of my colleagues, Democrat and Republican. There is a grand tradition in America, speedy and fair trials. We want both. The leader seems obsessed with speedy and wants to throw fair out the window.

To simply repeat the arguments that were made in the House and Senate, when there are witnesses and documents that could shed light on what actually happened, why not have them? Let's hear a single word of answer to that. We have heard none. In fact, the American people want it as well. A poll today in the Washington Post/ABC says 72 percent of Americans want to hear these witnesses; 64 percent of Republicans do. The American people are fair. They don't want a coverup. They don't want concealment. This is weighty stuff.

The House has put together a very, very strong case that the President abused his power and wanted to let a foreign power interfere in our elections. That goes to the heart of what our democracy is and what the Founding Fathers warned against. Now, to not allow witnesses to come forward who would be able to discuss what actually happened—if we don't have them, the trial won't be fair. The four witnesses we proposed have direct knowledge of why aid to Ukraine was delayed, and the administration's request for Ukraine to conduct two investigations for political reasons, they have direct knowledge of those facts.

We don't know, as I said, what kind of evidence they will present. It may be incriminating. It may be exculpatory. It may influence how Senators vote. It may not. But they certainly ought to be heard. By virtue of their senior positions in the White House, each witness we named was directly involved in the events that led to the charges made by the House.

We have also proposed subpoenaing certain records, including emails by certain key officials that are directly related to the charges brought by the

House. I believe these documents are also of great importance to making Senators have the information necessary to make a fully informed decision, this terribly weighty decision.

The House has built a very strong case against the President. Maybe that is why Leader MCCONNELL doesn't seem to want witnesses—at least not to agree to them now. Maybe that is why the President is afraid, because the House case is so strong that they don't want witnesses who might corroborate it.

The evidence the House put together includes public testimony given under oath by numerous senior officials appointed by President Trump. These are Trump appointees we are calling, not some partisan Democrat.

Some Republican Senators have said that while the charges are serious, they haven't seen enough evidence to make a decision. That is one of the reasons I proposed subpoenas for these witnesses and documents—all directly relevant—from officials who have yet to testify under oath during any stage of the House process.

Senators who oppose this plan will have to explain why less evidence is better than more evidence. Let me say that again to every Senator in this room, Democrat and Republican: Senators who oppose this plan will have to explain why less evidence is better than more evidence, and they are going to have to explain that position to a public that is understandably skeptical when they see an administration suppressing evidence and blocking senior officials from telling the truth about what they know.

Let me repeat this Washington Post/ABC poll I read about in the paper just this morning. Seventy-one percent of Americans believe the President should allow his top aides to testify in a potential Senate trial. Seventy-two percent of Independents and 64 percent of Republicans—64 percent of Republicans—think President Trump should allow his top aides to testify in a potential Senate trial—7 out of 10 Americans.

The American people have a wisdom, which seems to be lacking with some of my colleagues, that a trial without witnesses is not a trial. It is a rush to judgment. It is a sham trial.

The American people understand that a trial without relevant documents is not a fair trial. Again, it is a desire not for sunlight but for darkness to conceal facts that may well be very relevant.

The American people understand that if you are trying to conceal evidence and block testimony, it is probably not because the evidence is going to help your case. It is because you are trying to cover something up.

President Trump: Are you worried about what these witnesses would say? If you are not worried, let them come forward. And if you are worried, we ought to hear from them.

Again, the Republican leader went on for 15, 20 minutes without giving a sin-

gle argument for why these witnesses shouldn't testify or these documents shouldn't be produced—unless the President has something to hide.

In the coming weeks, every Senator will have a choice: Do they want a fair, honest trial that examines all the facts or do they want a trial that doesn't let all of the facts come out?

We will have votes during this proceeding, should the House send it to us—when they send it to us. After voting for it, we will have votes on whether these people should testify and whether these documents should be made public and part of the trial.

The American people will be watching. They will be watching. Who is for an open and fair trial? Who is for hiding facts—relevant facts, immediate facts? Who is for covering up?

I expect to discuss this proposal for a fair trial with Leader MCCONNELL, but each individual Senator will have both the power and the responsibility to help shape what an impeachment trial looks like.

In Federalist 65, Alexander Hamilton wondered:

Where else than in the Senate could have been found a tribunal sufficiently dignified, or sufficiently independent [to serve as a court of impeachment]? What other body would be likely to feel CONFIDENCE ENOUGH . . . to preserve unawed and uninfluenced, the necessary impartiality?

My colleagues, Leader MCCONNELL: Are you, in Alexander Hamilton's words, unawed and uninfluenced to produce the necessary impartiality or will you participate in a coverup?

Can we live up to Hamilton's fine words with dignity, independence, and confidence to preserve the necessary impartiality to conduct a fair trial? That question should weigh heavily upon every single Senator.

#### APPROPRIATIONS

Before the week concludes, we must pass legislation to keep the government open and provide appropriations for the following year. Luckily, over the weekend, an agreement was reached between appropriators—House and Senate, Democrat and Republican—that would see us achieve that goal.

I am proud to report that the final appropriations agreements includes several important Democratic priorities to help American families.

Democrats have secured more than \$425 million in election security grants, nearly double the amount Senate Republicans reluctantly supported in earlier legislation.

Democrats have secured an increase of \$550 million in grants to help offset the cost of childcare for low-income families.

Democrats have made progress on a number of fronts to combat climate change: Record-level funding for clean energy and energy efficiency programs; record-level funding to provide clean, electric buses; and increased funding for climate change science and research.

For the first time in decades, Democrats have secured \$25 million in gun violence research at the CDC and NIH, breaking through what had been a ridiculous ban on gun violence research.

Medical research, scientific research, environmental protection, education, and housing programs will all see significant increases in federal support.

Of course, we did not achieve everything we wanted. I am sorely disappointed that we were unable to reach an agreement on more resources to clean up PFAS contamination, a toxic chemical that has plagued too many communities in my home State of New York and communities across the country.

Senate Democrats have done a lot of hard work on this issue. Our disappointment today will in no way diminish our resolve to force Congress to take action on PFAS next year.

#### NATIONAL LABOR RELATIONS BOARD

Yesterday, the term of National Labor Relations Board member Lauren McFerran expired. For the first time in over 35 years, the Nation's most important labor protection agency is now without a single Democratic board member to defend labor rights.

For nearly eight decades, the NLRB has been the Nation's top agency fighting for the protection of workers' rights, including the right to form a union and collectively bargain for better wages, benefits, and safer conditions. Over the past three years, as President Trump has sought to undermine these protections, Democratic members of the Board have been crucial in pushing back. The NLRB was designed to be bipartisan, but I fear that with Ms. McFerran's departure, an all-Republican NLRB—without a strong pro-worker, pro-labor voice—will not stand in the way of President Trump's dismantling of worker protections, and may even help accelerate it.

The President has claimed to be a champion for working Americans, but over the last 3 years, he has shown that he is anything but. From opposing minimum wage increases to reversing rules that protect workers on the job . . . to nominating people like Eugene Scalia to the Department of Labor and Neil Gorsuch to the Supreme Court, the President has put powerful corporate interests before workers' interests. Meanwhile, Senate Republicans have stonewalled Democratic nominees to the NLRB. Working Americans will remember the record as 2020 fast approaches.

#### CHINA

Last Friday, President Trump announced a temporary, partial trade agreement with China. After 8 months of negotiations, it is stunning how little this deal achieved for the United States at such a high cost to American workers and businesses.

In exchange for a drastic reduction in our leverage, China has made some short-term assurances to buy more agricultural products from us without real commitments to end its most rapacious trade practices. It appears that

President Trump has ordered a retreat while declaring victory.

I have been very open about praising President Trump's tough stance on negotiating with China. To succeed in these high-stakes negotiations, I have urged the President to stay tough and not settle for photo ops or weak deals. I have said that he must be prepared to walk away if China refuses to make significant, credible, and enforceable concessions.

But under this new, temporary deal, President Trump is selling the farm for a few magic soybeans. By USTR Lighthizer's admission, last week's deal fails to make significant progress on ending China's worst trade abuses, like intellectual property theft, forced technology transfers, illegal dumping, and more. That is not nearly good enough. And I worry that President Trump, by cutting this small, insubstantial deal, has made the success of future, more difficult negotiations much more doubtful.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The Senator from Kentucky.

S. 1790

Mr. PAUL. Mr. President, we have before us today the National Defense Authorization Act to authorize the programs and policies of the Department of Defense. We will be taking a vote to finalize this bill shortly.

Our national defense is incredibly important. It is mandated in the Constitution. Our national defense is arguably Congress's primary constitutional responsibility.

I have great respect and honor for those in uniform who serve. In fact, I recently introduced a bill to give each soldier who served in the War on Terror a \$2,500 bonus and, at the same time, officially end the war in Afghanistan. Ending the Afghan war would save us about \$50 billion a year.

Unfortunately, the bill before us does not end any of our multitude of wars. The bill before us simply continues the status quo and throws more money around the world at conflicts we can't even begin to fathom.

Before rubberstamping more money, it is worth a moment for us to take a step back and consider two things. First, we need to ask ourselves whether borrowing millions of dollars year after year to fuel our appetite for more military spending is a wise policy in the years ahead.

Second, we need to look at how this bill has been loaded up to carry things only somewhat related or not related at all to national defense.

As I have reminded my colleagues often, Admiral Mullen, the former chairman of the Joint Chiefs of Staff, said that the national debt was our greatest national security threat. His exact wording was "the most significant threat to our national security is our debt." That was in 2010.

When he made that remark, our debt was only \$13 trillion. Our debt is now

over \$23 trillion. We just keep borrowing and borrowing, and there is no end in sight.

Under the new budget deal passed by Republicans and Democrats, we are borrowing \$2.75 billion every day. In fact, we are borrowing nearly \$2 million every minute.

We spend more on our military than the next seven largest militaries combined. Our Defense Department is so large that it took them a decade to even figure out how to audit themselves. Then they said that the audit itself would cost over half a billion dollars. But then, last year, they arrived back at square one. After all that effort, they said: Well, we just can't figure it out. It is too big. We can't audit the Army, the Navy, the Marines, or the Air Force.

We spend so much money that the Department of Defense literally can't keep track of all of it. We don't have a great idea of exactly how much we are wasting because no one can get a grip on how much is being spent.

A few years ago, the Defense Business Board, which is a defense advisory panel of corporate executives who report to the Secretary of Defense, recommended that the Department of Defense can save \$125 billion in administrative expenses.

According to news accounts, that report scared everyone at the Pentagon, so they buried the report. They even tried to keep it away from Congress for fear that Congress might actually do something with it, although I wouldn't be holding my breath or too worried. I am not familiar with Congress ever cutting anything.

We are set to spend \$738 billion on the military this year. That is up \$22 billion from last year. Over the past 6 years, military spending has risen over \$120 billion. We say that we are for accountability, efficiency, and savings. Yet we keep piling good money after bad. How can we demand better accounting and efficiency when we budget increases every year?

To be clear, I support our national defense. Supporting our servicemembers is a worthy cause. There are things in this bill that I do support. I am a cosponsor of the bill to eliminate the so-called widow's tax, and I have argued that it is the right thing to do. We should find the money to pay for it. That is in this bill.

I support returning the 101st Airborne at Fort Campbell to its full air assault capacity with the return of a combat aviation brigade. That is in this bill.

I support giving our servicemembers a pay increase. That is in the bill. But I take issue when Congress adds other things to this bill that don't have anything to do with our military.

This bill would sanction NATO allies and potentially American energy companies if they have any involvement with Nord Stream 2 pipeline. This is a pipeline between Russia and Germany. The pipeline is basically done. It may

well be completed in the next few months. The pipeline will be completed. Yet we want to jeopardize our relationship with our allies and with businesses both in Europe and America.

This bill would also drop more sanctions into the middle of the Syrian civil war, as well as funding for so-called "vetted" Syrian rebel groups. All this would do is prolong the Syrian civil war and, with it, the humanitarian suffering and displacement we have seen in the region. The Syrian civil war is largely over. I agree with President Trump that it is time to come home.

Another problem with our insatiable appetite for more military spending is that it requires conservatives to make bad compromises. If you want \$40 billion in new defense spending, then you have to give the liberals \$40 billion new domestic spending. If anything, that is the real nature of today's bipartisanship: You can have your money as long as we get our money.

The dirty little secret in Washington is that there is actually too much compromise. Republicans want more military spending; Democrats want more welfare money. And with each new Congress, Congress always chooses to spend and borrow more money.

For example, this bill provides a new mandatory benefit program: paid parental leave for all Federal employees, starting next year. The program will cost over \$3 billion forever—and most of these programs continue to expand forever. The program will cost \$3 billion a year, and, of course, there is nothing in the bill that tells how we are going to pay for it. So we are going to have paid leave, everybody, but we are going to borrow the money from China to give this great benefit.

In essence, today, Congress is simply saying: Add it to my tab; the deficit be damned. Regardless of how you feel about the issue, this represents a better benefit than many working Americans enjoy, and it has nothing to do with national defense.

Conservatism is more than supporting military spending at any cost. We have to do more and make tough decisions that enable a strong national defense and a balanced budget.

Many so-called conservatives will hail this bloated military spending, but, in truth, there is nothing fiscally conservative about borrowing money from China to pay for our military. In fact, I would argue that borrowing money to buy more tanks or planes or to police the far corners of the Earth actually damages our national security.

Some have argued that our military is hollowed out, exhausted from so many far-flung conflicts—probably true. They will argue that we must expand military spending to meet the mission.

Perhaps we should entertain the opposite argument. Perhaps it is not that our military budget is too small but



that our military mission is too large. I, for one, hope for a day when Congress rediscovers that our constitutional mandate is to defend America first and only to become involved in war as a last resort and, even then, America should only become involved in war when Congress has debated and done its constitutional duty to declare war.

Until that day, I will continue to argue that the only fiscally conservative, fiscally responsible action is to vote against expanding the military budget. I encourage my fellow Senators to consider that.

I yield back.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank my colleague for his words. I will add to that, I hope.

As we approach the end of the first session of Congress, I think it may be prudent to look back at some of the news surrounding the current state of the Nation's budgetary affairs. Unfortunately, none of the news is good.

This past summer, Congress passed the Bipartisan Budget Act of 2019, which increased the last 2 years of the Budget Control Act's discretionary funding caps. The Congressional Budget Office tells us that the bill has increased their forecast of the Nation's projected deficits by \$1.7 trillion over the next 10 years.

I will be the first to admit that it is largely due to mandatory programs, which already have inadequate revenues.

In the fall, we received final tax and spending data for fiscal year 2019. The report showed the deficit for the last fiscal year was \$984 billion, even though revenues were greater than ever before. Relative to the size of the economy, that deficit—an estimated 4.6 percent of GDP—was the highest since 2012. This also marked the fourth consecutive year the deficit increased as a share of the economy. These growing deficits at a time of economic strength should be a warning sign to all. Yet hardly a whimper was heard.

In October, our national debt hit the \$23 trillion mark. It was in the papers for a while, but interest quickly waned. We simply cannot continue down this path.

I know the bill before us is well-intentioned, and it contains many proposals that I support. Chairman INHOFE and Ranking Member REED and our Armed Services colleagues have worked hard to deliver the Defense authorization bill, and I commend them for the work they put into trying to reach agreement with the House. Unfortunately, CBO tells us this bill will significantly add to our debt both in the near and long term. This is much different than the budgetary impact of the bill the Senate approved earlier this year.

Ultimately, this bill furthers the practice of passing legislation while ignoring the budget rules of the Senate

and our overspending problem. All of this borrowing will continue to cost us increased interest payments and will hamstring future generations of Americans. Congress has the power to correct course now, and I look forward to working in good faith with the proponents of this legislation. Until that work can be completed, I have to oppose it.

Mr. President, the conference report accompanying S. 1790 would cause a deficit increase of more than \$5 billion in each of the four consecutive 10-year periods beginning in fiscal year 2030. A benefit that isn't funded, once put in place, will never be taken away or even reduced. This increase violates section 3101 of the 2016 budget resolution. Therefore, I raise a point of order under section 3101(b) of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016. Finally, I ask unanimous consent that this point of order be debatable until the postcloture time on the conference report to accompany S. 1790 expires.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to discuss the fiscal year 2020 National Defense Authorization Act. After several weeks of debate and negotiation, the House and Senate Armed Services Committees have completed the conference report, which addresses critical issues facing our military and our country's national security.

I would like to thank Senator INHOFE, Chairman SMITH, and Ranking Member THORNBERRY for their thoughtfulness, hard work, and cooperation throughout the process.

This was not an easy conference. There were many difficult issues and differences of opinion that had to be worked through. I think it is safe to say that many have misgivings about one provision or another, but there are so many other positive provisions that many will consider a legislative success, in my view. That is the art of compromise. Overall, it is a very good conference report that helps the military and the American people. Last week, this conference report passed by a vote of 379 to 48 in the House, and I hope it will have the same strong support in the Senate.

As we consider the conference report, I would like to highlight several areas that I am particularly pleased with and address several items that have been of concern to some Members.

In accordance with the budget agreement, the NDAA conference report authorizes \$658.4 billion for the Department of Defense and national security programs of the Department of Energy, \$71.5 billion for overseas contingency operations, and \$5.3 billion in emergency funding to restore installations that were damaged by extreme weather and natural disasters.

The conference report includes a number of important provisions to sup-

port our servicemembers, their families, and the civilian employees of the Department of Defense who support them, including a 3.1-percent pay raise for troops and the authorization of a number of bonus, special, and incentive pays to encourage enlistment and reenlistment in the Armed Forces.

We continue our efforts to eliminate sexual harassment and assault in our military. Over the last 12 years, we have legislated nearly 200 changes in law to combat sexual assault. In this conference report, we direct the Comptroller General to assess the implementation and effectiveness of these requirements.

We also include a number of new provisions to continue our fight against this scourge, including increasing investigative resources to expedite investigations, increasing access to Victims' Legal Counsel and Victim Witness Program liaisons to support survivors of sexual assault, requiring additional training for commanders, and requiring more transparency with sexual assault survivors about the progress of court-martial and administrative processes. We also include new provisions to more effectively address domestic violence and child exploitation. We cannot rest. We must continue to insist that we do all we can to prevent this scourge from permeating our military forces.

The conference report also includes the Fair Chance Act, which ensures that applicants for positions in the Federal Government and with Federal contractors are treated fairly by restricting requests for criminal background information until the conditional offer stage.

As everyone is aware, the conference report includes 12 weeks of paid parental leave for the Federal civilian workforce, an important benefit that will help the Federal Government recruit and retain the very best civilian talent.

The conference report authorizes a number of important Army and Air Force programs. The final bill supports funding for 73 UH-6M Blackhawks and 48 AH-64 Apache helicopters in the Army.

In addition, the conference bill authorizes an additional \$75.6 million to accelerate the Future Long-Range Assault Aircraft Program, which is a top modernization priority for the U.S. Army. The agreement also fully supports upgrading 165 Abrams tanks and includes an additional \$249.2 million to integrate a medium caliber weapon system onto the Stryker platform. This was an unfunded armor requirement which we were able to meet.

With regard to the Air Force, the conference report includes \$1 billion for 12 additional F-35A aircraft, which was an unfunded requirement for the Air Force, as well as \$392 million for 4 additional C-130J aircraft to support increased inter-theater airlift capability. The bill also includes language that extends the Department's authority to protect critical facilities and assets from unauthorized operation of unmanned aircraft.

I am pleased the conference agreement includes key provisions and authorizes critical funding that will strengthen naval readiness and submarine production. This conference report reaffirms that we must maintain a minimum of 11 aircraft carriers to protect our national interests around the world and authorizes the first year appropriations for the midlife refueling of the USS *Harry S. Truman*.

It continues the construction of two Virginia-class submarines per year and supports the nine-boat multiyear contract, with an option for a tenth boat, that the Navy and Electric Boat signed earlier this month.

The report also supports full funding for the Columbia-class ballistic missile submarine.

I am particularly pleased that the conference agreement also authorizes additional funding to continue to support the expansion of the submarine industrial business, as well as workforce development.

The conference report further bolsters maritime sealift and mobilization by reauthorizing the Maritime Administration, including authorizing a new cable security fleet program and requiring the Secretary of the Navy to seek to enter into a contract for additional sealift vessels.

Finally, in order to keep our existing ships ready for deployment, the conference agreement authorizes additional funding for Navy ship and submarine depot maintenance to ensure key shipyard availabilities are not further delayed due to the existing maintenance backlog.

The conference agreement authorizes full funding for the President's request to continue modernizing our nuclear deterrence and its triad of delivery platforms, which are rapidly aging out. This modernization effort began in 2010 and will continue for the next 15 to 20 years. Our ballistic submarines will begin to age out in the 2030s. Our heavy bombers will be replaced in the 2040s, after having served for over 80 years. And our ICBMs will start to be replaced in the 2030s, after having been on alert 24/7, 365-days a year, for over 60 years.

On the issue of low-yield nuclear weapons, while I opposed the deployment of the low-yield submarine ballistic missile in last year's bill and supported the provision in this year's House bill, which again would have prohibited deployment, that provision was not included in this year's conference report. I maintain that this is one weapon that will not add to our national security but would only increase the risk of miscalculation with dire consequences, and regret the House provision was not included in the House report.

Perhaps the most bipartisan topic in the fiscal year 2020 NDAA was privatized housing reform. Over 30 provisions were included to help the Defense Department reinvigorate its oversight of housing companies. Over the

last year, the Armed Service Committee received hundreds of calls for help directly from military families. Their stories of hardship, photos of substandard home conditions, and reports of nonresponsive customer service by the housing companies spurred this comprehensive package of reforms.

While this will likely not be the last NDAA to address housing problems, the fiscal year 2020 bill makes a significant first step in several key areas. For example, we begin by requiring several standards in the "tenant bill of rights."

We ensure that DOD has a single individual in charge of privatized housing and, in the event housing companies are found to be responsible for causing medical problems, there will be a way for families to be compensated appropriately. Families will now be guaranteed access to work order systems and see what kind of home they are inhabiting prior to moving in, much like consumers get a Carfax report before they buy a used car. Companies must now disclose their bonus structures, document a complaint database made by families online, and are prohibited from forcing families to sign nondisclosure agreements.

The DOD must also create and implement a standardized formal dispute resolution process and a uniform lease across all installations.

We still have a long way to go as a Congress to ensure military families are getting the kinds of quality homes and living conditions they deserve, but the fiscal year 2020 NDAA sets everyone on the right path, and we will continue to be watching both DOD and the housing companies.

In another area of importance to the safety of all families, after too many years of status quo, the NDAA includes a number of new authorities and requirements for the DOD to confront its use of toxic PFAS chemicals. While we were ultimately unable to reach an agreement with the House establishing new regulations through the Safe Drinking Water Act and other substantial improvements, like cleanup via CERCLA and declarations of hazardous substances, the NDAA does make a number of new changes. For example, the Department of Defense must phase out the use of PFAS in firefighting foams on its installations. The bill restores the National Guard's access to defense environmental restoration accounts, presses DOD to enter cooperative agreements with local entities contaminated by PFAS chemicals, and extends the ongoing CDC human health study of PFAS in drinking water.

With respect to countering the continued threat by ISIS, the bill extends the train-and-equip programs that underpin our partnerships with the Syrian defense forces and Iraqi security forces, while ensuring appropriate congressional oversight of the use of such funds.

Specific to Iraq, the bill also begins to normalize security assistance to

Iraq by transitioning funding to enduring authorities.

The conference report also includes the bipartisan Caesar Syria Civilian Protection Act, which is intended to help facilitate an end to the conflict in Syria and hold responsible those who have perpetrated war crimes. Specifically, the bill sanctions foreign persons who knowingly provide significant financial, material, or technological support to or knowingly engage in a significant transaction with the Syrian Government and authorizes the Secretary of State to provide support to entities conducting criminal investigations, supporting prosecutions, or collecting evidence against those who have committed war crimes or crimes against humanity in Syria.

With regard to Afghanistan, the bill extends several authorities to train and equip the Afghanistan National Defense and Security Forces. It also authorizes the Department of Defense to provide support for bottom-up, Governor of Afghanistan-led reconciliation activities and mandates that the Secretary of State, in coordination with the Secretary of Defense, advocate for the inclusion of Afghan women in ongoing future negotiations to end the conflict in Afghanistan. It is in the interest of all parties to forge a negotiated settlement that brings this conflict to a close while also protecting U.S. security interests and basic human rights.

The bill also includes 4,000 additional special immigrant visas and the extension of the SIV Program so we can continue to honor commitments made to our wartime allies in Afghanistan.

As recent press reports indicate, after almost 18 years of combat and capacity building, Afghan military and political institutions are fragile, and the Taliban remains a serious threat. Moreover, terrorist groups like al-Qaida and ISIS continue to pose a potential threat to the region and beyond. The Armed Services Committee and other committees of jurisdiction must undertake a comprehensive evaluation of the causes of the current situation and help facilitate a thoughtful way ahead.

The conference report also contains a number of provisions to address the continuing threat of foreign malign influence from Russia and others countries. Deterring and countering this threat to our democracy is critical ahead of the 2020 Presidential elections.

The bill requires an update to our strategy for countering Russian malign influence, which needs to be better coordinated across U.S. Government Departments and Agencies, and expands that strategy to cover China, Iran, and other malign actors.

To guard against malign foreign actors seeking to gain access to sensitive information through DOD contractors, the conference report includes a provision that I sponsored to enhance requirements for DOD contractors and



subcontractors to disclose beneficial ownership information, including whether companies are subject to foreign ownership, control, or influence.

The Intelligence authorization bill, which is part of the conference report, also includes key provisions to counter foreign malign influence that have been of particular interest to me.

First, it authorizes establishing a Foreign Malign Influence Response Center, which would bring together all elements of the intelligence community and serve as a primary organization for analyzing and integrating intelligence on foreign malign influence to provide a common operating picture across the government.

The Intelligence authorization bill also authorizes the Director of National Intelligence to facilitate the establishment of an independent, non-profit, Social Media Data and Threat Analysis Center to bring tech companies and researchers together to analyze indicators of foreign adversary threat networks across social media platforms.

Finally, the conference report authorizes funds for research on foreign malign influence trends and indicators, including on foreign weaponization of “deepfakes”—that is, videos or other media that is digitally manipulated by foreign governments to spread disinformation.

Turning to Ukraine, the conference report authorizes an increase in funding for the Ukraine Security Assistance Initiative to provide critical aid, including lethal assistance, to this strategic partner to defend itself against Russian aggression against its sovereignty and territorial integrity.

With respect to Turkey, the conference report prohibits Turkey’s participation in the F-35 aircraft program as long as it possesses the Russian S-400 air defense system. It expresses the sense of Congress that Turkey’s purchase of the S-400 system triggers congressionally mandated sanctions and urges the administration to impose those sanctions, which are long overdue.

As everyone is aware, this conference report does create a sixth service within the Air Force for a Space Force. Its mission will be to deter hostile actions in space against the United States and its allies.

I would note that the organization created in this conference report is far more robust than was originally passed in the Senate bill. I believe this bill may be trying to do too much, too fast, and will require significant oversight. That being said, I do believe the attention we have paid to space and protecting our national security assets in space is vitally important. I will continue to work on this issue in the coming years.

Finally, with respect to substantive provisions, I would like to touch on an issue I find very problematic. I am deeply disappointed that, despite my strong support, provisions intended to

prohibit U.S. involvement in the civil war in Yemen, including arms transfers to the Saudi-led coalition, are not included in the conference report. The civil war in Yemen is the world’s worst ongoing humanitarian crisis, and the administration should be playing a more active and constructive role in ending the conflict and achieving a sustainable peace.

I strongly support a prohibition on offensive arms transfers and other offensive support for the Saudi-led coalition and will continue working to stop the bloodshed and suffering in Yemen.

We must redouble our efforts in support of the Yemeni people and increase humanitarian assistance. Iran, al-Qaida, ISIS, and others continue to benefit from the chaos of this protracted conflict, and ending the war is in the long-term security interests of both the United States and Saudi Arabia.

Stronger U.S. support for peace talks can and should set the conditions for Yemenis to negotiate a durable peace and for the international community to begin the difficult but critical work of restoring stability and basic services to the people of Yemen. These objectives will remain significant priorities going forward.

Let me conclude by again thanking Senator INHOFE for his superb leadership and Chairman SMITH for his superb leadership of the conference, which is a very challenging responsibility. They discharged it with great skill. I also thank Ranking Member MAC THORBERRY, who was extraordinarily thoughtful and professional in his deportment, and all the conferees for their bipartisan support throughout the process. This process has been collegial and has been an example of a strong piece of legislation that addresses concerns of Members on both sides of the aisle.

I would also like to thank the staffs of the Senate Armed Services Committee and the House Armed Services Committee for all their fine work on drafting a thoughtful and comprehensive bill. Their diligent work throughout the NDAA process has been integral in producing the strong bill before us today.

Let me say this: They are not identified enough, in my view. The work they did and continue to do has been superb—absolutely superb. I want to personally thank them. Let me thank John Bonsell, Elizabeth King, Jen Stewart, and Paul Arcangeli for their help. They are the staff directors of the committees in both the House and the Senate.

If my colleagues would bear with me, I want to recognize all of our staff members because they don’t get the credit they deserve. Beginning alphabetically, Adam Barker, Stephanie Barna, Jody Bennett, Rick Berger, Augusta Binns-Berkey, Leah Brewer, John Bryant, Debbie Chiarello, Carolyn Chuhta, Jon Clark, Maggie Cooper, Allen Edwards, Jonathan Epstein,

Jorie Feldman, Patty-Jane Geller, Tom Goffus, Creighton Greene, Ozge Guzelsu, Marta Hernandez, Gary Howard, Baher Iskander, Jackie Kerber, Gary Leeling, Greg Lilly, Katie Magnus, Kirk McConnell, Keri Lyn Michalke, Jackie Modesett, Bill Monahan, Mike Noblet, Sean O’Keefe, Tony Pankuch, Brad Patou, Jason Potter, John Quirk, John Riordan, Arun Seraphin, Katherine Sutton, Soleil Sykes, Arthur Tellis, Fiona Tomlin, Eric Trager, Dustin Walker, John Wason, Tyler Wilkinson, Bob Winkler, Gwyneth Woolwine, and Jennie Wright.

Thank you.

I strongly support this conference agreement and hope that it will receive the support of my colleagues in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that the following Senators be permitted to conclude their remarks before the vote begins: Senator JONES, Senator COLLINS, Senator THUNE, and Senator INHOFE.

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

Ms. COLLINS. Thank you.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Mr. President, I want to first thank Senator INHOFE and Senator REED and their staff for their amazing work on this National Defense Authorization Act. What we are about to accomplish is truly remarkable, not only for America but for individuals and families.

I am rising today as grateful and as humbled as I could ever imagine being in this Senate Chamber, but I am also just the opposite—I am excited like a kid at Christmas waiting to have the final passage of this because it means so much. We are at the finish line, about to run through the tape in a race, a marathon that so many folks thought we could never finish. I am talking about this momentous and historic National Defense Authorization Act upon which we are about to vote and pass in just a few moments.

The NDAA includes so many of our collective priorities to bolster the defense of our Nation, to modernize our military, and to take care of our servicemembers and their families. But included very deep within this incredibly thick piece of legislation is a provision that has been repeatedly introduced over the past 18 years, but it has never gotten across that finish line. I am speaking about the Military Widow’s Tax Elimination Act.

For the past four decades, the military widow’s tax has prevented surviving military spouses from receiving the full benefits they are owed by the U.S. Government. Legislation to repeal this unfair law has been repeatedly introduced in Congress for the last 18 years, but money and budgets and points of order have always won out over the commitment we have made to these families.

When I introduced it with my friend and colleague Senator COLLINS earlier this year, we knew it was going to be an uphill battle. We knew that the fight had been going on for so long and that we faced a steep climb, but we took a great deal of strength and motivation from the impacted widows themselves who have fought and advocated for this bill for nearly two decades. They have been a regular presence on Capitol Hill, asking year after year for Members of Congress to lend an ear to their cause. I was heartbroken when one of them told me they felt like they were easy to brush off because they were “just a bunch of little old ladies.”

I was heartbroken when Cathy Milford said every time she came up here it was like digging up her husband and burying him all over again.

After 18 years without success, yet all the while being told how supportive Members of Congress are for their service and sacrifice, time and time again, you could see how disheartening that might be when they would go home emptyhanded.

So when I told them this was the year—Senator COLLINS and I had made it our mission that this was going to be the year we were finally going to get this done—there were more than a few of them who were skeptical, but they were, of course, always optimistic.

We knew we had to fight harder than ever before if we were going to be successful. We had to make our case that this injustice could no longer stand. As we did, one by one, Senators and Members of the House joined this cause with us. By summertime, in this body, we had earned an unprecedented number of Senators’ support for this bill.

Today, as we are about to vote, there are over three-fourths of the U.S. Senate who have cosponsored this legislation. Think of that. In such a partisan time as we live in right now, in this moment, three-fourths of the U.S. Senate has voiced their support.

Because of the momentum we built, this is the year, this is the day, we will finally honor the commitment we made to these families who have given everything to our country. This is the year, this is the day, we will let our actions speak louder than words, the year we finally put our money where our mouth is when it comes to honoring our servicemembers and their families. This is the year, this is the day, we finally repeal the widow’s tax once and for all.

It is, to be candid, difficult to articulate what it means to me to be able to help bring this legislation across the finish line for these surviving spouses.

Their strength, their devotion, and their grit have made this all possible. Their loved ones gave what Abraham Lincoln called “the last full measure of devotion” to our country, and the continued commitment to that devotion by their surviving spouses is a daily reminder of why I am here, why we are all here.

In their own way, these widows have also fought to advance the ideals and values of the Nation we all love so much. Instead of becoming bitter or jaded when learning of this injustice, these incredible women worked to make things right. Year after year, they would gather in Washington to meet with Members of the House and the Senate to beg Congress to right this wrong, only to be told that as unfair as this may be, eliminating the widow’s tax would just cost us too much. For 18 years, they were told it could never get done, but they never ever gave up.

It kind of reminds me of a movie that was one of my favorite movies years ago called “Network,” in which the late actor Peter Finch starred as a somewhat crazed newscaster who was so fed up with the state of affairs in this country that he implored all those watching to go to their windows and throw open the windows and just yell: “I’m mad as hell, and I’m not going to take it anymore,” and they did.

That is essentially what these widows did as well. Year after year, they screamed that they were not going to take it anymore, and they built momentum that led to this historic vote today.

I am so glad this fight is finally coming to an end. I am going to miss their regular visits and their friendship. I truly hope they know how much it has meant to me and my staff as well. My staff has been all in. Everybody has been so dedicated and so passionate about getting this across the finish line.

I am deeply grateful to Senators INHOFE and REED, who have been critical to this effort to get this done. Without them, it would not have been possible. For their support, I am truly appreciative.

More important, I am especially grateful to my partner in all of this, Senator COLLINS, whose deeply held commitment was vital to our success.

Today we will celebrate the end to our four-decades-old fight. We will take stock in this great achievement together, but tomorrow we must turn our attention to the next big issue because there are so many others who need our help, our attention, and our courage to do the right thing.

For now—for now we can celebrate because today those military spouses who had once proclaimed they were mad as hell and not going to take it are watching this proceeding with a more joyous feeling. These widows are watching in the quiet of their homes, perhaps in the Gallery, many of them grasping a photograph of their loved ones, their late husbands, but they all have tears in their eyes, saying to each other and to us in this body: Thank you because now I am happy as hell that I don’t have to take it anymore.

I assure my colleagues that right now their spouses, those who gave the ultimate sacrifice for this country, are watching from that heavenly perch

above, standing at full attention, and saluting the Members of this Congress and saying: Thank you. Thank you for recognizing the ultimate sacrifice I made for this country. Thank you because you have demonstrated a commitment to me and my service, and with that final commitment from you, the commitment I made to my loved ones, the commitment to care for them even after I am gone, has finally been fulfilled, and I can truly rest in peace.

To my colleagues in the Senate, by your vote today, you are doing so much more than modernizing our military providing for the Nation’s defense. By your vote today, you are returning their salute—the salute to those brave servicemembers who gave their all in service to this country.

Folks, this is a really, really big deal, and I salute all the Members of this body for their efforts.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am delighted to join my friend and colleague from Alabama, Senator JONES, to urge support for the final passage of the National Defense Authorization Act, which finally—finally—contains repeal of what is commonly called the military widow’s tax.

I want to commend Chairman INHOFE and Ranking Member REED for including this important provision in the bill and for their excellent job in crafting the legislation overall.

This significant bill contains numerous provisions critical to our national security and important to the great State of Maine, but right now I want to join my colleague Senator JONES in celebrating and highlighting one long-fought-for provision, and that is the repeal of the Survivor Benefit Plan and Dependency and Indemnity Compensation offset, commonly referred to as the military widow’s tax.

Let me explain exactly what the problem is. Many military retirees purchase, with their own money, a form of insurance called the Survivor Benefit Plan. If they subsequently die of a military-connected illness, their surviving spouse qualifies for a dependency and indemnity compensation benefit from the VA.

Unfortunately, these two programs are offset dollar for dollar for our military families. This makes no sense. The retirees are paying for this extra insurance with their own money.

The NDAA will finally remedy this inequity, this burdensome unfairness, and it will permit as many as 67,000 surviving spouses, including more than 260 in Maine, to begin collecting the full survivor benefits they are entitled to once it is fully phased in.

The average offset to the SBP amounts to more than \$11,000 per year. That is a significant amount of money that a widow or widower needs to help support their families and themselves.

I would like to again recommend and thank Senator JONES for his strong advocacy and unceasing leadership, as

well as the countless military spouses and veteran advocates, the veteran service organizations that helped push this effort over the finish line this year.

This year, these dedicated advocates helped Senator JONES and I secure a record number of cosponsors to our bill to repeal the widow's tax—78 Senators and 383 House Members.

As Senator JONES was mentioning, that is phenomenal and shows the strong bipartisan support to correct this unfairness.

Often I am reminded by military commanders of the saying that you recruit the soldier, but you retain the family. We have an obligation to make sure we are taking care of our military families who have sacrificed so much.

I urge all of our colleagues to support final passage of the NDAA and to finally put an end to the military widow's tax.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, the vote we are talking about is to waive the budget point of order that was raised by Senator ENZI. If the budget point of order is not waived, the NDAA—which I believe is the most significant vote we pass every year; it has passed for 58 consecutive years—will be referred back to committee. So that is really what is at stake here.

The budget point of order on the NDAA is primarily caused by three provisions: first, repealing the widow's tax phased in over 3 years. We have been talking about that. That is part of this point of order; secondly, giving visas to Afghans who work closely with the U.S. military during the war; and, third, allowing military servicemembers to file claims for medical malpractice.

Now, all three provisions have significant bipartisan support. The widow's tax, as was just stated, has 76 cosponsors in the Senate, 383 in the House.

A vote in this Chamber in late September to instruct conference on the widow's tax passed 94 to 0. You might keep that in mind. Anyone who talks now about opposing it actually voted for it back in September.

Now, as I mentioned in my remarks last night, I started working to repeal the widow's tax after being inspired by one of my personal heroes, a young lady named Jane Horton.

I can remember back in September of 2011, I was in a little town north of Tulsa, OK—Collinsville, OK—and I was up there talking to people, the normal type of thing we do, going around speaking with our constituents, and I recall that is when I first met Jane Horton. She lived in Collinsville.

After I had visited for a while with the group, I commented that I am the chairman of the Senate Armed Services Committee, and I am going to be going to Afghanistan in this next week. She said that her husband, Chris Horton, was also right at that moment in

Afghanistan. I made the statement: Well, let's find out where he is, and I did. I checked into it and arranged to go by to see him as I left for Afghanistan, but I didn't see him because on September 9, 2011, Chris Horton was killed in action.

Now, after all of Jane's sacrifices in losing her husband in the line of duty, it seemed unimaginable to me that she should have to deal with the further pain of a dollar-for-dollar offset in her benefits as a Gold Star spouse. So we have worked with Jane and the other Gold Star spouses for a long time to figure out how we can do this in a responsible way. That hasn't been talked about so far, but we did it. So it has happened over a period of time.

Similarly, supporting the Afghan partners who sacrificed so much to help us help their country has long been a bipartisan priority. Everyone involved in this conference, including the Department of Defense, recognized the importance of fixing the medical malpractice issues in a commonsense fashion.

I understand my colleagues' concerns. We have worked hard to make each of these provisions fiscally responsible, and we will continue to do that.

There is a document, which nobody reads anymore, called the Constitution. The Constitution says that our top priorities here should be defending America. That is what we are supposed to be doing. Each of these provisions enables us to better defend America and allows us to take up this bill and actually pass it for the President to sign.

So I urge you to vote to allow this bill to move to final passage so that we can send this legislation to the President's desk, where he said he would sign it immediately, and he will. By doing so, it will send a clear message to our troops and adversaries that this body is serious about America's national security.

#### VOTE ON MOTION TO WAIVE

Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of the act and applicable budget resolutions for the purpose of the conference report to accompany S. 1790, and I ask for the yeas and the nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

All postcloture time has expired.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms.

KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The yeas and nays resulted—yeas 82, nays 12, as follows:

[Rollcall Vote No. 399 Leg.]

#### YEAS—82

Alexander	Fischer	Reed
Baldwin	Gardner	Risch
Barrasso	Graham	Roberts
Bennet	Grassley	Rosen
Blackburn	Hassan	Rounds
Blumenthal	Hawley	Rubio
Blunt	Heinrich	Sasse
Boozman	Hirono	Schatz
Brown	Hoeben	Schumer
Burr	Hyde-Smith	Scott (FL)
Cantwell	Inhofe	Scott (SC)
Capito	Jones	Shaheen
Cardin	Kaine	Shelby
Carper	King	Sinema
Casey	Lankford	Smith
Collins	Leahy	Stabenow
Coons	Manchin	Sullivan
Cornyn	McConnell	Tester
Cortez Masto	McSally	Thune
Cotton	Menendez	Tillis
Cramer	Merkley	Udall
Crapo	Moran	Van Hollen
Cruz	Murkowski	Warner
Daines	Murphy	Whitehouse
Duckworth	Murray	Wicker
Durbin	Perdue	Young
Ernst	Peters	
Feinstein	Portman	

#### NAYS—12

Braun	Johnson	Paul
Cassidy	Kennedy	Romney
Enzi	Lee	Toomey
Gillibrand	Markey	Wyden

#### NOT VOTING—6

Booker	Isakson	Sanders
Harris	Klobuchar	Warren

The PRESIDING OFFICER. On this vote, the yeas are 82, the nays are 12.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

#### VOTE ON CONFERENCE REPORT

The PRESIDING OFFICER. The question is on adoption of the conference report.

Mr. DAINES. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 86, nays 8, as follows:

[Rollcall Vote No. 400 Leg.]

## YEAS—86

Alexander	Fischer	Reed
Baldwin	Gardner	Risch
Barrasso	Graham	Roberts
Bennet	Grassley	Romney
Blackburn	Hassan	Rosen
Blumenthal	Hawley	Rounds
Blunt	Heinrich	Rubio
Boozman	Hirono	Sasse
Brown	Hoeven	Schatz
Burr	Hyde-Smith	Schumer
Cantwell	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cardin	Jones	Shaheen
Carper	Kaine	Shelby
Casey	Kennedy	Sinema
Cassidy	King	Smith
Collins	Lankford	Stabenow
Coons	Leahy	Sullivan
Cornyn	Manchin	Tester
Cortez Masto	McConnell	Thune
Cotton	McSally	Tillis
Cramer	Menendez	Toomey
Crapo	Moran	Udall
Cruz	Murkowski	Udall
Daines	Murphy	Van Hollen
Duckworth	Murray	Warner
Durbin	Perdue	Whitehouse
Ernst	Peters	Wicker
Feinstein	Portman	Young

## NAYS—8

Braun	Lee	Paul
Enzi	Markey	Wyden
Gillibrand	Merkley	

## NOT VOTING—6

Booker	Isakson	Sanders
Harris	Klobuchar	Warren

The conference report was agreed to. The PRESIDING OFFICER. The Senator from Oklahoma.

## MORNING BUSINESS

Mr. INHOFE. 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.

Mr. INHOFE. Mr. President, I ask unanimous consent to speak for as much time as I need.

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

## NATIONAL DEFENSE AUTHORIZATION ACT

Mr. INHOFE. Mr. President, as I have reminded you all many times, this is the 59th straight year we will be passing the NDAA, the National Defense Authorization Bill. It has passed for all these years in a row because we all know just how important it is. It is the most important thing we do around here. We are building on nearly six decades of bipartisan support for our troops and national security.

This year, I am glad to say, it is no different. We all came together to produce a conference report that is good for all of America. The House passed it overwhelmingly; the Senate passed it overwhelmingly. We voted for it overwhelmingly yesterday. And the President says he will sign it immediately. I am grateful to the President for understanding the importance of this bill.

This bill means everything for our national security. Every American ben-

efits from a strong national defense. Their lives, their livelihoods, their freedoms are all because we fight to protect them.

When I go around my State of Oklahoma, people think we have the best of everything militarily. We have the best people. We have the best soldiers, sailors, marines, and airmen. There is no doubt about it. But we can do better when it comes to giving them the best equipment and the best training. That is what this bill does. It does that. The backbone of a strong national defense is the force—the men and women who lay their lives on the line each and every day.

When I travel around, I like to take some time to meet with the enlisted guys in the mess halls. You can learn more from them than you can learn from some of the brass. They are the ones who really know what it is that we can do to effectively build a strong national defense. We get to hear what they are worried about. We get to hear how we can support them.

They need the training and equipment that makes them the most fearsome fighting force in the world. This bill does that. They need a safe roof over their heads and over the heads of their families, and this bill does that. They need to know that they have the full support of the U.S. Government throughout their service. This bill does that. At the end of the day, we have the best military in the world because of our people. We take care of them, and that is what this bill is all about.

We are here today because of the brave men and women who wear and have worn the uniform. We are safe and prosperous and free because of them. That is what this bill is all about.

The Senate just passed the Defense authorization bill for the 59th year in a row. There isn't much left around here that has that kind of longevity. It is a testament to the importance of the bill.

It is also a testament to the hard work of the staff. They worked tirelessly to bring this conference report to the floor. I want to take just a moment to recognize and thank everyone who made this bill possible, starting with the Armed Services Committee staff, especially the staff directors, John Bonsell for the majority and Liz King for the minority. They are the ones who provided the leadership behind the scenes. They did most of the work.

Then there is my partner, Senator JACK REED. We are a real team. We know how to do things and have learned over the years how to do things right. I couldn't praise him more. In fact, we had a lot of obstacles this year that we didn't have before. If it hadn't been for Senator REED and the staff working on it, we wouldn't have pulled this thing off.

A few minutes ago, Senator REED read the names of all of the members of the Armed Services Committee. I want to go ahead and get those in my statement here also.

Mr. President, I ask unanimous consent that the names of the Armed Services Committee staff that were listed by Senator REED be placed in the RECORD in my statement.

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

My staff from the Senate Armed Services Committee:

John Wason, Tom Goffus, Stephanie Barna, Greg Lilly, Rick Berger, Marta Hernandez, Jennie Wright, Adam Barker, Augusta Binns-Berkey, Al Edwards, Jackie Kerber.

Sean O'Keefe, Tony Pankuch, Brad Patout, Jason Potter, J.R. Riordan, Katie Sutton, Eric Trager, Dustin Walker, Otis Winkler, Gwyneth Woolwine, Katie Magnus.

Arthur Tellis, Leah Brewer, Debbie Chiarello, Gary Howard, Tyler Wilkinson, John Bryant, Patty-Jane Geller, Baher Iskander, Keri-Lyn Michalke, Jackie Modesett, Soleil Sykes.

From the minority side:

Jody Bennett, Carolyn Chuhta, Jon Clark, Jonathan Epstein, Jorie Feldman, Creighton Greene, Ozge Guzelsu, Gary Leeling, Kirk McConnell, Maggie McNamara, Bill Monahan, Mike Noblet, John Quirk, Arun Seraphin, Fiona Tomlin.

Mr. INHOFE. Again, I want to thank my personal staff, office staff, and floor staff.

We need to pivot to our next task at hand: funding the Department of Defense. This puts financial resources behind all of the policies we just approved today.

Our military leaders have told the Armed Services Committee over and over again—and I have repeated this several times—that stable, predictable, on-time funding is the most important way Congress can support our national defense. It is now 2½ months into the new year, and we got it done.

To all of my fellow Members here, I thank you again for your support of the national defense authorization bill.

Merry Christmas.

I yield the floor.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:04 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

## MORNING BUSINESS—Continued

The PRESIDING OFFICER. The Senator from North Dakota.

## SENATOR CRAMER'S MAIDEN SPEECH

Mr. HOEVEN. Madam President, I rise today because it is my honor to introduce my colleague, who actually needs no introduction, but for this speech today I have the pleasure to introduce KEVIN CRAMER, who will be delivering his official maiden address to the U.S. Senate.

I have known KEVIN for many years and he has always been an incredibly

diligent worker for the people of North Dakota. He has served our State in many different capacities. He served as tourism director and did a tremendous job promoting our State, promoting tourism, and, really, promoting the beauty and the history of our State in a way that brought a lot of national attention and really made a difference in terms of tourism for our State.

He also served our State as economic development director, something that is certainly near and dear to my heart. I have always believed that job creation is job one, and so, to me, that is the engine that drives the car. KEVIN served as the economic development director under Governor Schafer, my predecessor, and, again, did a fantastic job. He knows the importance of supporting our farmers and our small businesses, the energy industry, and all the things that really make our State go, and he has been a huge part of helping to create an environment in our State that, from a tax and a regulatory environment, has been very supportive of the growth and development of our economy and all aspects of our economy—as I say, from ag to energy, to technology, to manufacturing and throughout the small business world—and, like me, he is a true champion for small business. We are big believers that small business is what makes this economy go. Whether it is North Dakota or the United States of America, it is small business that makes our economy go.

As Governor, I had the opportunity to appoint KEVIN to our State's public service commission in 2003, and he followed that and ran and was elected to the PSC by the people of North Dakota and served as the public service commissioner for the State until 2012. Certainly, in that role he was a big part of the growth and development of our State.

Back in 2000, when I started as Governor, we produced less than 100,000 barrels of oil a day. Today, we now produce more than 1.5 million barrels of oil a day. The only State that produces more oil than North Dakota is Texas, and KEVIN was a big part of building that climate where the industry just developed amazing technologies and this whole shale play came to be. Of course, now the United States is the largest producer of oil and gas in the world.

So he truly understands that you have to help to promote that kind of economic development, but, at the same time, there is a reasonable role for regulation and things have to be done right and well and with good environmental stewardship.

Prior to joining me in the Senate, KEVIN served for three terms in the House of Representatives, where we worked together on many of our State's priorities. We share the same beliefs in not only our great State but in this great country, and we certainly had a tremendous working relationship in the House and now, of course, I am

pleased to have him as a colleague in the Senate.

We both served as members of the farm bill conference committee a year ago and were able to put in place a strong farm bill for our farmers and ranchers.

We both work to rein in regulation, as I said, to grow our economy, and to support our military. He is a member of the Armed Services Committee and also the Veterans' Affairs Committee and has already passed a resolution supporting our veterans with his Battle of the Bulge resolution, which has been passed by this body.

These are just a few of the things that he has already done as a Member of the U.S. Senate.

He has been a dedicated public servant for the people of North Dakota. He is also a very devoted family man. He and his wife Kris have three sons—Isaac, Ian, and Abel—and two daughters—Rachel and Annie. They are the proud grandparents of five. Now, I have him by one. I have six, but this is a competition. So we will see where it ends up.

He has a great family and has been a great partner in the Senate, and, of course, I look forward to continuing to work with him.

Again, I am very pleased today to introduce Senator KEVIN CRAMER for this speech.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

#### MAIDEN SPEECH

Mr. CRAMER. Madam President, a very special thanks to my senior Senator, my great friend, and our former Governor, Senator JOHN HOEVEN.

In fact, as he went through much of my speech for me, I thought to myself: Why, this is kind of like when I played high school basketball in Kindred, and we would be ahead by 20 points and the coach would get me off the bench and say: Go in and try not to screw this thing up. That is a little bit how I feel right now, but I thank him for the very kind introduction. Most of it was true.

The idea of a maiden speech a year into your first term may seem a little odd, but I actually kind of like the idea. It gives me a year's worth of opportunity to reflect, which creates greater clarity about the future and vision.

The first thing I want to say to all of my colleagues here is thank you for being so welcoming—and I mean all of them. What they say about the Senate and the collegiality of it is very true. It is not just true. It is really important, and it is something worth preserving.

I can honestly say that out of the 99 that I have met, I love every one, individually and collectively, and appreciate all they have meant to me.

Kris and I have been married for 33 years. We have five children together, and I am going to talk about one in particular in a little bit.

Our children range in ages from 12 to 38, and that is too long of a story to explain, but we love and are proud of all of them.

Our five grandchildren are a little closer in range. They range from 1 to 7, and we love every single one of them—Lyla, Beau, Nico, Chet, and Willa—with all the love any grandparent could come with and with all the love that God has for us.

I think it is important for people to know I am a child of God and a follower of Jesus, and it informs everything that I do, both at home and here and throughout life.

I think it is important to know a little bit about where you come from. I was raised by loving parents. My dad was a rural electric lineman who never once complained about going out in a storm to get the lights back on for the farmers of our area. My mother was an elder care giver when she wasn't pumping gas at the local Farmers Union station. They did whatever they needed to do to help us kids and to provide for our family. We never felt like we needed anything because we didn't. We were loved, and we were well cared for and had great examples of culture and work ethic and values that are North Dakotan.

I think it is important to understand where a person comes from, but I want to fast forward a little bit to this last year. I said I was going to talk a little bit about one of our sons. It was a tough campaign. A lot of people think that North Dakota is this bright red State and that everyone who runs there who is Republican wins. While that certainly has been the trend, I think it is sort of important for people to know that I am the first Republican in my lifetime to hold the seat that I hold right now for the people of North Dakota. In fact, the names of the previous Senators in this lineage are in this desk that I stand at.

So it was a tough campaign. I got into the race late. I really didn't aspire to be a Senator. I liked the House of Representatives and still do, but the call came and I answered it.

But what made the year so tough—and, fortunately, it was shorter than most campaign years in the U.S. Senate—is that I got in late. So it was a short year, but in the middle of the campaign, in the early part of the campaign, our 35-year-old son Isaac became very ill. He suffered from alcohol-induced liver disease, and we spent a good month and a half in the middle of an already short campaign at his bedside in intensive care both in Bismarck and in Rochester at the Mayo Clinic. I say that because it was perhaps one of the hardest 6 or 7 weeks of my life, the deepest valley of my life, but it was also one of the most instructive and informing. It was as informing as all those years in North Dakota in the State office helping Senator HOEVEN—then-Governor HOEVEN—build this dynamic economy.

Those several weeks with my son probably prepared me as well for this

job as any. I got to see our healthcare industry up close. I got to know more about addiction and mental illness and how tragic it is and how devastating it can be and how consequential not dealing with it actually is. It robs people of life. It is not just an inconvenience. So it was instructive in those senses, but more than that, I got to learn about our community.

I heard from thousands of Americans who watched this very public tragedy play out in the public arena because of the very public job I was seeking, and my faith in mankind was enhanced. My faith in God was strengthened—learning that the sufficiency of His grace is more than adequate not just for salvation but for life, and it makes everything shall we say clearer for me today.

Senator HOEVEN raised the subject of some of my committee assignments, and I wanted to speak to that for a minute because he is a very important part, as you can tell, of my public life and career. While I stand on the shoulders of former Governor and former Agriculture Secretary Ed Schafer—JOHN and I both served with him in economic development when JOHN was president of the bank in North Dakota—it was JOHN HOEVEN who gave me my first entree into elected office at the Public Service Commission in North Dakota and worked with me. Then, of course, I had the opportunity to serve with him as he sat on the farm bill conference committee when I served in the House of Representatives.

When I had that very first important meeting with Leader MCCONNELL to talk about what committees I wanted to be on in the Senate, realizing that I was coming from the House, where I only served on only one—I served on the Energy and Commerce Committee. It is an important committee, a big committee, but it was only one committee. Here, I would serve on three or four or, as it turns out, five. The first thing I did was look at Senator HOEVEN's committee assignments, and I wanted to assess how I could complement where he serves. He served on the Agriculture Committee and the Energy and Natural Resources Committee. It made sense to me, with my environmental and regulatory background, to serve on the Environment and Public Works Committee, where both agriculture and energy development are greatly impacted. Whether it is environmental policy or land policy, regulations that I think serve as a bit of a taking of farmers' land are every bit as important as the revenue they receive through safety net programs. So I sought and received that.

With respect to the Banking Committee, JOHN talked a little bit about that and my role as an economic director in the State of North Dakota. I have always liked macroeconomics, and it has intrigued me how financial and economic policy go together. But as interesting as the Federal Reserve is to me, and it is, and as important as

the Export-Import Bank is to me, and it is, it is really the community bank—like the bank Senator HOEVEN comes from and whose family started and was building in North Dakota, the local credit unions, the farm lenders—that is what drives me more than anything in the Banking Committee.

The Veterans' Affairs Committee is a great committee, and it is something that I could never have imagined aspiring to or being involved with. But I do know that JOHN and I love veterans. North Dakota is home to only 750,000 people, but 52,000 of them are veterans. In North Dakota, patriots sign up at a rate four times the national average. So public service in the form of wearing the military uniform is really big and really important in our part of the country.

I had an opportunity for a number of years to chair the Rough Riders Honor Flight in North Dakota, where we raised the money and organized the trips for about 500 World War II veterans to come see the memorial built in their honor. What a moving experience that was.

Before servicemembers return from duty, of course, they serve, and that is why we should be working to give them the best resources we can, which is why today is an appropriate day for this maiden speech, because it is also a day we passed a very important National Defense Authorization Act to provide the tools and the things our military men and women need to be the dominating force for good in the world. It is an honor to serve them.

I am the very first member of the Senate Armed Services Committee from North Dakota. I didn't know that when I sought that committee assignment to complement my Veterans' Affairs assignment, but I am honored to do it. The reason I sought that one is because again, going back, Senator HOEVEN is a defense appropriator. I thought, how can I best look out for North Dakota's assets? And the Armed Services Committee seemed like the right place to be.

I also believe that North Dakota's assets are perfectly positioned for the future of warfighting. So I am very grateful today for the passage of the National Defense Authorization Act and for the opportunity to serve on the Armed Services Committee.

We have Air Force bases in both Minot and Grand Forks. Their histories are similar, but their new missions are very different. In Minot, we have two-thirds of the nuclear triad and the B-52 bombers that carry those impressive bombs and, of course, the intercontinental ballistic missiles, which are being replaced now by the ground-based strategic deterrent. The modernization of our nuclear triad in this NDAA is very important to our State, and I am honored to have been a part of seeing it through to completion.

We also have a very important space radar station in Cavalier—something very few people know about. Very few

people in North Dakota are aware of that space station in Cavalier. Yet it is a very important asset. Now, as we launch this sixth service, the Space Force, again, we will see very important opportunities for North Dakota.

We also have an excellent National Guard—both Army and Air Force National Guard—that does important work not just locally—and they do great work locally—but around the globe. Every Member here can attest to the power of their National Guard. Our ISR systems over in Fargo, flying the UABs—it is just remarkable, what they do and what they contribute to the national defense, our Air National Guard in Fargo, the 119th Wing, the Happy Hooligans.

The Grand Forks Air Force Base—as I said, a base that was similar in its founding to Minot—is now a UAB base, a global hot base where they do important ISR work. Again, in the future of warfighting, the importance of good intelligence is so critical, and the airmen in Grand Forks are second to none in carrying out that mission.

Again, the strategic pick of my assignments was designed to complement Senator HOEVEN's and serve the good people of North Dakota.

I will spend a little bit of time talking about my service in the House of Representatives because it is the People's House. I love the People's House. Senator THUNE from South Dakota served in the House of Representatives, and he knows what it is like to be the only Member from an entire State. It has its opportunities and its challenges.

I used to say to students who came to visit: If you want to know what America looks like, go to the House of Representatives, sit upstairs, look down, and you will see 435 people who are just like 700,000 others—just like each one of them.

The diversity of our country is perfectly demonstrated in the House. I absolutely loved that, but I also knew how hard it was, because if I could get my colleagues from South Dakota, Wyoming, Montana, and Alaska to go along with me, I would have five votes. That is almost 10 percent of California. That is a lot of relationship building to get things done. Yet I love it. There are still things about the House that I watch and love. There are things lately I watch and I wonder, but there are a lot of things I love about the House. The Founders knew exactly what they were doing when they created it.

To come here and be one of two, to be a Member of the U.S. Senate, which is the equalizer for our legislative Chambers—our Founders really knew what they were doing. To have an opportunity to work with you all to provide a level playing field for the people of a smaller State has been truly, truly marvelous.

I will not elaborate on my years as tourism director and economic development director or even on the Public Service Commission because Senator



HOEVEN has done a good job on that. I would just say this: The thing that I learned more than anything on the Public Service Commission, even though—I carried the pipeline portfolio; sited the original Keystone Pipeline; sited thousands of miles of transmission lines, electric, gas, oil; carried the coal portfolio in reclamation; and worked with the Department of the Interior on those issues that are very important to our State. What I learned more from all of that than even big-time economics or engineering or energy security—as important as those lessons were over the 10 years I served, the thing I learned the most was how important the people are. In the wisdom of the Midwest, the laws required that whether you were raising somebody's utility rates, siting a pipeline or transmission lines, siting a refinery or a coal-fired powerplant or a wind farm, you had to hold a hearing in the community where the investment was taking place. In other words, you couldn't hide behind the pillars of the State capitol; you had to go to them and make it easy for them to come to you.

I learned from the people of the prairies of North Dakota about not just life in general but how to site a pipeline. It was a farmer in Walsh County who said about the Keystone Pipeline at an open meeting: I don't know much about laying pipelines, but personally, I would try to avoid that quarry you are going through.

So some very high-paid engineers moved the pipeline away from the rocks and into better soil.

It was the mayor of Park River who came to a committee meeting and said to me: I don't know much about pipelines, but you are going right through the aquifer that serves the municipal water supply of my community. I think it would be better to move it.

So I paid engineers to move it away from the aquifer.

Through the collective wisdom of the people of North Dakota and the individual wisdom of many of the individuals of North Dakota, I learned that was something not to be taken for granted or wasted, which is why, in my service in the House and here in the Senate, I spend so much time holding townhalls of all types—so I wouldn't rob myself of the value and the benefit of the collective wisdom of the people I serve.

I am so grateful to Senator HOEVEN. He is a skilled and accomplished leader. He works tirelessly—you all know that—on behalf of the people of North Dakota. He is relentless in his pursuit of things for North Dakota. He has been a great friend and mentor. I am thankful for his partnership and his willingness to work with me in the future, as he did when I was on the Public Service Commission.

As we go forward, I do have a couple of thoughts about some challenges. As I talked about this accessibility issue, this opportunity we have particularly in small States to know the people we

work for really well and for them to have the opportunity to know us really well and to collect their wisdom, I fear a little bit that the lessons learned from being so close to the people are lost in this town—not so much by Members of Congress, but I am a fervent advocate of the administration and their officials getting out to our small towns and into the towns of North Dakota and other towns throughout our country.

It is an area where I think the Trump administration has excelled beyond anybody. In fact, I believe this President to be the most accessible President probably since Abraham Lincoln, who used to hold office hours right in the White House, where people could come in off the street and have an audience with him. And I am not just talking about rallies. I am talking about a President who visits the State to speak with leaders at roundtables and a Vice President who comes to our military installations to meet with the airmen.

We have an Agriculture Secretary who has been to North Dakota—what, three or four times, JOHN?—not just to talk to the very important leaders of the Farm Bureau and the farmers union and the commodity groups, but I am talking about the farmers who get their fingers dirty. We have a Commerce Secretary who, in the middle of negotiating with China, came to North Dakota to talk to those farmers about the impact of tariffs on their markets; a Veterans Affairs Secretary who studies the alternative treatments being advanced and made available in Fargo; an EPA Administrator who lets North Dakotans continue to lead the way on promoting good waters of the United States policy; an Air Force Secretary who understands air capabilities because she has seen them firsthand; an Interior Secretary who came to listen to the concerns of farmers and actually changed the direction of certain regulations as a result of farmers pointing out how their personal property rights were being stolen by the Federal Government; and a NASA Administrator who observed the first ever university space program at the University of North Dakota.

The list goes on and on, and I will spare you from it, but I think it is an important lesson and testament to how good this country can be and how much better it can be if we listen to the people in the heartland. All of this is why, in addition to bringing people of influence to my State so hopefully they can be influenced by it, I am concerned about the sheer magnitude of our bureaucracy.

This week, we are going to hopefully pass a \$1.5 trillion discretionary budget or appropriations, but I worry about the people who are going to manage that \$1.5 trillion being so out of touch with real, everyday Americans.

You can call it whatever you want. Some people call it the deep-state, out-of-control bureaucracy, misguided but

well-intentioned public servants, power-hungry civil employees, whatever you call it. I call it unelected bureaucracy that has codified corruption in many cases. They turned their own interpretation of guidelines into infallible laws, placing the creation and implementation of their policies and processes above the needs of the American people whom we serve and the elected leaders that send them there.

I had experienced it many times in the 6 years I had been in the House, but I experienced it multiple more times in the Senate. Whether this comes from a place of self-preservation or self-importance, I believe it has to come to an end.

A defining part of my tenure since the day I arrived until the day I leave will be to take on a bureaucracy that I believe has run rampant. There are several Cabinet officials and agencies that can attest to that statement already.

I am not unreasonable about it, I don't think. I don't intend to be, but, Madam President, I am passionate about it. As I have made clear, I do not believe in the abolition of government. But I do think government needs to be more responsive to the people that pay for it. We ought to be giving the people a government that is worth their investment.

I aim as my highest goal at the highest level to return the focus of the Federal Government back to the people. I have listened to so many well-intentioned bureaucrats explain their process, explain their system, explain their traditions and rarely do they talk about a human being on the other end of all of that, so I am committed to doing what is best for the people of this country with a very keen focus on the 750,000 North Dakotans whom I committed my life to serving. Their individual and collective wisdom, along with their values, as old-fashioned as they may seem to some, is our contribution to a great nation. They would want me to say to all of you, Merry Christmas and Happy Holidays.

I yield the floor.

THE PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I would just like to say how much I appreciate Senator CRAMER, the working relationship that we have, not just here but a working relationship that goes back many, many years. As you can tell, he speaks very well, but what comes through is not only his commitment to his family and his faith, but his commitment to the people of North Dakota and his commitment to the people of this country.

It doesn't matter what issue he is working on. He takes the time to listen to everybody, and he is always willing to explain where he is coming from and why he comes to the conclusion he does. But there is no question, he loves his faith; he loves his family; he loves his State; and he loves this country.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

REMEMBERING BRIGADIER GENERAL JAMES KEMP McLAUGHLIN

Mr. MANCHIN. Madam President, I rise today to honor the legacy of a member of our greatest generation, the founder and first commander of the West Virginia Air National Guard, a World War II veteran, an American hero, and a friend of both of ours, retired Brig. Gen. James Kemp McLaughlin.

He was born on December 7, 1918, in Braxton County, to James and Almira McLaughlin. Kemp was a staunch leader with unparalleled patriotism, and his devotion to God, State, and country was unmatched. Gayle and I were honored to call him a friend, and I know I join so many when I say that West Virginia has lost a shining star. He is dearly missed.

Ever since the historic beginning of our State, we have never failed to answer our country's call. No demand has been too great, no danger too daunting, and no trial too threatening. Kemp took part in some of the most important battles of World War II. Following his education at West Virginia University, Kemp joined the U.S. Air Corps at age 23, shortly before the attacks on Pearl Harbor, the day of his birthday.

He flew nearly 40 B-17 Flying Fortress bomber missions during the war, including support for the troops on the beaches of Normandy in 1944. In 1934, Kemp led a 350-plane attack on a factory in Germany, a raid that became known as Black Thursday. On too many occasions, Kent's planes would be so damaged that it was a miracle he made it back safe.

His actions were instrumental in not only destroying Nazi efforts, but as one of the "Mighty" 8th Air Force in Europe, he was also instrumental in developing what is known as air superiority, a vital factor in deciding the outcome of a modern conventional war. He paved the way for all citizen airmen who strive to follow in his footsteps.

Kemp completed 39 combat missions during World War II and was awarded the Distinguished Flying Cross four times. His vast experience aided him years later when he was asked to lead the Air National Guard's 167th Fighter Squadron in Charleston, WV. When that squadron moved to Martinsburg, Charleston's Guard unit became the 130th Airlift Wing.

Throughout the rest of his extraordinary life, Kemp continued to pay homage to his fallen comrades and serve his community. He served as Kanawha County commissioner and as a member of the West Virginia House of Delegates. He is a legend here in West Virginia and was one of the most selfless people that I have ever had the pleasure of calling a dear friend.

As Governor, my most honored titled was that of commander-in-chief of the Guard. I have seen firsthand how the

Air National Guard protects the citizens of West Virginia when we are in our most desperate hour of need and how they protect our country when called upon to serve at the command of the President of the United States. The integrity of our Guard is due in large part to Kemp's legacy of excellence and his commitment to seeing our Guard and our home State flourish.

When visitors come to West Virginia, I jump at the chance to tell them we are home to the most hard-working and patriotic people in the Nation. We have fought in more wars, shed more blood, and lost more lives for the cause of freedom than most any other State. We have always done the heavy lifting and never complained.

We have mined the coal and forged the steel that built the guns, ships, and factories that have protected and continue to protect our country to this day. I am so deeply proud of what West Virginians like Kemp have accomplished and what they will continue to accomplish to protect the freedoms we hold dear. We have every reason to be proud and to stand tall knowing that West Virginia is the reason Americans sleep peacefully at night.

Kemp is survived by his children, Laura, Mary, and Kemp, Jr., and their grandchildren and great-grandchildren. I know he and Constance, his lovely wife of nearly 50 years, are looking down on each of you and all of us with a smile.

West Virginia is great because our people are great—Mountaineers who will always be free. We are tough, independent, inventive, and honest, our character shaped by the wilderness of our State—its rushing streams, its boundless blue skies, its divine forests, and its majestic mountains. We are West Virginians. Like the brave, loyal patriots who made our State the 35th star on Old Glory, our love of God and country and family and State is unshakeable.

I know that 20, 50, or another 156 years from now, that will always remain the same. That legacy laid the groundwork for heroes like Kemp McLaughlin, and now, he serves as an inspiration to all who wish to follow in his footsteps and live a life filled with patriotism, service, faith, and family.

There are so few of our American heroes left from Kemp's generation. It is our responsibility and privilege to ensure that their service and sacrifice is never forgotten. The sun will never set on Kemp's legacy of service, his generosity, his love for his family, and his devotion to God, our home State, and our beautiful country.

I know with the condolences of myself and you, Madam President, that we will always remember and keep Kemp in our prayers.

Thank you, and God bless.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

HONORING MASTER TROOPER WILLIAM MODEN, CORPORAL DANIEL GROVES, SERGEANT JOSHUA VOTH, KEN JONES, TRAVIS DAVIS, AND TROY JACKSON

Mr. GARDNER. Madam President, I rise to give thanks to the brave men and women of law enforcement in Colorado and across the country. Every holiday season, I am reminded of the sacrifice that these brave officers make in order to make sure that everybody's holiday season is enjoyed safely and that every day is enjoyed safely and securely.

Across the United States this year, 115 law enforcement officers have paid the ultimate sacrifice in the line of duty. In Colorado, we honor those who lost their lives this year. Master Trooper William Moden was killed earlier this year when he was struck by a vehicle as he was investigating a crash. He served the Colorado State Patrol for 12 years. Corporal Daniel Groves was also killed by a passing vehicle while assisting another driver during the blizzard last winter. Corporal Groves also served the Colorado State Patrol for 12 years.

Unfortunately, I also come to the floor to honor three other brave men and women—you can see them here—who have given their lives just this past month. Sergeant Joshua Voth served the Colorado Department of Corrections and was stationed at the Canyon City Correction Facility. He was killed this month when an issue with the boiler caused an explosion. Sergeant Voth was 28 years old and leaves behind his wife and three children. He served at the Canyon City facility for 3 years and helped teach inmates valuable skills to help smooth the plan to rehabilitation.

We also lost other beloved members of our first responder community. They need to be remembered and honored as well. Ken Jones, a member of the Summit Fire and EMS, was killed on December 7 while responding to a fire at Copper Mountain. Ken served in that department for 20 years and was known by his colleagues as "a firefighter's firefighter." Travis Davis, the deputy chief of operations for Summit Fire and EMS, remembers him as an "Oak" and said everyone in the organization learned something in Ken's steady and calm demeanor. We thank Ken and his family for two decades of service and send our sincerest thoughts to all those who knew him.

I also would like to recognize Troy Jackson, a former assistant chief of operations for the South Metro Fire Rescue, who passed away just yesterday morning after a battle of what is believed to be job-related cancer. Chief Jackson was first hired in 1990 and served nearly three decades before stepping away in 2016 due to his health. He was open about his battle with cancer, in hopes that he could teach other firefighters how to avoid these risks.

We thank Chief Jackson for his service and send our thoughts and prayers

along to his wife and two children. Each one of these officers and firefighters we lost this year was a neighbor or loved one, a member of the community, and an extraordinary Coloradan who gave their life to protect their communities. While we remember those whom we lost this year, we must also continue to celebrate those who continue to serve today.

#### TRIBUTE TO OFFICER MICHAEL LOHMAN

Mr. GARDNER. Madam President, in August, I was fortunate to award Officer Michael Lohman of the Greeley Police Department with the Congressional Badge of Bravery for his heroic actions apprehending the driver of a stolen vehicle in 2017.

While at the driver-side window of the vehicle, the driver pulled a gun on Officer Lohman, who immediately engaged with the driver to take the weapon. The driver pulled Officer Lohman into the vehicle and began accelerating, dragging him along the street. Officer Lohman kept his cool and was able to pull the suspect from the vehicle while it was still moving and apprehended him with the help of other officers.

These actions saved the lives of anyone in the path of that vehicle, as well as the life of his partner who was at the passenger side of the vehicle when the gun was pulled. These actions give our communities peace of mind, knowing that heroes like Officer Lohman continue to keep all of us safe. But we know every brave action doesn't get the recognition that it deserves.

Every day, there are law enforcement and first responders who act with complete selflessness. They do this not to seek recognition or praise, but simply because it is what they were called to do.

Jamie and I would like to send our thanks to the families of our law enforcement and first responders. Every day these men and women say goodbye to their loved ones, unsure of what that day will hold for them. I am sure these goodbyes are much more difficult during the holiday season, but without the love and support of those at home, the jobs of law enforcement and our first responders would be that much more difficult. We thank them for their continued sacrifice.

#### RECOGNIZING THE U.S. CAPITOL POLICE

Mr. GARDNER. Madam President, I would also like to take a moment to say thanks to the men and women of the U.S. Capitol Police. They work long hours to ensure that Members of the staff and Members themselves are able to carry out their duties safely. On top of that important duty, they also protect the public who comes to visit to express their opinion, to express their right to assemble and free speech in the Capitol and beyond, not only to tour this beautiful Capitol Building, but to make sure their thoughts are heard on our Nation's policy issues.

I know every one of my colleagues will join us in expressing our gratitude to law enforcement and first responders not only in Colorado, but across this Nation this holiday season. They will give up time with their own families to make sure that others are safe.

To all those who defend that thin blue line, thank you, and God bless. You have my enduring support. May you all have a happy and blessed holiday season.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

#### TRIBUTE TO JOHNNY ISAKSON

Mrs. HYDE-SMITH. Madam President, today I rise for the opportunity to commend Senator JOHNNY ISAKSON on his retirement from the U.S. Senate.

I am a relatively new Member to the Senate, but I think we all remember the first time we ever walked onto the Senate floor. I know I certainly do because that is the day I met Senator JOHNNY ISAKSON.

With both of us being from the South, I knew we would probably have a lot in common, a similar view on life, and a heart for the South, but it didn't take me long to learn that JOHNNY has a universal heart.

I am guilty of the expression, "Nothing is special until you make it special." JOHNNY has such a generous gift of making things special. He has the gift of making everyone around him feel special. His heart and his attitude sees the best in people and yet goes further to let them know how much they mean to him.

He exemplifies being a leader, an encourager, and an investor of people. He is never too busy to ask how you are doing or to ask about your family. Common courtesy sometimes isn't always that common anymore, but I assure you it is with JOHNNY ISAKSON.

His brilliance is unquestionable. His ability to articulate what is important to him is just simply amazing. He can deliver a message that not only expresses his concern but also has answers and solutions based on his experience and his tremendous wisdom.

He is the gentle calm in a tremendous storm. He has the words of wisdom when so many are bewildered. He is the guiding light in the darkest times. He provides the needed laugh in times of tension and the voice of reason in times of uncertainty. His love is deep, and his compassion is true.

He knows how to be a friend. He was a born leader and has the ability to capture opportunities and turn them into successes. My world has been enhanced and enriched by this wonderful and precious human being.

JOHNNY learned a long time ago that the joy of living comes in giving. You know when a person has in his heart that joy, that wasn't put there by the world.

When I think about the true statesmen I have met in my brief time in the Senate, I will certainly have "Georgia on My Mind."

Thank you.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Florida.

#### VENEZUELA

Mr. SCOTT of Florida. Madam President, I rise to speak again today about the crisis in Venezuela—a defining human rights issue of our time.

Nicolas Maduro is starving his own people, and innocent children are dying. It is a genocide right here in our hemisphere. Every day that passes, the situation in Venezuela grows more dire.

The United States and all freedom-loving countries around the world must do more. As Governor, I strictly prohibited the State of Florida, including all State agencies, from investing in any company that did business with Maduro's repressive regime.

I am grateful for the bipartisan support this bill has received, and I specifically thank Senator ROSEN for her leadership and for joining me in this effort.

We must never give up on the fight for freedom, and I look forward to all of my colleagues joining me in support of the people of Venezuela.

Madam President, I ask unanimous consent to address the Senate in Spanish.

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

(English translation of the statement made in Spanish is as follows:)

Mr. SCOTT of Florida. I stand with the people of Venezuela and will always fight for freedom and democracy in Latin America.

I understand my colleague has an objection. I am disappointed, but I look forward to working with him to address his concerns.

Thank you.

The PRESIDING OFFICER. The Senator from West Virginia.

#### APPROPRIATIONS

Mrs. CAPITO. Madam President, I rise to highlight several key parts of the appropriations package the Senate will be considering later on this week. First, I want to point out some statistics. Ninety-two thousand of our coal miners are counting on us to protect their pensions. Thirteen thousand coal miners are counting on us to protect their healthcare benefits. This week, we will have a chance to do just that.

I am very proud to have worked with our leader, Senator MCCONNELL, Senator MANCHIN, Senator PORTMAN, and others to introduce and champion the Bipartisan American Miners Act. I appreciate that my counterpart on the House side, Congressman DAVID MCKINLEY, has worked consistently and tirelessly on this bill in the House, along with our other Representatives from West Virginia, ALEX MOONEY and CAROL MILLER. Most of all, I appreciate the West Virginian miners and their families who have traveled to Washington to advocate for their promised benefits and for their communities. I

stood outside the Capitol with thousands of coal miners and their families several years ago in seriously suffocating heat, as DC can heat up during the summer, to rally in support of those benefits. Miners have come to Washington in the snow and in the rain. Their camouflage shirts have stood out around the Capitol as they worked tirelessly to educate us about the critical need for action. You have probably seen them in the halls. No one should be surprised by their dedication and commitment because our West Virginian miners have answered the call throughout their careers. Their hard work provided the electricity and the steel that has powered our American economy.

The time has come to protect those retirement benefits these miners have earned. The Bipartisan American Miners Act will secure both pension and healthcare benefits for those hard-working men and women.

I want to thank the United Mine Workers of America and their president, Cecil Roberts, for his work and their work in advocating for our miners. More than 25,000 miners from all of West Virginia's 55 counties will have received payments from their pension benefits last year.

More than 5,600 West Virginians miners are at risk of losing their healthcare benefits if we fail to act. Almost \$200 million in pension benefits were paid from this fund to West Virginians last year. The loss of those funds would certainly have harmed the retirees themselves, no doubt, but also the local businesses they patronize across the State and their communities.

As one West Virginian wrote to me just last night, "My father is a retired miner from Marion County who will be turning 80 in January. This will give him and my mother some long overdue and well deserved peace of mind. They have been worrying unduly throughout the last several months."

Thousands of miners in West Virginia and elsewhere in coal country will have a merrier Christmas when this bill becomes law later this week. I ask my colleagues to join me in supporting this critical legislation.

There are a number of other reasons to support the appropriations bills we will be considering in the next several days. I wanted to highlight one that can have a significant impact on my State of West Virginia.

I was proud to ensure that in the transportation and infrastructure title of the appropriations bill, we fund the Appalachian Development Highway System at \$100 million. That will help us as we work to continue the last remaining enormous project in our State, Corridor H.

I have also advocated for action to address our structurally deficient bridges. In my State, we have a lot of hills and a lot of valleys, and we have a lot of bridges. Almost 20 percent of our West Virginia bridges are classified

as structurally deficient. I think it is a universal statistic in the country. This bill takes the absolutely necessary step to provide funding for over \$1.15 billion to fund highway bridge projects of which West Virginia is eligible for \$50 million.

Roads and bridges have a huge economic impact on our communities and our quality of life, everything we do every day. I am proud we have included these important investments.

As chairman of the Homeland Security Appropriations Subcommittee, I want to address items included in our subcommittee's funding bill as well. A little over a year ago, I stood here to talk about the increasing crisis at our southern border. When I spoke to you then, apprehensions at our southern border were 30 percent higher than they were the year before, and they were much higher than they are today, as I speak. The crisis was not limited to the realm of illegal immigrants because fentanyl seizures were up 115 percent, along with other illicit narcotics: heroin, methamphetamine, cocaine, marijuana. Thanks to the leadership of the President and also this Congress the situation has improved.

We should also recognize the improved coordination with Mexico and partnerships with other countries that have helped curb the flow of those entering our country illegally. Though the situation has improved, it is far from being solved. Frankly, we are one ruling away from an activist judge who could create the flows of those trending upward again.

As such, I am proud to say that the homeland security title in the package we are considering this week provides funds and resources to continue the good work we have been pursuing to stem the tide of illegal immigration. Twice I have seen firsthand on the border—the southwest border—the challenges we face—and, yes, the progress we have made.

This bill supports the work of the men and women of the Department at CBP, ICE, HSI, the Coast Guard, and many others who are daily standing watch on our borders, on our coasts, and on our computer networks.

This bill invests in personnel, particularly by creating a new position: Border Patrol processing coordinators. This was a particular interest of mine after talking to numerous people at the Department and while visiting the border, describing the frustration they felt as agents and officers. This funding provided for these processing coordinators will return 240 of our border agents to the frontlines to enforce our immigration laws, which is what they are trained to do.

In regard to physical barriers, we provide the enacted level of \$1.37 billion. The only thing similar to last year is the amount of money provided because the flexibility we provide the Department is a significant change and a significant improvement.

The bipartisan fiscal year 2017 appropriations bill required our Customs and

Border Protection to provide us with a comprehensive Border Security Improvement Plan. I was going to bring it with me today, but, to be honest with you, I left it in my office. The funds we provide this week will enable the Department to follow that plan.

While passage of our Senate bill would have been ideal, a continuing resolution would have had a devastating effect on homeland security. The bill we are going to pass will help us take another step forward in securing our border.

I am so very proud of the men and women who work at the Department of Homeland Security, and I was able to meet quite a few. The crisis they faced when I spoke here last year was a real one. Through their dedication and efforts, so much progress has been made, and I look forward to speaking to you a year from now about what we have been able to accomplish with the resources and tools we can provide them with this bill.

There are many other vital provisions across our appropriations bill, including a 3.1-percent pay increase for our troops and significant increases in funding for our veterans for the MISION Act, increasing funding for combating the opioid epidemic, expanding our rural broadband, and researching cures for diseases.

One of those diseases hit many of us and has hit me quite personally; that is, Alzheimer's. Research for Alzheimer's is, I think, absolutely essential, and we are increasing that.

I commend all my colleagues who worked to put together the bipartisan appropriations bills. I congratulate Senator SHELBY, in particular, and Senator LEAHY for working together, and I look forward to voting for these bills later in the week.

With that, I yield back.

The PRESIDING OFFICER. The majority whip.

#### TAX CUTS AND JOBS ACT

Mr. THUNE. Madam President, December 22 will mark an anniversary, the second anniversary of the signing of the Tax Cuts and Jobs Act. Tax reform was a big priority for Republicans. We wanted to help American families by reducing their tax burden and spurring the kind of economic growth that would result in better jobs and better wages.

At the end of 2017, we passed the Tax Cuts and Jobs Act. We cut tax rates for American families, doubled the child tax credit, and nearly doubled the standard deduction. We lowered tax rates across the board for owners of small and medium-sized businesses, farms and ranches. We expanded business owners' ability to recover the cost of investments made in their businesses, which frees up cash they can reinvest into operations and their workers, and we lowered our Nation's massive corporate tax rate, which up until January 1 of 2018 was the highest corporate tax rate in the developed world,

and we brought the U.S. international tax system into the 21st century so American businesses are not operating at a competitive disadvantage next to their foreign counterparts.

Over the last 2 years, tax reform has done exactly what we intended. It has allowed American families to keep more of their hard-earned money, and it has helped spur wage growth and increase the availability of good jobs for American workers.

For 2018, the average family of four with an income of \$75,000 saw a tax cut of more than \$2,000. On top of that, company after company responded to the Tax Cuts and Jobs Act by issuing bonuses, improving benefits, or increasing wages. At least 100 utility companies around the country announced plans to cut utility rates for consumers.

Then, of course, there is the economic growth that the law has spurred. A whopping 266,000 jobs were created in November, smashing expectations and bringing the average monthly job creation for 2019 to a strong 180,000 jobs per month. Job creation since President Trump was elected has exceeded the Congressional Budget Office's 2016 pre-election prediction by more than 5 million jobs. The unemployment rate is at a 50-year low and has been at or below 4 percent for an incredible 21 straight months. The year 2019 has also seen record-low unemployment rates for African Americans, Asian Americans, Hispanic Americans, Americans with a disability, Americans without a high school diploma, and veterans. For 20 straight months, there have been more jobs available than Americans looking for work.

Meanwhile, wages for American workers are growing steadily. Wage growth has been at or above 3 percent for 16 straight months. Before the start of this streak, the last time wage growth had reached 3 percent was more than a decade ago. Income inequality has declined. The poverty rate has fallen to a 17-year low. The list goes on.

Those are a lot of numbers and percentages, but they all boil down to one thing, and that is that American families are doing better. Thanks to Republican economic policies, fewer Americans are having to choose between a car repair and a doctor's bill. More Americans are able to put away money each month for their retirement or their children's education. There are more good jobs available for Americans looking for work.

Of course, there is still more work to be done. Our farm economy, for example, is not doing as well as the economy as a whole. Passing policies that will bring relief to our farmers and ranchers and expand markets for their products is a priority of mine.

But 2 years on from the Tax Cuts and Jobs Act, we can celebrate the fact that millions of American families are bringing home more money in their paychecks and have access to better jobs and better opportunities. Preserving and building on those accomplishments is a Republican priority.

Unfortunately, our Democratic colleagues are more likely to suggest tax hikes than preserving the tax cuts that have brought so much economic progress over the past couple of years. Democrats opposed the Tax Cuts and Jobs Act, despite the fact that many of the ideas included were the product of both Republican and Democratic proposals. They objected to it, and they fought it because they were determined not to work with this President.

Two years on, Democrats would still like to pretend the Tax Cuts and Jobs Act didn't help American families, despite the reams of statistics on the economic progress we have made and the fact that an estimated 90 percent of middle-class families received a tax cut. After all, if Democrats acknowledged that tax cuts have made life better for families, it would be even harder for them to defend the massive middle-class hikes that would be needed to fund their socialist proposals like Medicare for All and the Green New Deal. It is unfortunate the Democrats are so opposed to policies that have made life better for millions of Americans.

I am proud of all we have achieved for American families with the Tax Cuts and Jobs Act. I will continue to work with my colleagues to keep our economy growing and to expand opportunities for Americans even further.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### SIGNING AUTHORITY

Mr. THUNE. Madam President, I ask unanimous consent that the senior Senator from South Dakota and junior Senator from Tennessee be authorized to sign duly enrolled bills or joint resolutions during today's session of the Senate.

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

Mr. THUNE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUNT. Madam 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. BLUNT. Madam President, I am glad to finally be here today, talking about the final conclusions we have reached on the appropriations bill generally but, specifically, the Labor and Health and Human Services and Education appropriations bill.

We are now a bipartisan Congress, with Democrats in control on one side,

Republicans on another. On this side, of course, we always have to have 60 people to go forward on these bills. We generally have had to have a bill here that would appeal to enough Democrats or enough Republicans to make this happen, but we have come to the conclusion of what is normally the hardest bill to negotiate. It is about 30 percent of all the spending after you take defense off the table. Defense is half of the discretionary spending; then you have 11 other bills that have the other half of that spending.

This bill has 30 percent of that half. It has lots of things that you could argue about and, frankly, lots of things that you would just say "If we can't all be happy about this, we won't move forward," which would mean you wouldn't move forward.

This is a bill where Senator MURRAY and I and Congressman COLE and Chairman DELAURO on the other side had to decide if we were going to have a bill or not, and we decided we were going to have a bill. We decided at the end of the process, with some help from others, that we wouldn't have things in the bill that hadn't traditionally been there.

This is the place where much of the language that we debate in the appropriations bills occurs—what can happen and what can't happen. Things like the Hyde amendment have been in the appropriations bill for a long time, and it is in this one.

Other things that have not been there in the past are not there, and that was one of the things that allowed us to move forward.

Again, we had one body controlled by a different party, and we had to come to a bipartisan consensus, and I think we have.

There were lots and lots of competing programs, some of which we are all for, but maybe our priorities are different. In fact, it could be that we just have more priorities on one side than on the other. But these programs range from workforce training to early childhood education to infectious disease control. That is a pretty big span of things to try to come to a conclusion on.

Then, from our colleagues, we had 7,800 different requests—not necessarily requests that would be considered "I want you to spend this money in my State" but 7,800 requests that said "We think this program should be increased" or "This program should be decreased."

So with all of those requests and that broad span, we came together with a bill that I am going to vote for tomorrow and look forward to voting for tomorrow. It is not exactly the bill I would have done if I had been doing it by myself, but by the very definition of both democracy and the Congress, you don't get to do these by yourself.

The bill, which will reflect the priorities of both sides of the aisle and both

sides of the Capitol, invests in those priorities. We expand medical research—something that has been one of the things at the top of my list as the chairman of this committee. This is a moment when medical research is so critical, when we know so much more than we did about the human genome, so much more than we knew about immunotherapy just 5 or 6 years ago. This is a topic that wasn't on the radar screen of treatments. Now, for many cancers, it is one of the first things you think about: Does it work if we get this person's body focused in a way that it fights back this cancer that is trying to overcome it? Often, that produces a great result now that wouldn't have been happening 5 or 6 years ago.

The opioid epidemic is one that we deal with in this bill.

Investing in high-quality early childhood care and early childhood education and education generally are in this bill—trying to make college more affordable with things like Pell grants that not only work for people who don't have the income to do this without some help, our government has decided, but also now work year round for about the third year, when, once you get started, you can keep on going if you have a pattern that is working.

We spent a lot of time in the last year talking about what to do in this growing economy, where more jobs are available than people looking for work. What do we do to better match the people looking for work with the jobs available? More importantly, how can we anticipate that that will happen in the future?

For the fifth straight year, after 12 years of no increase, the National Institutes of Health in this bill will get a significant increase, an additional \$2.6 billion, which increases them in the last 5 years over 40 percent—again, at a time when this investment can mean so much to so many people.

We specifically targeted the investment toward Alzheimer's disease. Alzheimer's and dementia are the things that taxpayers pay the most on in order to help, and taxpayers don't pay nearly all of the costs that families have with Alzheimer's and dementia.

The President's Childhood Cancer Data Initiative is here. Precision medicine, combating foreign threats to research, addressing the facilities backlog on the campuses, all of those are here.

Our investments in NIH are making a difference for families and making a difference, we hope, for the future. That NIH-based research has helped raise life expectancy. It has vastly improved the quality of life for many Americans. It has lowered healthcare costs. It has very dramatically decided, in some healthcare situations, either how invasive you need to be or how much pain has to be involved in getting you headed in another direction but also, by the way, on the opioid front, understanding that the complete elimination of pain is not necessarily a good

thing unless you are sure you are going to be able to deal with that pain medicine and that moment later.

The bill fully funds the President's request to do everything we can in the next 10 years to eliminate the HIV epidemic. It would have been hard to imagine 5 years ago or 10 years ago saying that we would be in sight of a vaccine and eliminating HIV as an epidemic problem in our country.

We spend money on that, but we have fully funded what the President and others believe would be necessary to achieve that goal. We spend \$20 billion a year right now on direct health expenditures on HIV prevention and care. Our goal in the next 10 years will be to reduce the number of new infections of HIV by at least 90 percent every year.

Third, this bill, the fiscal year 2020 bill, continues our commitment to the opioid epidemic, providing money to do that, providing money for prevention, for education, for research, and for treatment, as well as recovery programs.

In this bill we put new flexibility in for the opioid epidemic to where those things you may go to after you have become addicted to opioids, like meth, can also qualify for the kinds of help that people need if they are trying to escape their addiction to pain medications or other things that they have become critically linked to.

This bill includes new and substantially expanded investments in Head Start, in high-quality early childhood care; programs that provide more flexibility to school districts to use the limited resources they have, whether that is title I, if you are a school person and know what that means, or title II, supporting effective instruction State grants; IDEA, the ability to help people with disability education issues; Impact Aid in communities that have significant Federal investments in military bases or a national forest or things like that. These are all things we deal with in this bill. We also target STEM education, including the focus on computer science.

We are also trying to bring focus for young people to make them more quickly understand what the options are out there. Clearly, the college path that has been so pervasive in the last two decades isn't the right path for everybody. And even if it is the right path for everybody, if it doesn't hurt to go to college—I am the first person in my family to graduate from college. If it doesn't hurt to go to college, it might not necessarily get you a job unless you know what job it is you are thinking about as you put your college life together. Even that might not give you the job that you really would like to do. So part of what we are trying to do here is to connect people earlier with the opportunity to do that. If they do go to college, we are increasing Pell grants for the third year in a row by about 2.5 percent. We are increasing programs—the so-called TRIO Programs—for people who haven't had

members of their family go to college before, to help them get ready for college, get them thinking about what they need to do to be the first person in their family to go to college, to help them figure out how to stay in college, because nobody in their family can give them the exact advice they might need on how to stay in college, and how they can get prepared to get a job out of college and avoid the kinds of loans they cannot afford to pay back.

There is something I call lost equity. I have talked to so many people in the last 2 years who are about 28 years old, and over and over again, the story was so similar. They went to college for a year or a semester and then held a series of jobs that were not too hard to get but didn't lead anywhere. They were landscapers or Uber drivers or bartenders or whatever else, with no sense that that was a career and not the underpinnings they would like to have. Then finally, in their midtwenties, somebody tells them or they figure out on your own that they have to have something that can support them the way they would like to be supported and help them with a family, might have retirement and certainly has benefits. We are trying to do what we can to be sure that focus comes earlier as they begin to think about what they like to do and what they find fulfilling.

Let's talk about the jobs that are out there, whether it is STEM education or health services. Let's talk about the difference between a nurse practitioner and being a doctor. Let's talk about the difference between being a doctor and a specialist. Let's talk about where the job opportunities are in physical therapy, occupational therapy, or health tech. All of those things are a way to a great career if you know what you are doing.

If you missed that launching point, if you missed those 10 years, that lost decade, it is pretty hard to ever catch up to your schoolmates who understood what they wanted to do and maybe had no more resources or capacity than you, but they had an extra 10 years on you in preparing for the career they would like to have and the work they would like to do and where that might lead them.

The President really has been focusing on apprenticeship programs. An apprenticeship is a good way to learn firsthand and see firsthand what you want to do, whether it is an apprenticeship program or community college or traditional college or skills you learn in the military that you should be able to immediately transfer into a private sector, nonmilitary opportunity. We need to spend some time and some money on that, and this bill does.

The bill continues to try to do what we can to be looking carefully at reducing fraud, reducing waste, and seeing that tax dollars are being spent properly, and a lot of them are spent right here in this bill. We prioritize



programs that really will provide benefit to, we hope, large groups in our country.

The bill reflects compromises on both sides. The people of this country send 100 different people to the Senate and 435 different people to the House to vote and to make decisions that reach conclusions. This bill does that. All 12 of these bills we will vote on sometime in the next 3 days do that. They allow us to defend the country and to meet the obligations that people have asked the government to look at for them and hopefully do that in a way that produces real results.

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.

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

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

#### BATTLE OF THE BULGE

Mr. BARRASSO. Madam President, I come to the floor today to mark the 75th anniversary of the epic Battle of the Bulge. It was an incredible battle in World War II. To quote British Prime Minister Winston Churchill, this was "the greatest American battle of the war."

It was an incredible privilege to join veterans this past weekend at the 75th anniversary ceremonies in Luxembourg and Belgium. Remember, it was 75 years ago. The youngest among these veterans, if they went into the service at the age of 18, would, as of today, be 93 years old.

The World War II Memorial in Washington pays special tribute to the 16 million Americans who served and especially to the 400,000 who gave their lives for our freedom. There are two flagpoles at that memorial, and at the base of these flagpoles are the words "Americans came to liberate, not to conquer, to restore freedom and to end tyranny." In winning World War II, this generation gave their all to ensure that we continue to live in freedom. These heroes didn't return home until the war was over.

This weekend, we recognized a number of veterans who are still with us who helped win the pivotal Battle of the Bulge. For these soldiers, the brutality of the battle came in the bitter cold of winter. They battled the elements—wet snow, intense cold, and freezing fog. Every one of them suffered from hyperthermia, trench foot, frostbite, and illness. They shivered in their foxholes. They shivered from frigid conditions and maybe some from fright. I speak with deep appreciation and admiration and awe for their efforts, their excellence, and their remarkable endurance.

The battle began on December 16, 1944. That is when Germany launched a

surprise attack on the Allied forces in Europe. The Allied troops were generally outnumbered by more than three to one. In addition to the harsh weather, they faced treacherous terrain. Still, GEN Dwight David Eisenhower spoke with confidence. He said: "United in this determination and with unshakable faith in the cause for which we fight, we will with God's help go forward to our greatest victory." The Germans sought to divide and destroy the Allies, but it was the Allies who ultimately crushed the German Army.

The Bulge was one of the most punishing battles in the history of the U.S. military. Most of the 650,000 Allied troops were Americans. From December 16, 1944, to January 29, 1945, the Americans suffered 75,482 casualties; 8,407 were killed. The brave soldiers who fought in this brutal battle saved the free world.

Every soldier was a hero, and every soldier has a story to tell. My father, CPL John Barrasso, was one of those heroes. He reported to duty to the Pennsylvania Army National Guard in 1941, 4 days after the Japanese attacked Pearl Harbor. He didn't return home for 4 years.

He was a gun crewman in the 108th Field Artillery Battalion of the 28th Infantry Division. He wore on his arm the red keystone patch. The Germans called the patch the Bloody Bucket, referring to the ferocity of its fighters.

He was one who landed at Omaha Beach, but he was always clear to point out that he wasn't there on that very first day. That is how humble these men are. He landed in Normandy in July of 1944. They beat back the German Army through France and then into the fiercest battle of them all. In combat for nearly 200 days, they fought against 45 of the 90 German Army divisions. He was awarded five Bronze Stars.

I have with me my dad's dog tags from World War II, along with his military prayer book. On the front it says "My Military Missal." On the back cover is a rosary, and there is a cross, as well as the beads, and you could work your way through the beads in your hand in your pocket in a foxhole, praying the rosary, as many of them did. I would point out that these beads are very well worn. My father was a man who always put his family, his faith, and his country first.

On this, the 75th anniversary of the Battle of the Bulge, we honor the heroic and selfless efforts of our Allied forces. Their triumph over evil speaks to the core strengths of courage, character, and commitment.

We will forever give thanks for all of our World War II veterans and their families. We will never forget those who made the ultimate sacrifice. And we will always remember the valiant Allied forces who saved the free world.

In closing, I want to wish everyone—especially our dedicated men and women in uniform—a very Merry Christmas, a Happy Holidays, and a Happy New Year.

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.

The PRESIDING OFFICER. The Senator from Utah.

#### TRIBUTE TO NEWELL HARWARD

Mr. ROMNEY. Madam President, I rise today to honor the extraordinary service of one of Utah's most dedicated county commissioners, Mr. Newell Harward. He has served Wayne County for the past 7 years, but he has taken on responsibility well beyond that, advocating for rural Utah with honor and distinction as chairman of the Six County Association of Governments. Newell has had an esteemed career and life of service to family, country, and God.

Growing up on the family farm in Loa, UT, Newell gained an early appreciation for the value of community, family, and hard work. He also developed a spirit of adventure, later serving a mission abroad in Scotland and joining the Wayne County Flying Club.

As the founder of Harward and Rees Construction, Newell is also an entrepreneur whose craftsmanship is literally built into Utah's infrastructure. His company has undertaken everything from city water projects, designs at Lake Powell, to a new bridge over Hell's Backbone in Southern Utah.

Newell is perhaps most widely known as a public servant who was elected to serve as Wayne County commissioner. After 4 years, Newell considered stepping down due to illness, but he was undeterred. With a writing campaign, Newell Harward was reelected in a landslide. In October of this year, the President welcomed Newell to the White House to recognize him for his lifelong advocacy on behalf of rural Americans.

A true appreciation for Newell's life of service would be incomplete without recognizing his unwavering faith and service to the Church of Jesus Christ of Latter-day Saints. Newell has served in three bishoprics, as bishop of a large ward, and in the stake presidency. As a loving father to Kelly, Lynette, Sarah, Shonna, Carol, and Travis, a grandfather to 18, and a great-grandfather to 3, Newell has left an indelible mark on Wayne County, the great State of Utah, and indeed our Nation.

All of us should strive to live our lives as Newell does, with an overwhelming love of family and community, an enduring faith, and a boundless spirit of adventure.

Newell, Gloria, and their family continue to be in our prayers as they fight health challenges with great courage. May God bless the Harward family.

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.

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

The PRESIDING OFFICER (Mr. SCOTT of Florida). Without objection, it is so ordered.

#### BIPARTISAN CONGRESSIONAL REFORM ACT

Mr. ENZI. Mr. President, I rise to discuss the Bipartisan Congressional Reform Act I introduced with Senator WHITEHOUSE and many of my colleagues.

Last month, the Senate Budget Committee approved our legislation—that is the Senate Budget Committee—by a vote of 15 to 6, marking the first major legislation reported by the committee on a bipartisan basis in nearly 30 years. I am pleased that 21 Senators have now joined Senator WHITEHOUSE and me as cosponsors of this bill.

Since I became chairman of the Budget Committee, we have had more than a dozen hearings on budget process reform. We have met with budgeting experts, including some outstanding State officials, and we have listened to insights and concerns shared by colleagues on both sides of the aisle. Along the way, we collected a lot of good ideas that we tried to incorporate into our bill, and I thank all those who contributed.

Now, this legislation will not solve all of our fiscal challenges. It does, however, represent a good-faith, bipartisan effort to reform our budget process in a way that encourages long-term planning, realistic and responsible budget assumptions, and the end to the brinkmanship surrounding our Nation's statutory debt limit.

This bill will also make evident what needs to be done next. I think we struck a pretty good balance. The Committee for a Responsible Federal Budget says the bill “would improve transparency and accountability in the budget process” and would “make the budget resolution into a more effective governing tool.”

According to the Concord Coalition, which was founded by some Democrats, “This legislation would move the budget process in a very positive direction.”

Mr. President, I ask unanimous consent that the letters from the Committee for a Responsible Federal Budget and the Concord Coalition be printed in the RECORD at the conclusion of my remarks.

The reason I am giving the speech is to clarify some misunderstandings of other groups that were commenting on most of the original version of the bill before amendments from both parties were adopted in committee.

I will not detail all the reforms in this bill now, but I would like to highlight a handful of key elements of the bill and hopefully clear up some misunderstanding about it.

First of all, our bill tries to ensure that we have better information on which to base budgets. Imagine this for

a moment. It would require better information on which to base budgets and more active engagement from the tax-writing and each of the spending committees to ensure that every corner of the Federal budget is scrutinized and that budgets are realistic.

It would also require the Congressional Budget Office and the Government Accountability Office conduct portfolio reviews of Federal spending and tax expenditures to improve the efficiency and effectiveness of Federal programs.

Here is what that means: It means grouping projects regardless of which Cabinet Department has jurisdiction so we can see all that we are doing.

Use housing, for instance. We have 160 programs under 20 agencies. I can only see 5 reasons—not 160—and they should all be under one jurisdiction, not several Cabinet jurisdictions. So, currently, nobody is in charge of setting goals or seeing if they are effective. We are paying multiple administrators to argue over jurisdiction rather than results—160 of them.

Secondly, our bill would reorient the budget process from a yearly to a biannual cycle. Right now, under the Congressional Budget Act of 1974, Congress is supposed to approve a budget resolution each year that sets discretionary spending levels and provides fiscal parameters for a legislation brought to the Senate floor.

The budget resolution can also provide special instructions through a process called reconciliation. What that means is that instructions are given to authorizing and tax-writing committees to develop legislation to achieve hopeful and specific budgetary targets. For a variety of reasons, this process has not worked very well in recent years. Instead, Congress resorts to passing a series of 2-year deals that set discretionary spending limits rather than approving the budget.

I need to explain that word “discretionary.” Out of all the Federal dollars spent, Congress only votes on about 30 percent of the money spent each year. Seventy percent of the spending is on autopilot. That is mandated to be spent. Discretionary spending is the little amount that Congress actually votes on.

Under our bill, Congress would approve a budget resolution in the first year of a biennium that would, among other things, provide appropriators 2 years of discretionary spending totals, similar to a practice in recent years. Leadership, not the Budget Committee, has been negotiating these 2-year spending deals.

Thirdly, the bill would make significant reforms to the content of the budget resolution. Discretionary spending totals would be included in the resolution text, where individual Members could amend them. Mandatory spending totals would be broken up by budget function so we could see trends in portfolios of Federal spending.

Here is something really new. The budget resolution would also be re-

quired to include a target ratio of debt-to-gross domestic product, or GDP, which is generally viewed as the best measure of the country's ability to repay its debt. The hope is that by focusing on our debt-to-GDP target, we could put our country on a glide slope toward a more sustainable fiscal future. Under the reform bill, that glide slope can be cutting spending, raising revenue, or both.

Fourth, the bill would provide a mechanism to conform our country's statutory debt limit to the levels in the resolution. This will help incorporate the debt limit into our fiscal planning and provide a powerful incentive to ensure that the targets set in the resolution are attainable.

Neither side relishes voting to increase the debt limit, as it is easy fodder for political opponents. Yet there is nearly universal agreement that default would be unacceptable. Our bill tackles this issue in a way that it maintains the debt limit as a tool to ensure fiscal responsibility, while removing the brinkmanship surrounding the potential default.

Fifth, our bill would provide a means to initiate reconciliation in the second year of the biennium if Congress isn't living by its fiscal plan. There has been a lot of confusion about this process, so let me take a moment to explain it.

As I just mentioned, under our bill, each budget resolution would include 2 years' worth of discretionary spending levels and a debt-to-GDP target for the final year of the budget. That means each new Congress would set its own spending levels and debt targets in its budget agreement, and it would not be bound by the targets established by its predecessors.

If, in the second year of the biennium, the Congressional Budget Office finds that Congress is not on track to meet its debt-to-GDP target, then a special reconciliation process is made available. This is akin to what can already be done under current law if you pass a budget resolution in the second year of Congress, but because we are giving appropriators 2 years of discretionary spending levels upfront, we created a new process in the second year if Congress misses its fiscal goals. Contrary to a misconception that has been circulated, however, there is nothing automatic about this process.

Before reconciliation can proceed, the Senate Budget Committee, which will be renamed the Committee on Fiscal Control and the Budget, would need to approve a resolution providing deficit-reducing reconciliation instructions to one or more committees.

That resolution, which would be amendable, would then be considered by the full Senate. We have added protections to ensure that Senators have the ability to offer amendments and have built in flexibility for unforeseen realities, including economic downturns. We also applied the existing burden rule to this process, which means it cannot be used to make changes to Social Security.

Senators could offer amendments to reduce the amount of the deficit reduction called for or they can decide they don't want to proceed with this process at all. If they do decide to move forward with this special reconciliation, each committee that received an instruction would then report legislation within its jurisdiction to reduce the deficit. The instructions themselves could not dictate what particular programs are to be included in the reconciliation legislation. That is left up to the authorizing and the tax-writing committees that have specific policy expertise. One thing the instructions could not do is increase the deficit.

After each committee approves its instructions, all the recommendations would then be sent to the Committee on Fiscal Control and Budget, where, again, they would need to be approved and reported to the full Senate. After that step, the legislation would come to the floor, where it could be subject to unlimited amendments, giving every Senator another opportunity to support, amend, or oppose the legislation.

Each of these steps affords the Members the opportunity to have their ideas incorporated into the special reconciliation or to try to stop it altogether.

In addition, a similar process would have to play out in the House of Representatives, and the final bill would have to be signed by the President before any policy changes could be enacted.

In general, our legislation does not attempt to prescribe House procedures. That is in deference to the House and the constitutional prerogative of each Chamber of Congress to develop its own rules.

I have heard some concerns that this sets up a one-sided bet that could dictate spending cuts over revenue increases because only the House of Representatives can initiate revenue measures. That was never my intention, and during the Budget Committee markup to our legislation, a substitute amendment that Senator WHITEHOUSE and I drafted was adopted that would allow the Senate to deem a revenue measure approved by the House as a special reconciliation vehicle. I look forward to working with the House on addressing the procedural issues.

The intent of our special reconciliation process is to force a conversation about our growing debt and deficits, not to dictate what the outcome of that conversation will be.

As the Committee for a Responsible Federal Budget said, the criticisms that this bill is somehow a threat to low-income programs "is largely misplaced." As the group said, "The tool would not automate any changes to spending or revenue, but would instead establish a process to consider deficit reduction measures. These measures would have to pass the Senate and the House and be signed by the President (a veto override system is also possible). Unlike current reconciliation

rules, which have been used to pass deficit-finance tax cuts, this process is limited to deficit reduction and could help policymakers agree to new revenue and to reforms to improve healthcare programs. And long-term deficit reduction can easily co-exist with near-term measures to counter a recession."

Finally, our bill would prioritize budget transparency. It would give the Senate new budget enforcement tools, and it would remove one of the disincentives to bringing the budget to the floor by fixing the process known as vote-arama.

In developing our legislation, I specifically set out to establish a process that would allow us to be thoughtful and deliberate in our fiscal decision making, while avoiding the automatic spending cuts over the last decade, known as sequestration.

Under this bill, sequestration is gone. Our bill would not tilt the scales toward one party, ideology, or policy. Rather, it aims to create a neutral process to guide Congress in making reasoned budget decisions. Each Congress will decide what fiscal policy changes may be necessary, whether that means less spending, more revenue, or a combination of the two.

We cannot be content to bury our heads in the sand as our more than \$23 trillion debt grows unchecked, swallowing the opportunities of future generations. If you, like me, want to see Congress get back to actual budgeting and tackling the difficult fiscal issues that we all need to be addressed, then, please join me in supporting the bill. If you have suggestions on how to make it better, I want to hear them. We are always open to new ideas, and I think we have demonstrated it.

With that, I recognize my colleague, who helped to work on this bill. In addition to working on this bill, he was on the special committee for the Budget. It was a joint effort between the House and the Senate, and many of the ideas he brought to this bill from that committee.

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

COMMITTEE FOR A RESPONSIBLE FEDERAL BUDGET

ENZI-WHITEHOUSE BUDGET PROCESS BILL INCLUDES IMPORTANT REFORMS

Nov. 21 2019—Budget Process

The Senate Budget Committee recently marked up and reported bipartisan legislation to reform the budget process. The Bipartisan Congressional Budget Reform Act, introduced by Chairman Mike Enzi (R-WY) and Senator Sheldon Whitehouse (D-RI), would improve transparency and accountability in the budget process. It would make the budget resolution into a more effective governing tool by making it easier for policymakers to choose fiscal targets and stick with them. That, we hope, would mean putting the debt on a more sustainable path. The Senate Budget Committee approved the legislation by a vote of 15 to 6, and it currently has 19 bipartisan cosponsors in the Senate.

While there may be room to make improvements and adjustments to the bill and

some amendments were adopted in committee, the legislation is a thoughtful, realistic, and helpful approach to improve the budget process on a bipartisan basis. Congress should build on and enact some version of this proposal.

*What's in the Bipartisan Congressional Budget Reform Act?*

The Bipartisan Congressional Budget Reform Act is the result of years of effort, building on several past proposals including those from Chairman Enzi, Senator Whitehouse, the recent Joint Select Committee on Budget and Appropriations Process Reform (JSC), and even our own Better Budget Process Initiative recommendations.

The proposal would incorporate debt-to-Gross-Domestic-Product (GDP) targets into the budget resolution and the budget process, adopt biennial budgeting while keeping annual appropriations, link debt limit increases and discretionary spending caps to passage of a budget resolution, and add transparency requirements such as including interest costs in Congressional Budget Office (CBO) scores.

A brief summary of the bill is available from the Senate Budget Committee.

How Might the Fiscal Targets in the Bipartisan Congressional Budget Reform Act Improve Fiscal Outcomes?

A key aspect is expanding the fiscal goals included in the budget process. Specifically, budget resolutions would set targets for the ratio of debt held by the public to Gross Domestic Product (GDP). Congress would set these targets in a joint budget resolution every odd-numbered year, and the Congressional Budget Office (CBO) would evaluate adherence to the target in even-numbered years. Adopting a budget resolution would automatically spin off debt-limit-increase legislation to be signed by the President as well as a special reconciliation process in some cases. Setting fiscal goals is an incredibly important first step toward achieving long-term sustainability, and integrating them into the budget resolution could give current members more ownership of those objectives and hopefully strengthen their ongoing commitment to meeting fiscal targets.

The proposal goes further than simply setting goals. It would establish a new, deficit-reduction-only reconciliation process if needed to achieve the debt-to-GDP levels agreed to in the earlier budget resolution. Under this process, the Senate Budget Committee, renamed the Committee on Fiscal Control and the Budget, would report a simple resolution with reconciliation instructions to the full Senate, where it would be open for amendments. If approved by the Senate, it would instruct applicable committees to produce deficit-reducing legislation to achieve compliance with debt targets. Senate procedures for regular reconciliation legislation would apply to the new reconciliation process, including the Byrd Rule that, among other provisions, prohibits changes to Social Security. When marking up the legislation, however, many members expressed a desire to understand this process more completely before floor consideration.

While some have criticized this new tool as a threat to low-income programs, we believe this concern is largely misplaced. The tool would not automate any changes to spending or revenue, but would instead establish a process to consider deficit reduction measures. These measures would have to pass the Senate and the House and be signed by the President (a veto override is also possible). Unlike current reconciliation rules, which have been used to pass deficit-financed tax cuts, this process is limited to deficit reduction and could help policymakers agree to new revenue and to reforms to improve

health care programs. And long-term deficit reduction can easily co-exist with near-term measures to counter a recession.

*What other provisions might improve fiscal outcomes?*

In addition to improving outcomes through this special reconciliation, the bill would establish a new pathway for a bipartisan budget resolution, previously championed by Sen. Whitehouse during the JSC last year and introduced separately as S. 63, the Bipartisan Budget and Appropriations Reform Act of 2019. A majority of both parties in the Senate Budget Committee and at least 15 members of the minority party on the Senate floor would be needed for a budget resolution to qualify for this new pathway. Under it, subsequent appropriations legislation would be easier to consider on the Senate floor, and the budget resolution would automatically spin off legislation with enforceable caps on discretionary spending in addition to increasing the debt limit. This process could help the parties to work together toward reasonable deficit reduction measures. Folding the debt limit and spending caps into the bipartisan pathway for the budget resolution would also reduce opportunities for isolated brinkmanship.

Other aspects of the bill—like asking CBO to estimate interest costs associated with legislation and restricting phony spending cuts known as changes in mandatory spending programs (CHIMPs)—could also improve budget outcomes. Adopting portfolio budgeting is another positive step, as it would provide a more holistic review of major program areas regardless of the committees of jurisdiction and thus help lawmakers coordinate related authorities.

To be sure, the Bipartisan Congressional Budget Reform Act would not fix the debt directly, nor does it include actual deficit reduction. Through improvements in the overall budget process, it would give lawmakers more opportunities to think seriously about the consequences of high and rising debt as well as more ability to budget comprehensively and mindfully.

*What amendments have been proposed?*

The Bipartisan Congressional Budget Reform Act was introduced on Oct. 31 and was ordered reported by the Senate Budget Committee on November 6. During the markup, the committee made the following changes:

A manager's amendment by Chairman Enzi to enhance the consensus-oriented aspects for special reconciliation.

An amendment by Senator Pat Toomey (R-PA) to create a new point of order intended to deter the use of the Crime Victims Fund to increase unrelated spending through CHIMPs.

An amendment by Senator Tim Kaine (D-VA) to add tax expenditures to the scope of portfolio budgeting.

An amendment by Senator Chris Van Hollen (D-MD) to restrict the ability of the President to use rescission authority near the end of fiscal years and to increase related reporting requirements.

In addition, the following amendments were considered but not adopted:

An amendment by Senator David Perdue (R-GA) to align the fiscal year with the calendar year. An amendment by Senator Ron Wyden (D-OR) to remove the new reconciliation process to enforce debt-to-GDP targets.

An amendment by Senator Jeff Merkley (D-OR) to require CBO to provide information on the distributional impacts of legislation. Nonetheless, Chairman Enzi pledged to work with Senator Merkley and other members to obtain the information they seek.

Lawmakers must continue to improve the budget process, which has contributed to

many years of inaction on a budget resolution and even more missed deadlines. Process reforms alone cannot create the political will to have a functioning budget, but they may allow latent political will to accomplish more. This bill offers thoughtful ideas to make the process more effective and to improve the framework for lawmakers to consider budget matters more comprehensively.

[From the Concord Coalition, Nov. 6, 2019]

THE CONCORD COALITION PRAISES BIPARTISAN SENATE BUDGET REFORM PLAN

WASHINGTON.—The Concord Coalition said today that a new budget process reform bill co-sponsored by Senate Budget Committee Chair Mike Enzi (R-WY) and Budget Committee member Senator Sheldon Whitehouse (D-RI) proposes reforms that would address some of the most vexing problems plaguing the current budget process.

The Bipartisan Congressional Budget Reform Act is also co-sponsored by Senators Grassley (R-IA), Kaine (D-VA), Crapo (R-ID), King (I-ME), Graham (R-SC), Coons (D-DE), Barrasso (R-WY), Blunt (R-MO), Johnson (R-WI), Perdue (R-GA), Kennedy (R-LA), Cramer (R-ND), and Braun (R-IN).

"This legislation comes at a time when the budget process is clearly broken and partisan tensions run high. Senators Enzi, Whitehouse and their fellow co-sponsors are bucking both of these trends and demonstrating a timely and exemplary standard of leadership," said Robert L. Bixby, executive director of The Concord Coalition.

Among the proposed reforms are moving the budget to a two-year cycle, setting debt-to-GDP targets in the budget resolution and establishing a special enforcement process for these targets, creating a mechanism for conforming the debt limit to the budget resolution levels, and enhancing reporting requirements to promote transparency. It would also establish a new procedural option to encourage budget resolutions with substantial bipartisan support.

"The co-sponsors understand that budget process reform is not a panacea for the monumental fiscal challenges we face as a nation, nor is it a substitute for making real choices on taxes and spending," Bixby cautioned. "But creating a process that minimizes short-term brinkmanship and refocuses attention on long-term planning would help facilitate a discussion about how best to address these challenges. This legislation would move the budget process in a very positive direction."

Mr. ENZI. I yield the floor.

Mr. WHITEHOUSE. Mr. President, I thank Chairman ENZI. I am delighted to join Senator ENZI on the floor today to talk about our bill. An enormous amount of work has gone into preparing for it, including, I want to say, more than a dozen hearings that Chairman ENZI led in the Budget Committee to build the factual predicate for the work we were doing.

I will, as the Chairman has mentioned, also drop a word of appreciation to Chairman WOMACK and Chairman LOWEY, who ran the Select Committee on Budget and Appropriations Process Reform, which gave us a chance to work through some more of these issues.

The fundamental problem we are trying to address is that, in the Senate, no committee actually looks at the deficit, the debt, and the borrowing in any kind of a comprehensive way. In theory, the Budget Committee is supposed

to, but in practice, the Budget Committee has become two things: one, a vehicle for the majority to drive a political budget limited to appropriated spending through, with no bipartisan compromise. We have seen over and over how that has ended up. It has never been of any use. Even if you get it done, you break through the budget by getting to 60 votes, and we do most things around here by getting to 60 votes. It is a fence that is basically a line painted on the ground. It is a fence with no fence to it.

Moreover, we do reconciliation. That is usually a way to bust around the budget. Both parties have used it. The Republicans have used it for the so-called tax reform. We used it for one segment of the Affordable Care Act. That is what the Budget Committee is boiled down to—a partisan proposal on appropriations that means nothing and a vehicle for getting around the 60-vote filibuster on a regular basis through reconciliation. That is it. There is no serious look that is taken at the debt or at the deficit.

What does this bill do? It does some things for which there is very broad agreement. First of all, it was pretty much unanimous that the way you look at debt is in terms of a debt-to-GDP ratio, and this takes us down that path. Second, you have to do the arithmetic correct. You don't get to a proper debt-to-GDP ratio unless you look at the things that add up to the deficit, which are appropriated spending, healthcare spending, revenues, and tax spending.

For one quick word on tax spending, for 2018 the latest report I saw was that we spent \$1.4 trillion going out the back door of the Tax Code. That is more than we spend on Social Security. That is more than we spend on Medicare and Medicaid combined. That is more than defense and nondefense discretionary spending combined. You can't not look at tax spending and still have your math right. We address those.

We provide a reasonable timeframe to get to a debt-to-GDP target and some warnings about whether or not you are on that glide slope. There was pretty much unanimous consent agreement among all of our witnesses in the committee and in the select committee that that was the logical way to address debt and deficit.

There are also some sidebar things that are important that we get rid of here, such as, we move to biennial budgeting, which I think has broad bipartisan support. We deal with what I call "the bear trap in the bedroom"—the debt ceiling—which is a very dangerous thing if you should ever step on it and trigger it. To disarm that bear trap is very valuable to our efforts, and we do that.

Vote-arama is one of the most undistinguished, useless, humiliating, and embarrassing spectacles that the Senate presents. We solved, I believe, vote-arama.

So that is a pretty good package of good, useful reforms to get going in the right direction.

There is a very significant concern, mostly on my side of the aisle, about the special reconciliation process. In this bill you alternate between regular reconciliation and a special reconciliation process, and then, in the next biennial cycle, back to regular reconciliation and then special reconciliation. There is concern that the special reconciliation process might be used to jam things we don't like through—things like cuts to Medicare, things like very one-sided spending cuts that don't address the problem of tax spending.

We need to work to solve that. I pledge to Chairman ENZI that I will put my best efforts to try to come up with a way where we can get through that problem and move on to passing this bill, which I think will be very significant and very valuable once we iron out what I think is probably, actually, the last real gasp that we have in terms of objection to it.

I will also add that the bipartisan pathway that we have been working on for when the two parties can come together and agree to those things is in there. If we really want to do this in a bipartisan pathway, that is in this bill. I appreciate very much that Chairman ENZI included that in the bill. That provision passed the bicameral select committee unanimously—Republicans, Democrats, House Members, Senators, unanimously. That is a pretty good base to work off of.

I will close by quoting a phrase that I have heard usually from business folks from time to time. That is that in business, “debt doesn't matter, until it does.” But then it is the only thing that matters. At the moment, with interest rates where they are and with the world situation the way it is, one can make the case that debt doesn't matter. But when the day comes that it does matter, when interest rates pop up and the cost of servicing our debt begins to squeeze out other priorities, it gets very hard to go back and try to solve that problem then.

This is the kind of problem you have to head off in advance. So to the extent we can solve in a sensible way dealing with our debt and deficit during the calm period when debt doesn't matter, we will position ourselves to avoid the calamity that can come when it is the only thing that matters.

I pledge to use my best efforts to try to bring my side into agreement on this bill and to try to find a measure that solves our concern about what I think is really the only point of significant disagreement in this bill, which is what is behind the special reconciliation process, what mischief that might be got up to. I think if we can defang this, we can move forward.

Again, much appreciation to Chairman ENZI for his extraordinary leadership in the budget committee on this subject. I am determined to try to get

this done in this Congress while he is with us to see it through.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### DEBBIE SMITH REAUTHORIZATION ACT OF 2019

Ms. ERNST. Mr. President, I stand proudly before this body today in support of the passage of the Debbie Smith Act of 2019. Since its enactment in 2004, the Debbie Smith Act has been renewed twice with overwhelming bipartisan support. With the tireless work of Senator CORNYN and Senator FEINSTEIN, we will renew this vital piece of legislation for a third time today.

I want to thank Senator CORNYN very much for being such a diligent leader on behalf of this act.

The Debbie Smith Act removes one of the most substantial and burdensome roadblocks to survivors of sexual violence achieving the justice they deserve. I have told many people about the time I volunteered when I was a young woman in Iowa State University. I volunteered for a crisis hotline and a woman's shelter. The type of work I was able to volunteer for at that time was responding with a beeper to crisis calls at the hospital for women who had been through a rape. That, in itself, is very difficult, but the follow-on work that has to be done can often be just as difficult if evidence is not processed timely.

The Debbie Smith Act does this by providing funding for crime labs that process DNA evidence and by strengthening the national DNA database used to help solve these horrific crimes. In addition, this bipartisan bill supports audits of evidence awaiting analysis at law enforcement agencies and charges the Justice Department with the task of developing national testing guidelines.

We all know the criminal justice system isn't designed to be fair to survivors of sexual violence, and it is not easy on them. It certainly is not a comfortable process.

Coming forward as a survivor is not the end. It is just the beginning. That is why it is so important that this Congress, with Senator CORNYN's leadership, and our criminal justice system support survivors of sexual violence by funding the availability of DNA evidence to help bring these predators to justice.

Again, I thank the Senator for his diligent work on this. The bipartisan Debbie Smith Act helps to bring us to the end that our survivors need and they deserve. Thank you for your leadership.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, let me thank the Senator from Iowa for her leadership on so many issues, including this one. Obviously, through her work on the Judiciary Committee, where we

both serve and from where this important piece of legislation emanated, this has been a long journey. Unfortunately, the politics of the day seem to have slowed almost everything up that we are trying to do.

In particular, I also want to recognize the good work of the Senator from Iowa on the reauthorization of the Violence Against Women Act. I am a proud cosponsor of the legislation she is leading on. My hope is that after the fever breaks, sometime after the first of the year—I keep hoping for that moment—we will get back to the nonpartisan reauthorization of the Violence Against Women Act. In the meantime, I am happy to join the Senator on the floor and to talk about the importance of the Debbie Smith Act and to celebrate its imminent passage.

Since 2004, the Debbie Smith Act has been the guiding force behind our Nation's effort to eliminate the rape kit backlog. Just so everybody understands, at one point there was a report that there were as many as 400,000 of these forensic kits, which are used to collect DNA evidence following sexual assault, sitting in evidence lockers and police stations or in labs and which remained untested.

Once we are reminded of the importance of this evidence and how powerful it is to enable law enforcement officials to identify an attacker with almost complete precision and accuracy, the importance of making sure these kits were tested becomes all that more obvious.

Since 2011, the Debbie Smith Act has helped Texas—my State alone—reduce its backlog of unsubmitted rape kits by approximately 90 percent.

The benefits don't stop there, though. The primary goal of this program is to reduce the rape kit backlog and identify attackers—people who commit sexual assaults.

Processing this evidence can also assist investigations in other unrelated crimes because perpetrators do leave their DNA in other places other than just in the crime of sexual assault.

Once this evidence is tested, it is uploaded into the FBI's DNA database called CODIS. This is similar to a criminal fingerprint database and can help identify and convict people who commit other crimes as well.

For the civil libertarians among us—and I would like to consider myself one of them—this evidence is also very powerful in discounting or disqualifying potential perpetrators from suspicion because if, in fact, DNA of some other person is identified, it obviously is by exclusion of the other person who may be suspected but who will thereby be exonerated.

According to the National Institute of Justice, 72 percent of the hits in the FBI database system are the direct result of Debbie Smith Act funding. The benefits of this law cannot be overstated, and it is time once again—past time, really—to reauthorize this critical program. The Debbie Smith Act of

2019 will reauthorize important funding that supports testing this DNA evidence so we can continue to reduce and eliminate the rape kit backlog and ensure that it will not grow again in the future.

This legislation also supports important training for law enforcement, correctional personnel, forensic nurses, who are the ones who actually collect the DNA evidence using these forensic kits, as well as other professionals who assist victims of sexual assault.

The process of getting this legislation through both Chambers of the Congress has not been easy. I have to say I appreciate all of the advocates who fought tirelessly with us every step of the way to bring us to this moment on the precipice of passing this reauthorization. I want to particularly recognize the folks at RAINN who are consistently remaining above the political fray and always putting survivors first.

This legislation would not have been possible without its namesake, Debbie Smith, and the countless other survivors—people like Lavinia Masters, Carol Bart, and others—who continue to lend their voices to this fight. It is not easy for a woman to come forward and say: I was a victim of sexual assault, and I don't know who my attacker was, but I will go through this intrusive examination in order to assist law enforcement in making an identification and prosecuting the case. The fact is, if we don't catch these predators, they will commit further acts of sexual violence over and over again until they are finally caught and kept behind bars.

If you have not had the chance to meet survivors and hear their stories, you must because the survivors I have met and worked with over the years in Texas are truly inspiring. I am glad we can finally get this bill passed on their behalf.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 777, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 777) to reauthorize programs authorized under the Debbie Smith Act of 2004.

There being no objection, the Senate proceeded to consider the bill.

Mr. CORNYN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 777) was ordered to a third reading, was read the third time, and passed.

Mr. CORNYN. Mr. President, I have further remarks, but I understand the leader is on his way here to file some important documents and help us progress with our work this week.

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.

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.

#### FEDERAL INTELLIGENCE SURVEILLANCE ACT

Mr. CORNYN. Mr. President, I understand the majority leader will be here soon, and when he does come, I will be glad to yield to him. In the meantime, I want to talk about last week's report from the inspector general of the Department of Justice on the FBI's counterintelligence investigation into the Trump campaign and its contacts with Russia in 2016.

This is a very long report. It is more than 400 pages long, and it outlines a series of errors—17, all counted—made by the FBI under the leadership of Director James Comey.

It is important for people to realize that all these mistakes were made in a previous administration and not under the leadership of FBI Director Chris Wray, and they don't reflect, in my view, the actions of the rank-and-file FBI agents. But it is a serious matter, and we need to get to the bottom of it, and we need to take corrective action.

The report details a pattern of concerning behavior by those who were charged with protecting and defending the United States, and it raises a lot of red flags.

Last week, the inspector general testified before the Judiciary Committee. I told him at that time—and I think it bears repeating—that as an ardent supporter of law enforcement and our intelligence community, I worry that the mistakes and the intentionally misleading conduct undertaken by some leaders in the FBI under the previous administration will undermine the public's confidence in what is a very sensitive but important area, like foreign intelligence surveillance.

We rely on the men and women of the FBI to identify and counter threats to our national security, all the while protecting incredibly sensitive information and the privacy of American citizens. It requires a tremendous amount of trust from the American people, and I am afraid that some of the information that surfaced in this report puts that trust in jeopardy.

The inspector general detailed a number of truly disturbing and alarming facts about how this investigation was conducted, especially when it comes to the Foreign Intelligence Surveillance Act, otherwise known as FISA.

FISA is a means whereby FBI agents can go to the Foreign Intelligence Surveillance Court and show probable cause that an American citizen is an agent of a foreign power. Obviously,

these are very, very sensitive investigations, and the sort of authority that is given to the FBI under these circumstances is very intrusive. In my view, it is entirely justified and necessary when, in fact, you are protecting the United States from very real counterintelligence matters. But the inspector general identified 7 mistakes in the initial Carter Page foreign intelligence surveillance application and 10 additional ones in 3 renewals. These were not typos or misspelled words; these were misrepresentations meant to deceive the court so they would issue a foreign intelligence surveillance warrant.

To make matters worse, even as new exculpatory information came to light on Carter Page, this information was not shared with the Foreign Intelligence Surveillance Court—information that they would have found relevant in considering whether the FBI and the U.S. Government had met their required showing.

I asked the inspector general whether he believed that if the court knew what we know now, would the court have ever issued the FISA warrant in the first place? He perhaps wisely said he was not in a position to predict what the judges may or may not do, but he said he knew they wouldn't sign a warrant if they were told that all of the information was not included and certainly not if they were lied to, as occurred here in the Carter Page foreign intelligence surveillance warrant. As a former judge myself, I think that is absolutely accurate.

But that begs the question, What is the FISA Court going to do about this? We know what we need to do because already the FBI Director has indicated that there are a number of areas where he believes this whole process needs to be reformed in order to restore public trust in the integrity of this process.

I was interested to see a report in the New York Times that is dated today at 4:55 p.m. entitled "Court Orders FBI to Fix National Security Wiretaps After Damning Report."

Mr. President, I ask unanimous consent that following my remarks, this article be printed in the RECORD.

Take a step back from this scenario and think more broadly about how this type of behavior may play out in a criminal proceeding. For example, imagine you are a judge and you find out that you were lied to by the prosecution, that you were presented with information that was not only incorrect but intentionally fabricated to help build their case. What would you do? Well, depending on the scenario, the court may hold that individual in contempt of court. The judge may decide to throw out some of the evidence or the entire case and possibly—probably—refer that lawyer to disciplinary proceedings, where that lawyer would be in jeopardy of losing his or her law license. These are remedies that exist if these sorts of actions happen during ordinary court proceedings, and I believe they are probably available to the



Foreign Intelligence Surveillance Court should the court decide to take that kind of action.

I note that in this article I have attached and I referred to earlier, the court has now given the FBI a January 10 deadline to come up with a response to what the court is asking about.

Of course, the court, I am sure, had to be troubled by what it saw as not only the sloppy work but the intentional misrepresentation and outright lies used by the FBI in this instance to get this foreign intelligence surveillance warrant against Carter Page—as well they should be concerned.

But the Foreign Intelligence Surveillance Court is different from ordinary courts. It handles cases that are critical to our national security, full of highly sensitive, largely classified information, and these same sorts of remedies that you might use in an ordinary court may or may not apply.

The way I see it, if we don't take corrective action—if the FBI doesn't take corrective action, if Congress doesn't undertake a review of this whole FISA process—we will be in danger of losing this ability to investigate or to collect intelligence to keep our country safe. The only way that happens currently is if the public trusts Congress and the FISA Court to enforce the laws and rules to make sure that privacy interests of American citizens are adequately protected, and only based upon an extraordinary showing—an evidentiary showing by the Government that a FISA warrant is warranted should that be ordered by the court.

All of that is at risk unless, I believe, reform is undertaken and the court takes corrective action in whatever means it thinks appropriate to punish those who misled it in issuing these four FISA warrants for Carter Page.

This whole episode, I believe, sets a very dangerous precedent. If these agents and lawyers are able to break every rule to investigate a political campaign of an American President and are facing no consequences, what is to stop others from doing that in the future? If they can use the awesome power of the Federal Government to investigate a Presidential campaign and someone who later became President, what chance do ordinary Americans have of making sure that the rules will be applied to them and that their privacy will be respected?

We have to have accountability for these errors and these intentionally deceptive representations. We can't have people like that working at the FBI who are charged with supporting our national security. We can't allow that to continue or to happen again.

We need to see that adequate disciplinary measures are undertaken by the FBI, perhaps by the court itself, while Congress looks at what we can do to reform this whole FISA procedure to make sure things like this do not happen in the future.

I was glad to see, in his report, the inspector general said that his office

has initiated a full audit to look into the FBI's compliance with FISA procedures across the board.

He also noted that the FBI's National Security Division Assistant Attorney General had sent a letter to the FISA Court in July of 2018, outlining some of the errors made in the Carter Page FISA applications and saying that DOJ lawyers will be supplementing that information based on the inspector general report that the inspector general testified on last week.

As we look for ways to prevent this type of abuse from happening in the future, we need to hear from the FISA Court what it believes is appropriate discipline and appropriate measures it needs to take to protect the integrity of their proceedings and to stop things like this from happening in the future. All of this would be critical not only to find what went wrong but also what Congress does or does not need to do to protect the integrity of this process.

FISA—the Foreign Intelligence Surveillance Act—is absolutely critical to our national security, and we must not only protect the integrity of the process but restore the American people's trust in it.

I know this isn't something that can be solved overnight, but I am committed to working with all of our colleagues here in Congress, as well as the Justice Department and the Foreign Intelligence Surveillance Court, to try to do what we need to do to prevent these failures from ever happening again.

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

[From The New York Times, Dec. 17, 2019]

COURT ORDERS F.B.I. TO FIX NATIONAL SECURITY WIRETAPS AFTER DAMNING REPORT  
(By Charlie Savage)

In a rare public order, the secretive Foreign Intelligence Surveillance Court responded to problems with the eavesdropping on a former Trump campaign aide uncovered by an inspector general.

A secretive federal court accused the F.B.I. on Tuesday of misleading it about the factual basis for wiretapping a former Trump campaign adviser and ordered the bureau to propose changes in how investigators seek permission for some national security surveillance.

In an extraordinary public order, the presiding judge on the Foreign Intelligence Surveillance Court, Rosemary M. Collyer, gave the F.B.I. a Jan. 10 deadline to come up with a proposal. It was the first public response from the court to the scathing findings released last week by the Justice Department's independent inspector general about the wiretapping of the former Trump adviser, Carter Page, as part of the Russia investigation.

"The frequency with which representations made by F.B.I. personnel turned out to be unsupported or contradicted by information in their possession, and with which they withheld information detrimental to their case, calls into question whether information contained in other F.B.I. applications is reliable," Judge Collyer wrote.

The court "expects the government to provide complete and accurate information in every filing," she added.

While the inspector general, Michael E. Horowitz, debunked the claims by President Trump and his allies that senior F.B.I. officials were part of a political conspiracy, his investigation also exposed a litany of errors and inaccuracies by which case agents cherry-picked the evidence about Mr. Page as they sought permission to eavesdrop on his calls and emails.

The order specifies no particular reforms for the bureau's policies for seeking permission to wiretap people under the Foreign Intelligence Surveillance Act, or FISA. But it indicated that the court will weigh in on whether the F.B.I.'s proposals are sufficient.

At a Senate Judiciary Committee hearing last week about the report's findings, the chairman of the panel, Senator Lindsey Graham, Republican of South Carolina, addressed the FISA court directly, telling the judges that they needed to take steps to preserve political support for the national security surveillance system.

"The FISA system, to survive, has to be reformed," Mr. Graham said. "To the FISA court: We're looking to you to take corrective action. If you take corrective action, that will give us some confidence that you should stick around. If you don't, it's going to be hurtful to the future of the court, and I think all of us are now thinking differently about checks and balances in that regard."

Mr. Horowitz is scheduled to testify about the report again on Wednesday at a hearing before the Senate Homeland Security and Governmental Affairs Committee.

Mr. Horowitz suggested several changes. He recommended that the F.B.I. overhaul the forms used to ask the Justice Department to submit a FISA request or renewal to ensure they identify any information that cuts against suspicions about a target; surface any reasons to be skeptical about an informant whose information is included; and require agents and supervisors to reverify factual assertions repeated from prior applications when they seek renewals.

In a statement issued when the report was released, the F.B.I. director, Christopher A. Wray, said he accepted Mr. Horowitz's findings and embraced the need to make changes. He said he was ordering "concrete changes" to ensure that that FISA process was "more stringent and less susceptible to mistake or inaccuracy."

Among the other ideas floated by reform proponents, including the American Civil Liberties Union: appointing a third party to critique the government's cases for wiretapping people, at least in sensitive investigations, or allowing defense lawyers with security clearances to see the government's evidence presented to the FISA court on those rare occasions when it is used to prosecute a suspect.

Mr. Horowitz has already begun an audit of other, unrelated FISA applications to see whether there is a broader pattern of problems in how the F.B.I. is portraying the evidence about suspects. Another possibility for reform is that going forward, the bureau's general counsel could oversee recurring audits of a random sampling of FISA applications, so that case agents will always have to take into account that someone may later second-guess their work.

In his report, Mr. Horowitz scrutinized the four applications that the Justice Department submitted between October 2016 and June 2017 to wiretap Mr. Page, whom F.B.I. agents suspected might be a conduit between the Trump campaign and Russia during its covert operation to manipulate the 2016 presidential election.

The review uncovered a deeply dysfunctional and flawed process riddled with inaccuracies and material omissions. Investigators highlighted facts that made Mr. Page look suspicious while failing to mention potentially exculpatory ones, and when they

sought to renew the wiretap, they failed to correct earlier statements whose credibility had since come under serious question, the report found.

Justice Department lawyers who deal directly with the FISA court passed that misleading portrait onto the judges. While Mr. Horowitz's findings placed most of the direct blame on a handful of case agents and their supervisors who worked directly with the raw evidence, his report also blamed senior officials for permitting a culture in which such actions could happen.

The report said Mr. Horowitz's investigators had found no evidence that political bias against Mr. Trump was behind the problems—as opposed to apolitical confirmation bias, gross incompetence or negligence. But the inspector general said the explanation the F.B.I. offered—that the agents had been busy with other aspects of the Russia investigation, and the Page FISA was a minor part of those responsibilities—was unsatisfactory.

Congress enacted FISA in 1978 to regulate the government's use of domestic surveillance for national-security investigations—those aimed at monitoring suspected spies and terrorists—as opposed to ordinary criminal cases. The law sets up a special court, made up of 11 sitting district court judges who are selected to serve staggered terms by the chief justice of the Supreme Court, and decide whether the evidence shows a target is probably a foreign agent.

In 2018, government records show, the court only fully denied one of 1,080 final applications submitted under FISA to conduct electronic surveillance. However, the court also demanded unspecified modifications to 119 of those applications before approving them. There were 1,833 targets of FISA orders, including 232 Americans, that year.

National-security wiretaps are more secretive than ordinary criminal ones. When criminal wiretap orders end, their targets are usually notified that their privacy has been invaded. But the targets of FISA orders are usually not told that their phone calls and emails have been monitored, or that their homes or businesses have been searched.

And when people are prosecuted for crimes based on evidence derived from ordinary criminal wiretaps, the defendants and their lawyers are usually allowed to see what the government told judges about them to win approval for that surveillance, giving them the opportunity to argue that investigators made mistakes and the evidence should be suppressed.

But defense lawyers, even those with security clearances, are not shown FISA applications for their clients. As a result, there is no prospect of second-guessing in an adversarial court setting to keep F.B.I. agents scrupulous about how they portray the evidence when seeking to persuade FISA judges to sign off on putting a target under surveillance.

In the absence of that disciplining factor, the Justice Department and F.B.I. have developed internal procedures that are supposed to make sure that the evidence presented in FISA applications is accurate and includes any facts that might undercut the government's case. But that system failed in the Page wiretaps, Mr. Horowitz's report showed.

At the Senate hearing, one of the rare areas of agreement between Republicans and Democrats was the need for change to the FISA system. Senator Richard Blumenthal, Democrat of Connecticut, who has unsuccessfully proposed legislation to tighten restrictions on national-security surveillance in the past, said he welcomed the moment.

"I hope my Republican colleagues who have been so vocal and vehement about the

dangers of potential FISA abuses will join me in looking forward and reform of that court," Mr. Blumenthal said, adding: "I hope that we can come together on a bipartisan basis to reform the FISA process."

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CORNYN. Mr. President, I know this year is rapidly coming to a close, and we are all anxious to join our families for the holidays.

The impeachment frenzy, though, has almost completely engulfed the Capitol, particularly on the House side, for the past few months and has made it very difficult, if not impossible, for Congress to get much of its work done; hence, the last-minute rush to get things done that we should have done weeks and perhaps months earlier.

One of the victims of this impeachment mania has been the National Defense Authorization Act, and I am glad we finally were able to pass that today.

For the last 58 years, the NDAA—the national defense act—has passed with broad bipartisan support. But this year, things took a little different turn. While we maintained historical norms here in the Senate and passed the bill by a vote of 86 to 8, our House Democratic colleagues took a completely different route. They managed to come up with a bill that was so partisan that not a single Republican voted for it in the House.

A party-line vote in the House may not be newsworthy, but a party-line vote on the national defense authorization bill is.

Fortunately, after months of negotiations, Senator INHOFE, chairman of the Armed Services Committee, and Senator REED, the ranking member, were able to work with their House counterparts to reach a compromise on the bill, as I said, that passed earlier today.

This legislation is vitally important because it will give our commanders the predictability they need, as well as the troops the resources they have earned.

It also authorizes \$400 million for military construction projects in places like Texas and 90 new F-35 Joint Strike Fighters that are made in Fort Worth.

Overall, the NDAA will strengthen our national security, and it will benefit all of our servicemembers and their families and our military bases, including those in Texas.

So I just want to say that I appreciate the hard work of Chairman INHOFE and Senator REED, the ranking member, and all of our colleagues on the Armed Services Committee on both sides of the Capitol and look forward to it being signed by the President, hopefully, without further delay.

This was a critical step to strengthen our Nation's military, but it is only part of our duty to provide our troops with the resources and training and the equipment they need to succeed. Now

we need to take care of the defense appropriations bill, which has now been passed by the House and which will be coming over here to the Senate soon and which I expect we will act on by Thursday.

Sadly, though, this has also fallen to the wayside while our Democratic colleagues in the House have worked tirelessly to try to remove the President from office. We are in the posture of having to do that this week only because the agreement that was made last August on spending caps was walked away from by our Democratic colleagues in the Senate, and it has taken us all this time to get back to where we thought we were in the August timeframe.

Despite the deal reached over the summer to keep the appropriations process free from poison pill riders, our friends across the aisle have tried to force liberal wish list items into the bill.

Thanks to Senator INHOFE, that has largely been avoided. I must also thank MAC THORBERRY, the ranking member on the House side.

We have also managed to avoid a government shutdown, but the process has certainly not been pretty. We have been forced to pass two short-term funding bills, which have kept the trains running but failed to provide the predictability we thought we were going to get into the future once the 2-year budget deal was agreed upon last August.

So I am happy in one sense that the deal was finally reached to avoid a government shutdown, and I am in the process of reviewing these huge funding packages that total about \$1.4 trillion.

Let me just say that I also appreciate the hard work of our friend from Alabama, Chairman SHELBY, and our colleagues on the appropriations committees for their work to keep the doors open and to keep our commitments to our men and women in uniform.

I am hopeful we will be able to act before this funding expires this Friday. I yield the floor.

THE PRESIDING OFFICER. The Senator from Arizona.

Ms. MCSALLY. Mr. President, I rise today to talk about the importance of a vote we took earlier on the National Defense Authorization Act for Fiscal Year 2020.

This bill delivers on the needs of the warfighter today and invests in capabilities we must have for the future.

I also fought for and secured huge wins for the Grand Canyon State. As home to 10 military installations, Arizona plays a key role in many missions critical to our Nation's defense. Our bipartisan legislation highlights the incredible contributions that Arizona bases, citizens, and industry make to support our military each and every day.

Since I have been in Congress, I led the fight to stop the A-10 from being mothballed, and this bill continues to secure resources needed to modernize

the A-10, based at Davis-Monthan Air Force Base.

We also succeeded in funding a new hangar and barracks at Marine Corps Air Station Yuma and additional F-35s at Luke Air Force Base and Yuma for training and deploying the next generation of F-35 pilots.

I also secured funding to upgrade the Barry Goldwater training ranges and many other Arizona initiatives.

The annual defense bill is about protecting the people who protect us. This year's bill reiterates to the men and women of our military that we have their backs. It provides the highest pay raise in a decade and protects military families from greedy contractors who provide their tenants dangerous and unlivable base housing. These contractors, who act more like slumlords than landlords, will now be required to implement a tenant bill of rights.

We also give military families more power in filing disputes and fund additional housing office personnel to ensure families have advocates on base.

I am particularly pleased to see 17 of my 18 reforms to combat sexual assault in the military are also included in this bill. Earlier this year, I disclosed that I, too, am a survivor of military sexual assault. After I did, I charged the top leaders at the Pentagon to immediately identify ways to improve the investigation process and support to victims.

My provisions increased the number of personnel investigating sexual assault cases and ensure a victim has access to a special victims' counsel within 72 hours of reporting an assault. These and my other improvements share the goal of getting justice for victims sooner.

The greatest disappointment in an otherwise bipartisan bill is the lack of backfill funding for military construction projects.

After unprecedented obstruction by Democrats on border security funding, some resources were diverted to border security projects under authorities legally granted to the President by Congress.

I hear from my constituents all the time in our pro-military and southern border State: We can and must secure our border and fund our military. Life is full of difficult choices. This shouldn't be one of them for any Member on either side of the aisle.

The Senate voted in a landslide, bipartisan way, 86 to 8, to fund effective military construction projects in this bill—in the Senate version of this bill. Then, during conference negotiations, Democrats refused to fully fund these projects due to political games surrounding border security.

Think about that for a minute. They didn't like the President diverting the resources to secure our border, so they decided to take it out on our military by refusing to backfill funding.

Our military deserves better. The American people deserve better.

Nevertheless, one of Arizona's fiscal year 2019 projects at Fort Huachuca

was stalled for unforeseen environmental issues at the construction site, so it wasn't ready to spend the fiscal year 2019 funds that we approved for it. This funding would have been diverted to some other purpose in any other year. It could have been funded in fiscal year 2020, but the Democrats refused to support that. The earliest the project will be ready to start is next summer.

The Secretary of the Army has assured me that this project will be in the budget for fiscal year 2021, which starts 9½ months from now, following the completion of this environmental cleanup. I will continue to fight for the funding for Fort Huachuca and resolve to work hand-in-hand with the Army until this project is complete.

Finally, I have to note that this is the first NDAA that this body has passed in decades without Senator John McCain. I think I speak for Members of the Armed Services Committee and this entire Senate when I say that we have felt his absence deeply this past year. While he may not have been physically with us, it still has the fingerprints of his leadership, grit, and ultimate dedication to servicemembers and military families.

His memory has propelled us to secure lasting, meaningful reforms for the men and women who serve, whether in uniform, as a family member, or in a supporting civilian role.

This is the 59th consecutive annual defense bill that has been passed. It remains a shining example, for the most part, of what we can accomplish when we work together to protect Americans and support our troops.

It was my privilege to bring home these massive wins, working with my colleagues on the Armed Services Committee, for our troops and for the great State of Arizona.

I yield the floor.

The PRESIDING OFFICER (Ms. MCSALLY). The majority leader is recognized.

#### NATIONAL LAW ENFORCEMENT MUSEUM COMMEMORATIVE COIN ACT

Mr. MCCONNELL. Madam President, I understand the Senate has received a message from the House to accompany H.R. 1865.

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. I ask that the Chair lay before the Senate the message accompanying H.R. 1865.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the House of Representatives (H.R. 1865) entitled "An Act to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.", with the following amendment to the Senate amendment.

#### MOTION TO CONCUR

Mr. MCCONNELL. Madam President, I move to concur in the House amend-

ment to the Senate amendment to H.R. 1865.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur to the House amendment to the Senate amendment.

#### CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative 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 concur in the House amendment to the Senate amendment to H.R. 1865, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

Mitch McConnell, Susan M. Collins, Richard Burr, David Perdue, Pat Roberts, John Cornyn, Shelley Moore Capito, John Thune, John Boozman, Rob Portman, Richard C. Shelby, Roy Blunt, Jerry Moran, John Hoeven, Roger F. Wicker, Thom Tillis, Lisa Murkowski.

#### MOTION TO CONCUR WITH AMENDMENT NO. 1258

Mr. MCCONNELL. I move to concur in the House amendment to the Senate amendment to H.R. 1865 with a further amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur to the House amendment to the Senate amendment with a further amendment numbered 1258.

The amendment (No. 1258) is as follows:

At the end add the following.

"This act shall be effective 1 day after enactment."

Mr. MCCONNELL. I ask for the yeas and nays on the motion to concur with an amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 1259 TO AMENDMENT NO. 1258

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1259 to amendment No. 1258.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispense with.

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

The amendment (No. 1259) is as follows:

Strike "1 day" and insert "2 days"

MOTION TO REFER WITH AMENDMENT NO. 1260

Mr. MCCONNELL. Madam President, I move to refer the House message on H.R. 1865 to the Committee on Appropriations with instructions to report back forthwith.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the message to accompany H.R. 1865 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 1260.

The amendment (No. 1260) is as follows:

At the end add the following.

"This Act shall take effect 3 days after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1261

Mr. MCCONNELL. Madam President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1261 with instructions of the motion to refer.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

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

The amendment (No. 1261) is as follows:

Strike "3 days" and insert "4 days"

Mr. MCCONNELL. Madam President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1262 TO AMENDMENT NO. 1261

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1262 to amendment No. 1261.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

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

The amendment (No. 1262) is as follows:

Strike "4" and insert "5"

#### DHS CYBER HUNT AND INCIDENT RESPONSE TEAMS ACT OF 2019

Mr. MCCONNELL. Madam President, I understand that the Senate has re-

ceived a message from the House to accompany H.R. 1158.

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. I ask that the Chair lay before the Senate the message to accompany H.R. 1158.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the House of Representatives (H.R. 1158) entitled "An Act to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes", do pass with the amendment to the Senate amendment.

MOTION TO CONCUR

Mr. MCCONNELL. I move to concur in the House amendment to the Senate amendment to H.R. 1158.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur in the House amendment to the Senate amendment.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative 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 concur in the House amendment to the Senate amendment to H.R. 1158, a bill to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes.

Mitch McConnell, Susan M. Collins, Richard Burr, David Perdue, Pat Roberts, John Cornyn, Shelley Moore Capito, John Thune, John Boozman, Rob Portman, Richard C. Shelby, Roy Blunt, Jerry Moran, John Hoeven, Roger F. Wicker, Thom Tillis, Lisa Murkowski.

MOTION TO CONCUR WITH AMENDMENT NO. 1263

Mr. MCCONNELL. I move to concur on the House amendment to the Senate amendment to H.R. 1158 with further amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur on the House amendment to the Senate amendment with a further amendment numbered 1263.

The amendment is as follows:

At the end add the following:

"This act shall be effective 1 day after enactment."

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

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

Mr. MCCONNELL. I ask for the yeas and nays on the motion to concur with my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1264 TO AMENDMENT NO. 1263

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1264 to amendment No. 1263.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

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

The amendment is as follows:

Strike "1 day" and insert "2 days"

MOTION TO REFER WITH AMENDMENT NO. 1265

Mr. MCCONNELL. I move to refer the House message to H.R. 1158 to the Committee on Appropriation with instructions to report back forthwith.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the House message to accompany H.R. 1158 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 1265.

The amendment is as follows:

At the end add the following.

"This Act shall take effect 3 days after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1266

Mr. MCCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1266 to the instructions to the motion to concur.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

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

The amendment is as follows:

Strike "3 days" and insert "4 days"

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1267 TO AMENDMENT NO. 1266

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 1267 to amendment No. 1266.

Mr. McCONNELL. I ask unanimous consent that the reading of the Amendment be dispensed with.

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

The amendment is as follows:

Strike "4" and insert "5"

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. McCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 550.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The clerk will report the nomination.

The legislative clerk read nomination of Stephen E. Biegun, of Michigan, to be Deputy Secretary of State.

#### CLOTURE MOTION

Mr. McCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative 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 nomination of Stephen E. Biegun, of Michigan, to be Deputy Secretary of State.

Mitch McConnell, Steve Daines, Mike Rounds, David Perdue, Pat Roberts, Shelley Moore Capito, John Thune, John Boozman, Roger F. Wicker, Richard Burr, Mike Crapo, John Cornyn, Rob Portman, Richard C. Shelby, Roy Blunt, Jerry Moran, John Hoeven.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate proceed to legislative session for 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.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. LEAHY. Madam President, I support the fiscal year 2020 National Defense Authorization Act. The final, conferenced version of this bill reflects

a compromise. As with any compromise, there are things I support and things I wish the final bill had included.

Of great significance is the inclusion in this bill of a provision providing 12 weeks of paid parental leave for all Federal employees. There are Federal employees in every corner of this country, including in Vermont. We lead by example when we say that the Federal Government will support new parents, who will now be able to be home with their new child in those important first days. I hope that this example is one that can be replicated throughout our workforce.

The fiscal year 2020 NDAA includes important wins for servicemembers, their families, and our national security as well. I am pleased that at long last we have successfully introduced a phase-out of the so-called Widows' Tax. This bill mandates gender integration for Marine Corps training, makes much needed progress in addressing the use and after effects of open-air burn pits, and demands new standards for microelectronics supply chains, so we know our technology is working for us.

Closer to home, the bill authorizes \$30 million to construct a new Army Mountain Warfare School in Jericho. This is important to Vermont and to the Nation. This major construction project will allow the Vermont Army National Guard, one of the Nations' few mountain battalions, to better fulfill their mission of training soldiers from the Guard, Reserves, and Active Duty to accomplish their mission in cold, rugged terrain. Vermont is an ideal training ground because its mountains and climate are challenging, but still allow training throughout the year for all levels of expertise. That training is important to the Army because mountain skills require the ability to move from one place to another when major obstacles are in the way, something valuable anywhere the Army operates.

The bill includes an important measure based on an amendment I filed as well to improve condolence payment authorities for civilians who are killed as a result of U.S. military operations. We have included funds for this purpose for years through the appropriations process, but very few payments have been made and record keeping has often been poor. The new provisions in this bill aim to improve the process and increase its use, so that when civilians are harmed in war, their families are not left economically destitute as well.

I am disappointed that this bill does not include measures that were adopted by the House of Representatives to repeal authorizations for the use of force that were adopted nearly two decades ago. We simply must have a debate in Congress about our ongoing engagement around the world that relies on these AUMFs.

I wish the final agreement had included a hazardous substance designa-

tion for the dangerous chemicals known by their abbreviations PFAS and PFOA, nor was a sufficient authorization included that would support the cleanup of these chemicals. The NDAA also includes authorization of the President's Space Force, which I believe increases bureaucracy at the expense of our real priorities.

Nonetheless, I believe this is a good bill that supports our troops, and for that reason, I support its passage.

#### VOTE EXPLANATION

Mr. MERKLEY. Madam President, I wish to state for the record that although an important engagement in Oregon kept me from being present in the Capitol to participate in the cloture vote on this year's National Defense Authorization Act, NDAA, I would have voted nay had I been present.

I am pleased that the NDAA would phase out the reduction of survivor benefit plan annuities to ensure that the families of our fallen servicemembers receive the Federal support they need and deserve; would guarantee 12 weeks of paid family leave for Federal employees; fence funds for the introduction of new Intermediate-Range Nuclear Forces, INF; limit nuclear cooperation agreements under section 123 of the U.S. Atomic Energy Act with countries that lack safeguards; and support the legally-binding and verifiable limits of the New START Treaty as being in the national security interest of the United States. However, other aspects of the bill are cause for serious concern, outweighing these strong points, and must not be overlooked.

I am deeply concerned by this legislation's failure to prohibit funds for unauthorized war with Iran. There is no doubt that war with Iran would be a reckless, disastrous mistake. Yet the President has made a number of impulsive, provocative public statements that risk escalating tensions. Congress must protect its authority to declare war, and that means no blank checks to the administration for an unauthorized war with Iran.

It is also unthinkable that the final NDAA does not prohibit funds for intelligence support to the Saudi-led coalition in a war that has caused a catastrophic humanitarian crisis in Yemen. Communities have crumbled as a result of this conflict, and an acute cholera outbreak and famine have killed more than 85,000 children under the age of 5. The United States has no place supporting, prolonging, or being complicit in this war's widespread civilian casualties.

In addition, I am concerned that the NDAA does not prohibit funds for the deployment of a low-yield warhead on a submarine-launched ballistic missile. The use of this powerful and aggressive tool could drastically increase the risk of instigating a destabilizing nuclear arms race.

Here at home, the final NDAA conference report removed provisions to address PFAS water contamination. More than 16 million Americans currently drink water contaminated with PFAS chemicals, which can affect every major organ in the human body and put humans at higher risk of a wide variety of health conditions and complications including liver and kidney damage and thyroid disease. The decision to reject remedies to this urgent public health issue in the NDAA is deeply disturbing and completely unacceptable.

Finally, this NDAA does not include adequate safeguards to ensure accountability for wasteful defense spending. At a time when America far outspends every other nation in the world militarily, while working families are grappling with stagnant wages and rising costs of living, it could not be more important that the Pentagon and its contractors are accountable to American taxpayers. We should be doing far more to scrutinize defense spending and to evaluate whether we could maintain a strong military while redirecting badly needed funding to the American people's priorities on health care, housing, education, and infrastructure.

Mr. President, I wish to state once again that I would have voted nay had I been present. I look forward to working with all of my colleagues to resolve these critical issues in future bills and to advance the health, safety, and well-being of all Americans.

#### VOTE EXPLANATION

Ms. DUCKWORTH. Madam President, I was necessarily absent for vote No. 395 on confirmation of Executive Calendar No. 452, Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service. On vote No. 395, had I been present, I would have voted nay on confirmation.

I was also necessarily absent for vote No. 396 on confirmation of Executive Calendar No. 530, John Joseph Sullivan, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation. On vote No. 396, had I been present, I would have voted nay on confirmation.

I was also necessarily absent for vote No. 397 on confirmation of Executive Calendar No. 543, Stephen Hahn, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services. On vote No. 397, had I been present, I would have voted nay on confirmation.

#### TRIBUTE TO JOHNNY ISAKSON

Ms. DUCKWORTH. Madam President, I rise today to recognize my colleague and friend, Senator JOHNNY ISAKSON, for a lifetime of service to our Nation that started with his time as a loadmaster in the Georgia Air National Guard, to his tenure in the Georgia General Assembly, to his years of pub-

lic service in the U.S. House of Representatives and the U.S. Senate.

With JOHNNY's retirement, the Senate is losing a truly great leader; a man of courage, whose dedication to this country has inspired me more times than I can count; a man of honor, who has worked tirelessly for the veteran community; and a man of compassion, who I am so grateful to be able to call a dear friend.

We will never be able to fully thank JOHNNY for all he has done for the rest of us, but today, I want to try. JOHNNY, thank you for being there for me at Walter Reed when I was a Wounded Warrior, just home from combat. Thank you for being by my side last spring, a decade and a half later, on my first trip back to Iraq.

Thank you for always being there when it matters the most, for being such an incredible advocate for our veterans, for giving the absolute best birthday and holiday presents, and for showing what it means to lead a life guided by integrity, a life defined by service.

You have made our Nation stronger and our Union more perfect. You will be missed every time this Chamber is gavelled into session.

#### JOINT EXPLANATORY STATEMENT

Mr. BURR. Madam President, this explanation reflects the status of negotiations and disposition of issues reached between the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence for the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020. This bill is named after two dedicated staffers—Matthew Young Pollard of the Senate Select Committee on Intelligence and Damon Paul Nelson of the House Permanent Select Committee on Intelligence—whose contributions to America will have an enduring, positive impact on our national security.

The explanation shall have the same effect with respect to the implementation of this act as if it were a joint explanatory statement of a conference committee. The explanation comprises three parts: an overview of the application of the annex to accompany this statement, unclassified congressional direction, and a section-by-section analysis of the legislative text.

I ask unanimous consent that the Joint Explanatory Statement for the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 be printed into the RECORD.

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

DAMON PAUL NELSON AND MATTHEW YOUNG POLLARD INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEARS 2018, 2019, AND 2020

The following is the explanation of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fis-

cal Years 2018, 2019, and 2020 (hereinafter, "the Act").

This explanation reflects the result of negotiations and disposition of issues reached between the House Permanent Select Committee on Intelligence (HPSCI) and the Senate Select Committee on Intelligence (SSCI) (hereinafter, "the Agreement"). The explanation shall have the same effect with respect to the implementation of the Act as if it were a joint explanatory statement of a conference committee.

The explanation comprises three parts: an overview of the application of the annex to accompany this statement; unclassified congressional direction; and a section-by-section analysis of the legislative text.

#### PART I: APPLICATION OF THE CLASSIFIED ANNEX

The classified nature of U.S. intelligence activities prevents the HPSCI and SSCI (collectively, the "congressional intelligence committees") from publicly disclosing many details concerning the conclusions and recommendations of the Agreement. Therefore, a classified Schedule of Authorizations and a classified annex have been prepared to describe in detail the scope and intent of the congressional intelligence committees' actions. The Agreement authorizes the Intelligence Community (IC) to obligate and expend funds not altered or modified by the classified Schedule of Authorizations as requested in the President's budget, subject to modification under applicable reprogramming procedures.

The classified annex is the result of negotiations between the congressional intelligence committees. They reconcile the differences between the congressional intelligence committees' respective versions of the bill for the National Intelligence Program (NIP) for Fiscal Years 2018, 2019, and 2020. The Agreement also makes recommendations for the Military Intelligence Program (MIP) and the Information Systems Security Program (ISSP), consistent with the National Defense Authorization Act for Fiscal Year 2020, and provides certain direction for these two programs. The Agreement applies to IC activities for Fiscal Year 2020.

The classified Schedule of Authorizations is incorporated into the bill pursuant to Section 5102 of Subdivision 1. It has the status of law. The classified annex supplements and adds detail to clarify the authorization levels found in the bill and the classified Schedule of Authorizations. The congressional intelligence committees view direction and recommendations, whether contained in this explanation or in the classified annex, as requiring compliance by the Executive Branch.

#### PART II: SELECT UNCLASSIFIED CONGRESSIONAL DIRECTION

Unclassified Direction related to Subdivision 1 of the Act relates to Fiscal Year 2020. Unclassified Direction related to Subdivision 2 originated in Fiscal Years 2018 and 2019. The term "Committees" refers to both SSCI and HPSCI.

#### UNCLASSIFIED DIRECTION RELATED TO SUBDIVISION 1

*Plans for Operations During Government Shutdowns by All Elements of the Intelligence Community.*

The Committees have an active interest in the impact of government shutdowns on the intelligence mission. Office of Management and Budget (OMB) Circular A-11, Section 124, outlines how agencies are supposed to plan for operations during government shutdowns, and Section 124.2 provides that agencies must share those plans with OMB. Additionally, Section 323 of the *Intelligence Authorization Act for Fiscal Year 2014* requires the Office of the Director of National Intelligence (ODNI), the Central Intelligence



Agency (CIA), and IC elements within the Department of Defense (DoD) to share those same plans with specified congressional committees, including the congressional intelligence committees.

These requirements, however, omit IC elements that are not separate “agencies” for the purposes of OMB Circular A–11, Section 124, and are not ODNI, CIA, or elements within the DoD for the purposes of the IAA for Fiscal Year 2014. As a result, no such reporting requirement currently exists for IC elements within the Departments of Justice, Treasury, Energy, State, and Homeland Security. For that reason, when portions of the federal government were shut down between December 2018 and February 2019, the Committees had little to no insight into the effects of the shutdown on these and other important segments of the IC.

Therefore, the Committees direct IC elements within the Departments of Justice, Treasury, Energy, State, and Homeland Security to submit to the congressional intelligence committees—on the same day as the host department’s issuance of any plan for a government shutdown—the number of personnel in their respective elements that will be furloughed.

*Program Manager-Information Sharing Environment Review.*

Section 1016 of the Intelligence Reform and Terrorism Protection Act of 2004 (IRTPA) created a Program Manager-Information Sharing Environment (PM-ISE), administered from within the ODNI, to better facilitate the interagency sharing of terrorism-related information. Section 1016 also designated the PM-ISE as a presidentially-appointed position. Section 6402 of Subdivision 2 of the Act amends the IRTPA, so that the PM-ISE is subject to appointment by the Director of National Intelligence (DNI), not the President. Since the establishment of the PM-ISE, the Federal government has created entities, procedures, and processes to address directly the mandate for improved terrorism information sharing. Accordingly, the Committees find it appropriate to reconsider the future of the PM-ISE’s mission.

Therefore, the Committees direct the ODNI, in consultation with appropriate Federal departments, agencies, and components, within 180 days of enactment of this Act, to conduct a review of the PM-ISE’s terrorism information sharing mission, associated functions, and organizational role within the ODNI and provide findings and recommendations on the future of the PM-ISE to Congress.

*Leveraging Academic Institutions in the Intelligence Community.*

The Committees encourage the DNI and the Director of the DIA to ensure that IC elements continue to forge tighter partnerships with leading universities and their affiliated research centers in order to enhance mutual awareness of domestic and international challenges, leverage subject matter experts from higher education in a manner that uses cutting edge technologies and methods, and bolsters the recruitment of top-notch, diverse, and technically proficient talent into the IC’s workforce.

The Committees further believe that IC-sponsored academic programs such as the Intelligence Community Centers for Academic Excellence (IC-CAE) should work closely with educational institutions that offer interdisciplinary courses of study and learning opportunities in national and international security; geopolitical affairs, international relations and national security; interdisciplinary courses of study in the culture, history, languages, politics, and regions of major world regions; foreign language instruction; computer and data science; or cybersecurity.

The DNI shall ensure that such programs are facilitated via the streamlining of the security clearance process for graduating students from such universities who receive offers of employment from IC elements, provide for the temporary exchange of faculty and IC professionals, including as visiting fellows, and technical training opportunities for faculty, students, and IC personnel.

Therefore, the Committees direct all IC agencies to support the IC-CAE effort by tracking recruits and new hires who have graduated from IC-CAE-designated institutions, promptly reporting these numbers to the office in charge of IC-CAE implementation, and increasing all IC agencies’ efforts to recruit from such institutions.

*Access to Sensitive Compartmented Information Facilities.*

The Committees remain concerned about impediments for companies with appropriately cleared personnel being able to perform work for government entities and the effects of these impediments on IC access to innovative products and services. For example, businesses without access to a Sensitive Compartmented Information Facility (SCIF), which includes many small businesses and non-traditional contractors, find it difficult to perform classified work for the IC. Construction and accreditation of SCIF spaces may be cost-prohibitive for small business and non-traditional government contractors.

Additionally, SCIF construction timelines often exceed the period of performance of a contract. A modern trend for innovative and non-traditional government contractors is the use of co-working space environments. Additionally, public and private entities are partnering to create emerging regional innovation hubs to help identify technology solutions and products in the private sector that can be utilized by the DoD and IC. These innovation hubs currently produce an agile, neutral, but largely unclassified, development environment.

Therefore, the Committees direct the ODNI to submit a report to the congressional intelligence committees on:

1. Processes and procedures necessary to build, certify, and maintain certifications for multi-use sensitive compartmented facilities not tied to a single contract and where multiple companies can securely work on multiple projects at different security levels;
2. Analysis of the advantages and disadvantages of issuing DoD Contract Security Specification (DD Form 254s) to Facilities” as opposed to Contracts”;
3. Options for classified co-use and shared workspace environments such as innovation, incubation, catalyst, and accelerator environments;
4. Pros and cons for public, private, government, or combination owned facilities that can operate at different classification levels; and
5. Any other opportunities to support companies with appropriately cleared personnel but without effective access to a neutral SCIF.

*Inclusion of Security Risks in Program Management Plans Required for Acquisition of Major Systems in the National Intelligence Program.*

Section 5305 of Subdivision 1 of the Act adds security risk as a factor for the DNI to include in the annual Program Management Plans for major system acquisitions submitted to the congressional intelligence committees pursuant to Section 102A(q)(1)(A) of the National Security Act of 1947 (50 U.S.C. 3024(q)(1)(A)). The Committees are increasingly concerned with the security risks to IC acquisitions. The Joint Explanatory

Statement accompanying the *Intelligence Authorization Act for Fiscal Year 2017* directed updates to Intelligence Community Directive 731, Supply Chain Risk Management, and Committee leadership has engaged senior industry representatives about the threats to the national security industrial base posed by adversaries and competitors, including China. Over the past few years, the Department of Defense has been elevating security as a “fourth pillar” (to complement cost, schedule, and performance) in reviewing defense acquisitions, embodied in the Under Secretary of Defense for Intelligence’s “Deliver Uncompromised” initiative.

Section 5305 of the Act extends that focus to the IC, requiring the annual Program Management Plans to include security risks in major system acquisitions, in addition to cost, schedule, and performance. The Committees recognize that security can be applied across a number of areas (facilities, personnel, information, and supply chain) and may vary by program, to appropriately ensure system integrity and mission assurance.

Therefore, for the purposes of implementing section 5305 of the Act, the Committees direct the Director of National Intelligence, with the Director of the National Counterintelligence and Security Center, to develop parameters for including security risks (and risk management measures) in the annual Program Management Plans to assist congressional oversight.

*Intelligence Community Public-Private Talent Exchange.*

The Committees fully support section 5306 of Subdivision 1’s implementation in accordance with applicable federal ethics laws, regulations, and policies.

*Expansion of Scope of Protections for Identities of Covert Agents.*

Section 5303 of Subdivision 1 of the Act removes temporal and geographic limitations on the definition of “covert agent”, as that term was defined by Section 606 of the Intelligence Identities Protection Act of 1982, P.L. 97–200 (Jun. 23, 1982) (IIPA).

Such limitations originally carved out of the IIPA unauthorized disclosures of certain kinds of classified identity information—those generally involving persons who have not served or acted abroad in the last five years—on grounds that such disclosures are generally less harmful to national security, and therefore undeserving of IIPA protections. But experience since then has proven otherwise. With the benefit of experience, the Committees have concluded that any disclosure of currently classified identity information, without regard to the location or recency of the activities of the person whose information is disclosed, can risk serious harm to national security. That being the case, such disclosures should potentially present a basis, under appropriate circumstances, for prosecution under the IIPA.

The Committees wish to stress, however, that the change does not imply any enhanced risk of IIPA liability for journalists.

In the thirty-seven years since enactment, the statute has never been used to prosecute members of the media. In fact, prosecutors have charged violations of the IIPA in only two cases, both of which involved unauthorized disclosures by former federal government employees of classified information obtained during their employment. The Committees view this sparse record, so far as traditional newsgathering and publication is concerned, as reflecting the heavy, constraining influence of the First Amendment’s Press Clause. Journalists continue to this day to report aggressively on intelligence matters.

The IIPA’s enforcement history also reflects the narrowness of Section 601(c), a provision which some have interpreted to expose

traditional journalists to the risk of liability under the statute. But in the Committees' view, that provision does not cover responsibly investigating and reporting news in the public interest. There is a high burden for conviction under Section 601(c). It requires a prosecutor to prove beyond a reasonable doubt, among other things, that a defendant engaged in a "pattern of activities": a series of acts with the common purpose or objective of identifying and publicly exposing covert agents. Such conduct entails "engag[ing] in a purposeful enterprise of revealing covert identities" or being in the "business of naming names," as the Conference Report to the IIPA put it in 1982. H.R. Rep. No. 97-580, at 9 (1982).

Traditional news gathering and publication—including on abuses of power, violations of law and civil liberties, and other controversial activity—does not require, or even typically involve, such conduct. Indeed, as the Conferees illustrated the point:

The reporters who have investigated the activities of Wilson and Terpil, former CIA employees who allegedly supplied explosives and terrorist training to Libya, would not be covered even if they revealed the identity of covert agents if their pattern of activities was intended to investigate illegal or controversial activities, and not to identify covert agents. Similarly, David Garrow would not be within the scope of the statute even though he purported to give the identity of covert agents in his book, "The FBI and Martin Luther King, Jr.: from 'Solo' to Memphis." His intent presumably was to explain what drove the FBI to wiretap Martin Luther King and not to identify and expose covert agents.

H.R. Rep. No. 97-580, at 10. The same holds true for traditional, responsible journalists today. Even after amendments made by the Act, their work does not risk liability under the revised IIPA.

Furthermore, section 5303 has no effect on what information may be withheld under the Freedom of Information Act, 5 U.S.C. §552 (FOIA). Section 5303 expands the universe of "covert agents" whose classified relationship with the United States Government is protected by the criminal law. All of the people protected by the expanded "covert agent" definition have a relationship with the United States government that is already classified. If an individual's relationship with the government is classified, it may be withheld under FOIA. Consequently, even before passage of section 5303, identifying information for all of the individuals covered by the IIPA expansion could already have been withheld under FOIA's (b)(1) exemption for national security information. In general, when justifying withholding under FOIA information that tends to identify covert agents, agencies should use (b)(1) classification exemptions, not (b)(3) exemptions regarding the IIPA and other statutes. 5 U.S.C. §§552(b)(1), (3).

Section 5303 is not intended to—and does not—affect Congress' authority to oversee the IC. Section 5303 is not intended to—and does not—affect the protections afforded to whistleblowers to disclose violations of law and waste, fraud, and abuse to Inspectors General or to Congress.

#### *Intelligence Community Cooperation with the Government Accountability Office.*

The Committees believe the Government Accountability Office (GAO) adds significant value to the Committees' oversight efforts. For example, the GAO's designation in 2018 of the government-wide Personnel Security Clearance process to its high-risk list of federal areas needing reform to prevent waste, fraud, abuse, and mismanagement, was important to the Committees' efforts to legis-

late on security clearance reform, including in this Act. The Committees expect that all IC elements will fully and promptly comply with requests from the GAO made to support studies requested by, or of interest to, the Committees.

#### *Clarification of Death Benefits for Survivors of Central Intelligence Agency Personnel.*

The Committees concur with the Executive Branch that section 5341 of Subdivision 1 of the Act shall apply retroactively from the date of enactment of this Act.

#### *Intelligence Community Leave Policies.*

The Committees find it imperative that the federal government, to include the IC, recruit, hire, and retain a highly qualified workforce. That depends in part on offering federal personnel a competitive benefits package—including with respect to parental leave and related benefits. Toward that end, the Committees strongly believe the federal government must align such benefits to the fullest extent possible with those of leading U.S. private sector companies and other industrialized countries.

In furtherance of that objective, the Committees in their respective bills supported a provision to provide twelve weeks of paid parental leave to all IC employees. The Committees further support the succeeding provision in the National Defense Authorization Act (NDAA) for Fiscal Year 2020 that provides government employees, to include those in the IC, with twelve weeks of paid administrative leave in the event of birth of a child, or the placement of a child for purposes of adoptive or foster care. This is consistent with, and supersedes, provisions that were contained in the House-passed and Senate-passed Intelligence Authorization Acts for Fiscal Years 2018, 2019, and 2020. Importantly, that NDAA provision does not modify or otherwise affect the eligibility of an IC employee for benefits relating to leave under any other provision of law, to include the provisions of the Family and Medical Leave Act (FMLA), 29 U.S.C. §2601, et seq.

Moreover, so far as concerns the provision's implementation, the Committees direct the DNI, within 180 days after enactment of this Act, to provide a briefing for the Committees on how each element of the IC will implement 5 U.S.C. section 6382(d)(2), as provided by this Act.

#### *Transfer of National Intelligence University.*

The Committees have been closely watching the evolution of how the IC provides for advanced intelligence education. The Defense Intelligence Agency (DIA) has hosted an intelligence college since 1962, which has been academically accredited since 1983. When the ODNI was created in the Intelligence Reform and Terrorism Prevention Act of 2004, ODNI created a separate National Intelligence University (NIU) under its auspices as a complement to DIA's intelligence effort. In response to a report from the President's Intelligence Advisory Board that accused the ODNI of being inadequately focused, the ODNI in 2011 transferred the NIU to DIA's intelligence college and rebranded the new combined institution as NIU.

Pursuant to the Joint Explanatory Statement to the Intelligence Authorization Act for Fiscal Year 2017, an independent panel offered alternative governance models to enhance NIU, to include a more prominent role for ODNI. In parallel, analyses of DIA by the Secretary of Defense and the HPSCI during the 115th Congress concluded that DIA would benefit from moving NIU elsewhere in the IC.

The Committees believe transferring NIU to ODNI is now appropriate if certain conditions, contained in section 5324 of Subdivision 1 of the Act, are met. The Committees believe that clear commitment from the DNI

and Principal Deputy DNI is critical to NIU's success at ODNI. The Committees look forward to working with ODNI and DoD on the successful transfer of NIU.

#### *Associate Degree Program Eligibility.*

The Committees are concerned that students enrolled in, or who have graduated from, Associate Degree programs have insufficient opportunities to gain employment in the IC. Therefore, the Committees direct the ODNI to submit a report to the congressional intelligence committees on how to expand the number of opportunities for students pursuing or having earned an Associate Degree eligible for IC academic programs. The Committees also direct the ODNI to make information about these academic programs publicly available.

#### *Exposing Predatory and Anticompetitive Foreign Economic Influence.*

The Committees are concerned about the significant threat posed by foreign governments that engage in predatory and anticompetitive behaviors aimed to undercut critical sectors of the United States economy. Therefore, the Committees direct the DNI, in consultation with the Assistant Secretary of the Treasury for Intelligence and Analysis, to submit to the congressional intelligence committees a report identifying top countries that pose a substantial threat to the United States economy regarding technology transfer issues, predatory investment practices, economic espionage, and other anticompetitive behaviors. The report shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.

Furthermore, the DNI, in consultation with the Department of the Treasury and other agencies that the Director deems appropriate, shall submit a report to the congressional intelligence committees assessing the costs and benefits of requiring a foreign person or entity that invests in the United States (and is subject to the jurisdiction of a country that poses a substantial threat to the United States economy) to submit annual disclosures to the Federal Government. Such disclosures would include all investments that the foreign person or entity made in the United States during the preceding year; the ownership structure of the entity; and any affiliation of the entity with a foreign government. The report should detail how such information could be used by the IC and other elements of the Federal government working to identify and combat foreign threats to the United States economy, and the appropriate scope and thresholds for such disclosures. The report shall be submitted in unclassified form, but may include a classified annex.

#### *Increasing Data Security.*

The Committees are aware the IC faces challenges while trying to balance mission and enterprise needs with IT modernization, including the migration of data and applications to the cloud. With this in mind, the Committees encourage the IC to identify and utilize technologies that increase the security posture of data and workloads and reduce cyber risks.

The Committees further recommend that:

1. IC elements identify, develop, and implement tools for bi-directional data migration and division interoperability between data center and cloud environments;
2. These tools include, but are not limited to, encryption of data while both at rest and in motion, and micro-segmentation of networks and workloads; and
3. IC elements prioritize shifting resources towards automation as a way to respond more quickly to cyber threats.

*Anonymous Annual Survey Regarding Workplace Climate.*

IC elements obtain mission-critical information from the results of anonymous, annual surveys of their employees, on issues related to workplace climate and retention. As necessary as they are to the elements' own activities, survey results are also vital to the Committees' continuing oversight of elements' efforts to address workplace climate and retention issues, and to propose legislative and other remedies where appropriate.

The need for reliable information is especially acute with respect to sexual harassment and discrimination, given that—established policy and legal protections notwithstanding—an employee may fear that directly raising concerns about such matters risks exposing the employee to retaliatory personnel, security clearance, or other actions. The anonymous survey affords the element, and the Committees, a mechanism for inquiring further about the extent of this well-documented chilling effect against reporting; and about the effectiveness (or not) of ongoing programs to uncover and root out sexual harassment, discrimination, and other illegal and/or inappropriate activities at the workplace.

Therefore, the Committees direct that no later than 180 days after enactment of this Act, the DNI must certify in writing to the congressional intelligence committees that:

1. At least once a year, each element of the IC submits a survey to its employees regarding workplace climate and retention matters, and affords employees completing such surveys the option to remain anonymous;

2. Such survey includes questions regarding employees' experiences with sexual assault, discrimination, harassment, including sexual harassment, and related retaliation, including, at a minimum, the questions covering the following topics:

a. Have you witnessed sexual harassment or sexual assault?

i. Did you report it?

ii. If not, why not?

b. Have you experienced sexual harassment or sexual assault?

i. Did you report it?

ii. If not, why not?

c. Have you experienced retaliation for reporting harassment, discrimination, or sexual assault?

i. Have you faced retribution for taking leave for family, medical, or other personal reasons?

ii. Did you fear retribution for taking leave?

3. Each element includes in its survey questions regarding the job series, position, age, gender, race or ethnicity, field, and job location at the time of the survey's completion;

4. Each element tracks employees' responses according to job series, position, age, gender, race or ethnicity, field, and location at the time of the survey's completion; and

5. Each element reports the results of its survey annually to the congressional intelligence committees.

*Report to Congress on the Representation of Women and Minorities in the Workforce.*

The Committees continue to strongly support IC efforts to identify, recruit, and retain a highly diverse and highly qualified workforce—including, in particular, its efforts to increase the representation within elements of the IC of women and minorities.

This is a data driven exercise. Bolstering and adjusting IC workforce diversity programs depends in part on the Committees' regularly obtaining current, detailed, and reliable information, and about specific matters relevant to the broader subject of workforce diversity—such as rates and areas of

promotion of women and minority employees. However, some elements may produce such information only from time to time; others may make regular submissions to the Committees but include only general information.

Therefore, the Committees direct that every six months, the head of each element of the IC shall submit to the Committees a written report that shall include, at a minimum:

1. The total number of women and minorities hired by that element during the reporting period and a calculation of that figure as a percentage of the agency's total hiring for that period;

2. The distribution of women and minorities at that element by grade level and by job series in the element's total workforce during the reporting period, together with comparisons from the immediately preceding two years;

3. The number of women and minorities who applied for promotion at the element and the final number selected for promotion during the reporting period;

4. The proportion of the total workforce of the element occupied by each group or class protected by law, as of the last day of the reporting period;

5. The numbers of minorities and women serving in positions at the element requiring advanced, specialized training or certification, as well as the proportion of the workforce those groups occupy; and

6. To the extent that such element deploys civilian employees to hazardous duty locations, the number of women and minority employees who departed government service subsequent to a deployment undertaken by an employee in the previous two years.

*Report on Geospatial Commercial Activities for Basic and Applied Research and Development.*

The Committees direct the Director of the National Geospatial-Intelligence Agency (NGA), in coordination with the DNI, the Director of the Central Intelligence Agency (CIA), and the Director of the National Reconnaissance Office (NRO), within 90 days of enactment of this Act, to submit to the congressional intelligence and defense committees a report on the feasibility, risks, costs, and benefits of providing the private sector and academia, on a need-driven and limited basis—consistent with the protection of sources and methods, as well as privacy and civil liberties—access to data in the possession of the NGA for the purpose of assisting the efforts of the private sector and academia in basic research, applied research, data transfers, and the development of automation, artificial intelligence, and associated algorithms. Such report shall include:

1. Identification of any additional authorities that the Director of NGA would require to provide the private sector and academia with access to relevant data on a need-driven and limited basis, consistent with applicable laws and procedures relating to the protection of sources, methods, privacy and civil liberties; and

2. Market research to assess the commercial and academic interest in such data and determine likely private-sector entities and institutions of higher education interested in public-private partnerships relating to such data.

*NRO Contracting Restrictions.*

The Committees continue to be very concerned that NRO imposes unnecessary contractual restrictions that prohibits or discourages a contractor from contacting or meeting with a congressional intelligence committee or intelligence committee Member offices. Therefore, the Committees direct NRO to remove all restrictions that impacts

contractors from contacting or meeting with the congressional intelligence committees or member offices in all current and future contracts to include pre-coordination with executive branch agencies.

*Enhancing Automation at the National Geospatial-Intelligence Agency.*

The Committees strongly support efforts to leverage commercial advances in automation of imagery such as electro-optical, infrared, Wide Area Motion Imagery (WAMI), Full Motion Video (FMV), and Synthetic Aperture Radar (SAR) products to reduce manual processing and improve information flow to users. However, the Committees are concerned that NGA does not dedicate adequate resources to integrate new automation techniques, which have resulted in years of research into the issue, but limited operation gains during day-to-day imagery processing.

Therefore, the Committees direct NGA, within 90 days of enactment of this Act, to brief the congressional intelligence and defense committees on an updated plan to reduce manual processing of imagery such as electro-optical, infrared, WAMI, FMV, and SAR to improve information flow to users. The briefing shall also address:

1. NGA's strategy to leverage commercial advances;

2. The various GEOINT automated exploitation development programs across the National System for Geospatial-Intelligence, and the associated funding and specific purpose of said programs;

3. Any similar efforts by government entities outside the National System for Geospatial-Intelligence of which NGA is aware; and

4. Which of these efforts may be duplicative.

*Redundant Organic Software Development.*

The Committees are concerned that NGA is developing software solutions that are otherwise available for purchase on the commercial market. This practice often increases the time it takes to deliver new capabilities to the warfighter; increases the overall cost of the solution through expensive operational and maintenance costs; and undermines the U.S. software industrial base.

Therefore, the Committees direct NGA, within 60 days of enactment of this Act, to brief the Committees, to identify all NGA developed software programs and explain why they are being developed organically instead of leveraging commercially available products.

*Critical Skills Recruiting for Automation.*

Although cutting edge sensors have provided the IC and Department of Defense with exquisite imagery, full motion video (FMV), and wide area motion imagery (WAMI), intelligence analysts are unable to keep pace with the volume of data being generated. This demands a transformation in the way the intelligence enterprise processes, organizes, and presents data. For that reason, the Committees fully support the NGA's efforts to attract, recruit, and retain a highly competent workforce that can acquire and integrate new data automation tools.

Therefore, the Committees direct NGA, within 60 days of enactment of this Act, to brief the congressional intelligence and defense committees on NGA's efforts to recruit critical skills such as mathematicians, data scientists, and software engineers that possess critical skills needed to support NGA's objectives in automation.

*Common Sensitive Compartmented Information Facility.*

The Committees have become aware of several major impediments to companies performing work for agencies and organizations

like the NRO. For example, businesses without ownership of a SCIF find it very difficult to perform classified work. Additionally, these small businesses are challenged with basic obstacles such as becoming aware of classified work opportunities because it is difficult to obtain access to the IC's and DoD's classified marketplaces such as the Acquisition Resource Center (ARC). Construction and accreditation of SCIF spaces is cost-prohibitive for small business and non-traditional government contractors. Additionally, construction timeline often exceeds the period of performance of a contract.

A modern trend for innovative and non-traditional government contractors is the increased use of co-working space environments. Additionally, public and private entities are partnering to create emerging regional innovation hubs to help identify technology solutions and products in the private sector that can be utilized by the IC and DoD. These innovation hubs currently produce an agile, neutral, but largely unclassified development environment.

Therefore, the Committees direct the DNI, within 90 days of enactment of this Act, to brief the congressional intelligence committees on the following:

1. Steps necessary to establish new 'Common SCIFs' in areas of high demand;
2. What approaches allow for SCIF spaces to be certified and accredited outside of a traditional contractual arrangement;
3. Analysis of the advantages and disadvantages of issuing Department of Defense Contract Security Specification (DD Form 254s) to "Facilities," as opposed to "Contracts";
4. Options for classified co-use and shared workspace environments such as: innovation, incubation, catalyst, and accelerator environments;
5. Pros and cons for public, private, government, or combination owned classified neutral facilities; and
6. Any other opportunities to support those without ownership of a SCIF effective access to a neutral SCIF.

#### *Improving Use of the Unclassified Marketplaces.*

Another area where the Committees have become aware of major impediments for companies to perform work for agencies and organizations like the NRO are unclassified marketplaces such as the Acquisition Resource Center (ARC). Instead of posting data to unclassified marketplaces, unclassified NRO postings often refer to the classified side for critical yet unclassified information. If the NRO is serious about embracing commercial innovation, unclassified marketplace postings should remain on the unclassified side.

Therefore, the Committees direct NRO, within 90 days of enactment of this Act, to brief the Committees on options for improving the unclassified marketplace process.

#### *Satellite Servicing.*

No later than one year after the date of the enactment of this Act, the DNI, in consultation with the Secretary of Defense, shall jointly provide to the congressional intelligence and defense committees a briefing detailing the costs, risks, and operational benefits of leveraging commercial satellite servicing capabilities for national security satellite systems. The briefing shall include the following:

1. A prioritized list, with a rationale, of operational and planned assets of the Intelligence Community that could be enhanced by satellite servicing missions;
2. The costs, risks, and benefits of integrating satellite servicing capabilities as part of operational resilience; and
3. Potential strategies that could allow future national security space systems to leverage commercial in-orbit servicing capabilities where appropriate and feasible.

#### *Commercial RF Mapping and SAR.*

U.S. commercial companies are now offering space-based geolocation and geospatial intelligence (GEOINT) analysis of radio frequency (RF) emitters as well as synthetic aperture radar (SAR) products. These companies can identify, locate, and analyze previously undetected activity, providing new insights for U.S. national security and defense. The IC currently has contracts that leverage commercial electro-optical satellites, however it does not have a program in place to take full advantage of these emerging commercial space-based RF GEOINT and SAR capabilities.

Therefore, the Committees direct the NRO and NGA to brief the Committees on how it will leverage these commercial companies in Fiscal Year 2020 and beyond, to include funding for, as well as testing and evaluation efforts.

#### *Commercial Remote Sensing.*

The Committees support efforts to establish a light-touch regulatory structure that enables the rapidly evolving commercial space-based imagery, RF sensing, and radar industry markets to promote U.S. leadership in these areas. However, the Committees also support the needs of the U.S. Government to protect both IC and DoD personnel and assets. The Committees believe there can be a balance that supports both national security interests and the promotion of U.S. innovation and leadership.

Therefore, the Committees direct the DNI, in consultation with the Secretary of Defense, to brief the Committees within 60 days of the date of enactment of the Act, on efforts that help address this balance and which streamline the IC and DoD involvement in the rapidly evolving U.S. commercial space-based imagery, RF sensing, and radar industries.

#### *Deception Detection Techniques.*

The U.S. Government does not have sufficient security screening capabilities available to determine deception in individuals that intend to harm the United States. The polygraph has been an effective investigative tool to detect deception, but the cost and time required to administer a polygraph examination is a major cause for security clearance backlogs, and often limits the frequency of periodic examinations to every 5-7 years. Entities within DoD and the IC including DIA, Special Operations Command, NGA, Defense Counterintelligence and Security Agency, U.S. Air Force and others have expressed a desire to begin piloting new systems such as ocular deception detection systems. However, progress is being hindered by DoD Directive 5210.91 and ODNI Security Agent Directive 2, which direct some oversight of new deception detection technologies to the DoD National Center of Credibility Assessment (NCCA), which does not have sufficient budget or other resources to expeditiously evaluate non-polygraph technologies.

Therefore, the Committees direct the DNI in coordination with the DoD to provide the congressional intelligence and defense committees with a briefing on what steps they are taking to ensure pilot programs are established to evaluate these new technologies to help reduce our backlog, improve efficiency, and reduce overall cost. Pilot programs shall evaluate current and emerging technologies to efficiently and rapidly verify the accuracy and truthfulness of statements of candidates for employment within the DoD/IC, including for interim security clearances, for periodic screening of cleared DoD/IC personnel, to screen foreign national collaborators and contractors overseas to prevent "Green-on-Blue" attacks, for immigration screening and for other purposes.

#### *List of Foreign Entities That Pose a Threat to Critical Technologies.*

The Committees direct the DNI, in consultation with the Secretary of Defense, to identify, compose, and maintain a list of foreign entities, including governments, corporations, nonprofit and for-profit organizations, and any subsidiary or affiliate of such an entity, that the Director determines pose a threat of espionage with respect to critical technologies or research projects, including research conducted at institutions of higher education.

Maintenance of this list will be critical to ensuring the security of the most sensitive projects relating to U.S. national security, such as defense and intelligence-related research projects. The initial list shall be available to the head of each qualified agency funding applicable projects and will include the following entities already identified as threatening: Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, Dahua Technology Company, and Kaspersky Lab. The DNI and the Secretary of Defense, or a delegate from each agency, shall brief the findings to the congressional intelligence and defense committees no later than 180 days after the enactment of the Act.

#### *Protection of National Security Research.*

The Committees believe that institutes of higher learning, laboratories, and other entities and organizations play critical roles in advancing national security within the U.S. science and technology ecosystem that is charged with delivering the best capabilities to the warfighter in the near, mid, and long-term. The Committees understand that near-peer competitors such as China and Russia attempt to exploit and benefit from the open and collaborative global research environment created by the Reagan Administration's National Security Decision Directive 189 on the National Policy on the transfer of Scientific, Technical and Engineering Information. This directive established that the products of "fundamental research"—defined as "basic and applied research in science and engineering, the results of which ordinarily are published and shared"—should remain unrestricted.

The Committees are also aware that academia is not always kept apprised by the interagency of a complete picture of potential activities and threats in the research community, such as improper technology transfer, intellectual property theft, and cyber-attacks directly attributed to nation-state governments. Elsewhere in this bill and report, the Committees include measures to promote increased information sharing across the interagency and with academia.

Therefore, the Committees direct the Secretary of Defense to provide the congressional intelligence and defense committees, within 90 days of enactment of the Act, a report listing Chinese and Russian academic institutions that have a history of improper technology transfer, intellectual property theft, cyber espionage, or operate under the direction of their respective armed forces or intelligence agencies. The report should be in unclassified form, but may contain a classified annex.

#### *Investments in Scientific and Technological Intelligence.*

The Committees remain interested in the continued efforts of the DoD to improve scientific and technological intelligence (S&TI) capabilities and tradecraft across the Defense Intelligence Enterprise (DIE). The Committees recognize S&TI is critical to strategic competition with near-peer competitors by ensuring comprehensive understanding of adversary capabilities and ability to inform development of joint force

fifth-generation advanced weapons systems and other emerging technologies.

Therefore, the Committees direct the USD(I) in collaboration with the Director of the DIA, to provide a briefing to the Committees and the congressional defense committees within 75 days of enactment of the Act, on the alignment of current and planned DIE S&TI investments and activities to DoD operational and strategic requirements.

The briefing shall also include information on how the DoD will continue the maturation of S&TI capabilities and tradecraft across the DIE.

*Intelligence Support to Defense Operations in the Information Environment.*

The Committees support DoD efforts to improve capabilities and tradecraft to operate in the information environment. The Committees are concerned about the Defense Intelligence Enterprise's (DIE) ability to provide the information operations community with all-source intelligence support, consistent with the support provided to operations in other domains.

Therefore, the Committees direct the USD(I), in coordination with the Joint Staff's Director for Intelligence and the DNI, to provide a briefing to the congressional intelligence and defense committees within 30 days of enactment of the Act, on intelligence support to information operations. The briefing should include standardized defense intelligence lexicon for intelligence preparation of the battlefield for information operations, efforts to develop a process to ensure the full scope of emerging defense information operations threat requirements are structured to be addressed through the entirety of DIE capabilities, and how the DIE perceives the future of defense operations in the information environment.

The briefing shall also include a description of how the IC, through the National Intelligence Priorities Framework, will account for a more dynamic use of defense intelligence capabilities to augment and enhance support to DoD operations in the information environment.

*ROTC IC Recruitment Trial Program.*

The Senior Reserve Officers' Training Corps (ROTC) program, with units or affiliates at approximately 1,600 U.S. colleges and universities, is DoD's largest commissioning source, providing approximately 6,500 new active duty officers to the military each year.

Officer candidates enrolled in ROTC programs must meet all graduation requirements of their academic institutions, enroll in military, naval, or aerospace education courses, and attend summer military training, making them ideal candidates for IC placement. Currently, ROTC cadets only have the option to utilize their training by joining one of the military services. The Committees believe the government can find cost savings and provide a wider range of opportunities to ROTC recruits by leveraging the ROTC's existing training program for the IC.

Therefore, the Committees direct the USD(I), in coordination with ODNI, to conduct a feasibility study on creating a pathway for ROTC recruits to find employment in the IC, on a reimbursable basis. The study should examine:

1. Pros and cons of instituting a ROTC IC recruitment pipeline;
2. Approximate reimbursement cost per recruit; and
3. Legislative requirements for program execution.

The Committees direct that the study results be submitted via report to the Committees and the congressional defense committees within 90 days of enactment of the Act.

*Explosive Ordinance Disposal Intelligence.*

The Committees are concerned that the expertise of Explosive Ordinance Disposal

(EOD) personnel is not adequately accessible and therefore, not sufficiently utilized by the Defense Intelligence Enterprise and IC to provide the combatant commands with the required intelligence to identify, combat, and deter violent extremism and other asymmetric threats.

Explosive ordnance includes all munitions, improvised explosive devices, devices containing explosives, propellants, nuclear fission or fusion materials, biological, and chemical agents. The primary consumer of this information are military tactical explosive ordnance disposal units that employ the data for threat identification and neutralization. However, the required analysis to determine appropriate render-safe capabilities requires operational and strategic intelligence to process and analyze the data, and data management processes to promulgate the resulting information. The Committees believe DoD should modernize the processes and procedures to more comprehensively track, manage, and coordinate the capability and capacity of EOD intelligence within the IC and the DIE to support all levels of render-safe capabilities.

Therefore, the Committees direct the USD(I), in coordination with the ODNI, to provide a briefing to the congressional intelligence and defense committees within 120 days of enactment of the Act on the capability and capacity of EOD intelligence expertise across the DIE and IC. The briefing shall include:

1. An assessment of the coordination and integration of defense and national intelligence capabilities against EOD intelligence requirements, to include a mitigation strategy to address any identified gaps or deficiencies, information-sharing challenges, or any other impediments to integration of EOD expertise across the defense and intelligence communities; and

2. An assessment of the technical skills needed to address EOD intelligence requirements, while identifying any gaps or deficiencies in current personnel hiring and training structures, and a long-term plan to develop proficiency of EOD intelligence expertise in the defense and intelligence communities.

*Information-Sharing Arrangements with India, Japan, and the Republic of Korea.*

International alliances and partnerships are critical to the pursuit and sustainment of the United States national security objectives, built upon foundations of shared values and intent. The Committees recognize the importance of the DoD sharing information with international allies and partners in support of the planning and execution of the National Defense Strategy, as allies and third-party international partners enhance strategic stability across the Department's purview while increasing effectiveness of operations. The Committees believe the mechanisms to share information across the "Five Eyes" alliance continue to mature through established exercises, exchange of personnel, and virtual data sharing, while that cooperation is potentially less robust with third-party partners.

The Committees support the roles and contributions of third-party partners such as India, Japan, and the Republic of Korea, and recognizes their ongoing contribution toward maintaining peace and stability in the Indo-Pacific region. The Committees are interested in understanding the policies and procedures governing the collaboration and information sharing with India, Japan, the Republic of Korea, and the "Five Eyes" allies, and whether opportunities exist to strengthen those arrangements.

Therefore, the Committees direct the Under Secretary of Defense for Intelligence (USD(I)), in coordination with the ODNI, to provide a briefing to the congressional intelligence and defense committees within 60 days of enactment of the Act, on the benefits, challenges, and risks of broadening the information-sharing mechanisms between India, Japan, the Republic of Korea, and the "Five Eyes" allies.

*Transitioning the Function of Background Investigations to the Department of Defense.*

Executive Order 13869 transitions the background investigation functions of the Federal Government from the Office of Personnel Management (OPM), National Background Investigations Bureau, to the DoD, Defense Counterintelligence and Security Agency. The Committees recognize the importance of ensuring timely and efficient background investigations to overcome workforce staffing challenges of cleared individuals across the whole of government and private sector, and to vet personnel who come into contact with the Department's personnel, installations, and technology. The Committees are aware of the temporary establishment of the Personnel Vetting Transformation Office in the OUSD(I) to manage the transition of this activity from OPM to the Department and improve the processes and procedures related to vetting personnel for clearances across the whole of government and private sector.

However, the Committees are concerned about the potential risks to personnel management and mission such a transfer may present, and believes that appropriate protections of civil liberties and privacy must be prioritized throughout the transition, through the implementation of modern and efficient vetting measures. The Committees recognize the Department's leadership, through sharing best practices with ODNI, in reforming the vetting process using modern techniques such as continuous evaluation, and expects regular updates on the Department's progress in addressing the current background investigations backlog.

Therefore, the Committees direct the USD(I), in coordination with the Director of the Defense Counterintelligence and Security Agency, to provide a briefing to the congressional intelligence and defense committees within 90 days of enactment of the Act, on how the DoD will transfer the background investigation mission and establish an effective personnel vetting capability to provide for the security of the Department, while maintaining the civil liberties and privacy protections of personnel under consideration to receive a clearance.

*Joint Intelligence Operations Center Staffing.*

The Committees recognize the evolving operational and strategic priorities of the DoD will impact Defense Intelligence Enterprise capabilities and resources. The Committees recognize the ongoing efforts by the USD(I) to comply with direction specified by the *John. S. McCain National Defense Authorization Act for Fiscal Year 2019* (Public Law 115-232) to reduce and prevent imbalances in priorities and mitigate against insufficient or misaligned resources within the Defense Intelligence Enterprise.

While the Committees support the efforts by the USD(I) to create efficiencies across the Defense Intelligence Enterprise organizations, to include the Service Intelligence Centers and combatant command Joint Operations Intelligence Centers, and enable those elements to plan and posture staffing requirements accordingly, the Committees are concerned that the shifts in current and future resourcing lack coherence to support the global mandate of the Department.

Therefore, the Committees direct the USD(I), in coordination with DIA, to provide

a briefing to the congressional intelligence and defense committees within 90 days of enactment of the Act on how the OUSD(I) and DIA are managing resourcing requirements to the combatant command Joint Intelligence Operations Centers to meet current and future needs of the combatant commanders and DoD.

*China's Biological Weapons Program.*

The Committees remain interested in ensuring the Defense Intelligence Enterprise is providing timely, accurate, and effective intelligence to support information needs of the DoD, and are aware of a recent GAO report on long-range emerging threats facing the United States that highlighted potential pursuit by near-peer competitors of biological weapons using genetic engineering and synthetic biology.

Therefore, the Committees direct the USD(I), in coordination with the Director of the DIA, to provide a briefing to the congressional intelligence and defense committees within 30 days of enactment of the Act with an assessment of China's current and projected biological weapons program, the risks presented to the joint force, and the mitigation strategies to protect U.S. military forces against said threats.

*Machine-assisted Analytic Rapid Repository System Government Accountability Office Review.*

The re-emergence of great power competition will stress DIA's ability to provide foundational military intelligence for the IC and warfighters. As such, the Committees are supportive of DIA's intent to replace the Modernized Integrated Database (MIDB) with the Machine-assisted Analytic Rapid Repository System (MARS).

However, the Committees are concerned that MARS's development and procurement will entail a complex and extensive transformation that will impact the DIA's delivery of foundational military intelligence.

Therefore, the Committees direct the GAO to provide a report to the congressional intelligence and defense committees within one year of enactment of the Act that describes:

1. The envisioned users and customer base and how they will use MARS;
2. An assessment of the transition plan from MIDB to MARS with input from current and historic MIDB users, as well as customers;
3. An assessment of the resources necessary to fully implement MARS, to include funding and personnel implications;
4. An assessment of DIA's acquisition strategy for MARS to include the use of any rapid acquisition or prototyping authorities; and
5. The challenges DIA has identified that it will face in transitioning from MIDB to MARS and whether its migration plans are sufficient for addressing these challenges.

The Committees expect DIA's full cooperation with the GAO study.

*Update on the DIA Strategic Approach.*

In September 2018, the Defense Intelligence Agency (DIA) adopted a Strategic Approach to enhance workforce development, improve foundational military intelligence data management, address perennial intelligence issues and realign roles and missions. Improvements in these issue areas will enhance the Agency's ability to support both the National Security Strategy and National Defense Strategy.

The Committees support the DIA's initiative to improve those structures it assesses are critical to providing warfighters the information needed to prevent and, if necessary, decisively win wars, such as intelligence on foreign militaries' capabilities.

Therefore, the Committees direct DIA to provide quarterly briefings, beginning 45 days after enactment of the Act, to the congressional intelligence and defense committees on its efforts to enhance workforce development, improve foundational military intelligence data management, address perennial intelligence issues, and realign roles and missions.

*Report on Chinese Efforts Targeting Democratic Elections and U.S. Alliances and Partnerships and Strategy to Counter Chinese Election Interference.*

The Committees direct the DNI, in coordination with the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security, to provide a report to the Committees, the congressional defense committees, the House Committee on Foreign Affairs, the Senate Committee on Foreign Relations, the House Committee on Homeland Security, and the Senate Committee on Homeland Security and Governmental Affairs on the Chinese government's influence operations and campaigns targeting democratic elections.

The report shall be divided into two sections, which respectively address influence operations and campaigns targeting: (1) recent and upcoming elections in the United States (dating back to January 1, 2017), and (2) military alliances and partnerships of which the United States is a member. The report should also include a strategy to counter these activities. The Committees further direct the Secretary of Defense to provide an interim report within 30 days of enactment of the Act, and a final report within a year of enactment of the Act.

The report shall be unclassified and appropriate for release to the public but may include a classified annex. At a minimum, the report should include:

1. An assessment of China's objectives in influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member, and how such objectives relate to the China's broader strategic aims;
2. The United States' strategy and capabilities for detecting, deterring, countering, and disrupting such Chinese influence operations (including recommended authorities and activities) and campaigns and a discussion of the DoD's and the IC's respective roles in the strategy;
3. A comprehensive list of specific Chinese state and non-state entities involved in supporting such Chinese influence operations and campaigns and the role of each entity in supporting them;
4. An identification of the tactics, techniques, and procedures used in previous Chinese influence operations and campaigns;
5. A comprehensive identification of countries with democratic election systems that have been targeted by Chinese influence operations and campaigns since January 1, 2017;
6. An assessment of the impact of previous Chinese influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member, including the views of senior Chinese officials about their effectiveness in achieving Chinese objectives;
7. An identification of countries with democratic elections systems that may be targeted in future Chinese influence operations and campaigns and an assessment of the likelihood that each such country will be targeted;
8. An identification of all U.S. military alliances and partnerships that have been targeted by Chinese influence operations and campaigns since January 1, 2017;
9. An identification of all U.S. military alliances and partnerships that may be tar-

geted in future Chinese influence operations and campaigns and an assessment of the likelihood that each such country will be targeted; and

10. An identification of tactics, techniques, and procedures likely to be used in future Chinese influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member.

*Report on Russian Efforts Targeting Democratic Elections and U.S. Alliances and Partnerships and Strategy to Counter Russian Election Interference.*

The Committees direct the DNI, in coordination with the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security, to provide a report to the Committees, the congressional defense committees, the House Committee on Foreign Affairs, the Senate Committee on Foreign Relations, the House Committee on Homeland Security, and the Senate Committee on Homeland Security and Governmental Affairs on Russia's influence operations and campaigns targeting democratic elections.

The report shall be divided into two sections, which respectively address influence operations and campaigns targeting: (1) recent and upcoming elections in the United States (dating back to January 1, 2017) and (2) military alliances and partnerships of which the United States is a member. The report should also include a strategy to counter these activities. The Committees further direct the Secretary of Defense to provide an interim report within 30 days of enactment of the Act, and a final report within a year of enactment of the Act.

The report shall be unclassified and appropriate for release to the public but may include a classified annex. At a minimum, the report should include:

1. An assessment of Russia's objectives in influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member, and how such objectives relate to Russia's broader strategic aims;
2. The United States strategy and capabilities for detecting, deterring, countering, and disrupting such Russian influence operations (including recommended authorities and activities) and campaigns and a discussion of the DoD's and IC's respective roles in the strategy;
3. A comprehensive list of specific Russian state and non-state entities involved in supporting such Russian influence operations and campaigns and the role of each entity in supporting them;
4. An identification of the tactics, techniques, and procedures used in previous Russian influence operations and campaigns;
5. A comprehensive identification of countries with democratic election systems that have been targeted by Russian influence operations and campaigns since January 1, 2017;
6. An assessment of the impact of previous Russian influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member, including the views of senior Russian officials about their effectiveness in achieving Russian objectives;
7. An identification of countries with democratic elections systems that may be targeted in future Russian influence operations and campaigns and an assessment of the likelihood that each such country will be targeted;
8. An identification of all U.S. military alliances and partnerships that have been targeted by Russian influence operations and campaigns since January 1, 2017;



9. An identification of all U.S. military alliances and partnerships that may be targeted in future Russian influence operations and campaigns and an assessment of the likelihood that each such country will be targeted; and

10. An identification of tactics, techniques, and procedures likely to be used in future Russian influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member.

UNCLASSIFIED DIRECTION RELATED TO  
SUBDIVISION 2

*Management of Intelligence Community Workforce.*

The Committees repeat direction from the Intelligence Authorization Act for Fiscal Year 2017 that IC elements should build, develop, and maintain a workforce appropriately balanced among its civilian, military, and contractor workforce sectors to meet the missions assigned to it in law and by the president. Starting in Fiscal Year 2019, the Committees no longer authorize position ceiling levels in the annual Schedule of Authorizations.

The Committees look forward to working with the ODNI as it develops an implementation strategy and sets standards for workforce cost analysis tools.

*Countering Russian Propaganda.*

The Committees support the IC's role in countering Russian propaganda and other active measures. The Committees are committed to providing the appropriate legal authorities, financial resources, and personnel necessary to address these hostile acts. The Committees specifically find that language capabilities are important to the IC's efforts in countering Russia's hostile acts. The Committees encourage the IC to commit considerable resources in the future to bolstering officers' existing Russian language skills, recruiting Russian language speakers, and training officers in Russian, in particular key technical language skills. This effort will require strategic planning both in recruiting and rotating officers through language training. The Committees expect to see these priorities reflected in future IC budget requests.

*Protection of the Supply Chain in Intelligence Community Acquisition Decisions.*

The Committees continue to have significant concerns about risks to the supply chain in IC acquisitions. The Committees encourage the Supply Chain and Counterintelligence Risk Management Task Force recommendations to support continued efforts to develop an open, interoperable information security-sharing platform to enable real-time cross-domain sharing for the IC to effectively share and analyze information on supply chain, cybersecurity vulnerabilities, and counterintelligence risks.

The report to accompany the Intelligence Authorization Act for Fiscal Year 2017 directed the DNI to review and consider changes to Intelligence Community Directive (ICD) 801 ("Acquisition") to reflect the issuance of ICD 731 ("Supply Chain Risk Management") in 2013 and the issues associated with cybersecurity. It specifically recommended the review examine whether to: expand risk management criteria in the acquisition process to include cyber and supply chain threats; require counterintelligence and security assessments as part of the acquisition and procurement process; propose and adopt new education requirements for acquisition professionals on cyber and supply chain threats; and factor in the cost of cyber and supply chain security. This review was due in November 2017, with a report on the process for updating ICD 801 in December

2017. The report was completed on June 18, 2018.

As a follow-on to this review, the Committees direct DNI to address three other considerations: changes in the Federal Acquisition Regulation that may be necessary; how changes should apply to all acquisition programs; and how security risks must be addressed across development, procurement, and operational phases of acquisition. The Committees further direct the DNI to submit a plan to implement necessary changes within 60 days of completion of this review.

*National Geospatial-Intelligence Agency use of VERA and VSIP Authorities.*

The Committees encourage the use by the National Geospatial-Intelligence Agency (NGA) of Voluntary Early Retirement Authority (VERA) and Voluntary Separation Incentive Program (VSIP) offers to meet future goals of building a workforce more attuned to automation of data production, automation of analytic processes, and establishment of development and operations (DevOps) software development processes.

Therefore, the Committees direct the NGA to report to the Committees, within 120 days of enactment of the Act, on its use to date of VERA and VSIP incentives, to include how they have been used to develop an acquisition cadre skilled in "DevOps" software development processes, as well as a plan for further use of these incentives. The report should specify metrics for retooling its workforce, including how it measures data literacy and computational skills in potential hires, and an accounting of the numbers of new hires who have met these higher standards.

*Report on Engagement of National Reconnaissance Office with University Community.*

The Committees recognize that the survivability and resiliency of United States satellites is critically important to the United States intelligence and defense communities. While the NRO engages with the university community in support of basic research and developing an education workforce pipeline to help advance new technologies and produce skilled professionals, it can do more in this regard to focus on space survivability.

Therefore, the Committees direct the NRO to report, within 120 days of enactment of the Act, on NRO's current efforts and future strategies to engage with university partners that are strategically located, host secure information facilities, and offer a strong engineering curriculum, with a particular focus on space survivability and resiliency. This report should provide a summary of NRO's current and planned university engagement programs, levels of funding, and program research and workforce objectives and metrics. The report should also include an assessment of the strategic utility of chartering a University Affiliated Research Center in this domain.

*National Geospatial-Intelligence Agency Facilities.*

Consistent with section 2401 of the National Defense Authorization Act for Fiscal Year 2019, the Committees authorize the President's request for \$447.8 million in Fiscal Year 2019 for phase two construction activities of the Next National Geospatial-Intelligence Agency West (N2W) facility in St. Louis, Missouri. The Committees are pleased that the second phase of this \$837.2 million project was included in the Fiscal Year 2019 President's budget.

*Clarification of Oversight Responsibilities.*

The Committees reinforce the requirement for all IC agencies funded by the NIP to respond in a full, complete, and timely manner to any request for information made by a

member of the congressional intelligence committees. In addition, the Committees direct the DNI to issue guidelines, within 90 days of enactment of the Act, to ensure that the intent of section 501 of the National Security Act of 1947 (50 U.S.C. 3091) is carried out.

*Clarification on Cooperation with Investigation on Russian Influence in the 2016 Election.*

The Committees continue to reinforce the obligation for all IC agencies to cooperate in a full, complete, and timely manner with the Committees' ongoing investigations into Russian meddling in the 2016 Presidential election and cooperation with the declassification process.

*Supervisory Feedback as Part of Continuous Vetting Program.*

The Committees direct the DNI to review the results of ongoing pilot programs regarding the use of supervisory feedback as part of the periodic reinvestigation and continuous vetting process and report, within 180 days of enactment of the Act, on the establishment of a policy for its use across the IC.

*National Security Threats to Critical Infrastructure.*

The Committees are aware of significant threats to our critical infrastructure and industrial control systems posed by foreign adversaries. The sensitive nature of the information related to these threats make the role of the IC of vital importance to United States defensive efforts. The Committees have grave concerns that current IC resources dedicated to analyzing and countering these threats are neither sufficient nor closely coordinated. The Committees include provisions within this legislation to address these concerns.

*Framework for Cybersecurity and Intelligence Collection Doctrine.*

The Committees direct the ODNI, in coordination with appropriate IC elements, to develop an analytic framework that could support the eventual creation and execution of a Government-wide cybersecurity and intelligence collection doctrine. The ODNI shall provide this framework, which may contain a classified annex, to the congressional intelligence committees, within 180 days of enactment of the Act.

This framework shall include:

1. An assessment of the current and medium-term cyber threats to the protection of the United States' national security systems and critical infrastructure;
2. IC definitions of key cybersecurity concepts, to include cyberespionage, cyber theft, cyber acts of aggression, and cyber deterrence;
3. Intelligence collection requirements to ensure identification of cyber actors targeting U.S. national security interests, and to inform policy responses to cyber-attacks and computer network operations directed against the United States;
4. The IC's methodology for assessing the impacts of cyber-attacks and computer network operations incidents directed against the United States, taking into account differing levels of severity of incidents;
5. Capabilities that the IC could employ in response to cyber-attacks and computer network operations incidents, taking into account differing levels of severity of incidents;
6. A policy and architecture for sharing cybersecurity-related intelligence with government, private sector, and international partners, including existing statutory and other authorities which may be exercised in pursuit of that goal; and
7. Any necessary changes in IC authorities, governance, technology, resources, and policy to provide more capable and agile cybersecurity.

*Inspector General of the Intelligence Community  
Role and Responsibilities.*

The position of the Inspector General of the Intelligence Community (IC IG) was codified by the Intelligence Authorization Act for Fiscal Year 2010. Among other things, the IC IG's statutory purposes include "conduct[ing] independent reviews investigations, inspections, audits, and reviews on programs and activities within the responsibility and authority of the Director of National Intelligence;" keeping the Committees fully and currently informed of significant problems and deficiencies; and leading efforts of inspectors general within the IC.

The Committees have included provisions intended to strengthen the IC IG's role. The Committees will insist on full cooperation from the Director, ODNI offices, as well as those of inspectors general across the IC, in ensuring that the IC IG's prescribed functions are carried out to the fullest extent possible. The Committees further reiterate Congress's intent that the IC IG is obligated to identify and inform the Committees of significant problems and deficiencies "relating to" all intelligence programs and activities.

The Committees also remain seriously concerned about the undermining of protections and rights afforded to whistleblowers within the IC and the level of insight congressional committees have into the handling of lawful disclosures. Without exception, the Committees must be made aware of lawful disclosures made to any inspector general within the IC, consistent with provisions added to Title 50 by sections 5331–5335 of Subdivision 1 of the Act; and of all lawful disclosures made pursuant to ICWPA and Title 50 procedures, which Intelligence Community personnel intend to be submitted to the Committees. The Committees underscore in the strongest terms that all elements of the IC are obligated, as a categorical matter, to comply with both existing law as well as direction provided elsewhere in the Act and this Explanation, with respect to inspector general and whistleblower matters.

*Space Launch Facilities.*

The Committees continue to believe it is critical to preserve a variety of launch range capabilities to support national security space missions, and encourage planned launches such as the U.S. Air Force Orbital/Sub-Orbital Program (OSP)-3 NRO-111 mission, to be launched in 2019 on a Minotaur 1 from the Mid-Atlantic Regional Spaceport at Wallops Flight Facility. In the Intelligence Authorization Act for Fiscal Year 2017, the Committees directed a brief from the ODNI, in consultation with the DoD and the U.S. Air Force, on their plans to utilize state-owned and operated spaceports, which leverage non-federal public and private investments to bolster United States launch capabilities and provide access to mid-to-low or polar-to-high inclination orbits for national security missions.

The Committees direct that the ODNI supplement this brief with how state investments in these spaceports may support infrastructure improvements, such as payload integration and launch capabilities, for national security launches.

*Acquisition Research Center Postings.*

The Committees support a flexible NRO acquisition process that allows the NRO to choose the most appropriate contracting mechanism, whether for small research and development efforts or large acquisitions. The NRO's Acquisition Research Center (ARC), a classified contracting and solicitation marketplace that NRO and other agencies use, enables this flexible acquisition process for classified efforts.

The Committees direct the NRO, within 60 days of enactment of the Act, to brief the congressional intelligence and defense committees on options for modifying ARC posting procedures to ensure fair and open competition. Those options should include ensuring that unclassified NRO solicitations are posted on the unclassified FEDBIZOPS website, and identifying ways to better utilize the ARC to encourage contract opportunities for a more diverse industrial base that includes smaller and non-traditional companies.

*Ensuring Strong Strategic Analytical Tradecraft.*

The Department of Homeland Security's (DHS's) Office of Intelligence and Analysis (I&A) has taken steps to improve the quality of its analysis, to identify its core customers, and to tailor its production to meet customer needs. The Committees concur with I&A's implementation of analytic standards and review mechanisms that have improved the tradecraft behind I&A products. The bedrock of these efforts has been the development of a yearly program of analysis (POA) and key intelligence questions, which are essential tools for providing a roadmap and boundaries for the office's production efforts.

Therefore, the Committees direct the Office of I&A to continue to prioritize, develop and hone its strategic intelligence capabilities and production, including the annual development of a POA. Within 90 day of enactment of the Act, and on an annual basis thereafter for two years, I&A shall brief the congressional intelligence committees on the development and execution of its POA. These briefings should provide an overview of the POA, how customer needs have been incorporated into the POA, and an update on execution against the POA.

*Cyber/Counterintelligence Analysis.*

DHS's Office of I&A's Counterintelligence Mission Center analysis focuses on counterintelligence threats posed by foreign technology companies and fills a gap in IC intelligence production. Advanced technologies are increasingly ubiquitous and necessary to the function of modern society. Consequently, the scope of the threats from countries intent on using these technologies as a vector for collecting intelligence from within the United States will continue to expand. The Office of I&A is positioned to conduct a niche analysis critical to national security that combines foreign intelligence with domestic threat information.

The Committees strongly support I&A's Counterintelligence Mission Center's continued focus on these topics and the increased resources dedicated to this analysis in Fiscal Year 2019. Therefore, the Committees direct the I&A, in coordination with ODNI, to provide an update within 90 days of enactment of the Act on its recent analytic production related to counterintelligence threats posed by foreign technology companies, including a review of the countries and companies that present the greatest risks in this regard.

*Intelligence Support to the Export Control Process.*

The Committees have significant concerns that China poses a growing threat to United States national security, due in part to its relentless efforts to acquire United States technology. China purposely blurs the distinction between its military and civilian activities through its policy of "military-civilian fusion," which compounds the risks of diversion of United States technology to the Chinese military.

The Committees conclude that the United States Government currently lacks a comprehensive policy and the tools needed to ad-

dress this problem. China exploits weaknesses in existing U.S. mechanisms aimed at preventing dangerous technology transfers, including the U.S. export control system, which is run by the U.S. Department of Commerce's Bureau of Industry and Security (BIS). The Committees have specific concerns about the lack of adequate and effective IC support to BIS's export license application review process and believe more robust IC support could have prevented many of the ill-advised technology transfers that have occurred in recent years.

Therefore, the Committees directs the DNI to submit a plan, within 120 days of enactment of the Act, to describe how the IC will provide BIS with, at a minimum, basic but timely analysis of any threat to U.S. national security posed by any proposed export, re-export, or transfer of export-controlled technology. The plan shall include detailed information on the appropriate organizational structure, including how many IC personnel would be required, where they would be located (including whether they would be embedded at BIS to coordinate IC support), and the amounts of necessary funding. In formulating the plan, the DNI should study the "National Security Threat Assessment" process that the National Intelligence Council uses to inform the actions of the Committee on Foreign Investment in the United States. The DNI shall submit the plan to the congressional intelligence committees in classified form.

*Social Media.*

The Committees encourage the IC, notably the Federal Bureau of Investigation (FBI), to both continue and enhance its efforts to assist in detecting, understanding, and warning about foreign influence operations using social media tools to target the United States. Additionally, within the scope of the IC's authorities, and with all necessary protections for U.S. person information, the Committees encourage the IC to augment and prioritize these ongoing efforts.

*Trade-Based Money Laundering.*

Threats to our national security posed by trade-based money laundering are concerning. Therefore, the Committees direct the DNI, within 90 days of enactment of the Act, to submit a report to the congressional intelligence committees on these threats, including an assessment of the severity of the threats posed to the United States' national security by trade-based money laundering conducted inside and outside the United States; an assessment of the scope of the financial threats to the U.S. economy and financial systems posed by trade-based money laundering; a description of how terrorist financing and drug trafficking organizations are advancing their illicit activities through the use of licit trade channels; an assessment of the adequacy of the systems and tools available to the Federal Government for combating trade-based money laundering; and a description and assessment of the current structure and coordination between Federal agencies, as well as with foreign governments, to combat trade-based money laundering. The report shall be submitted in classified form with an unclassified summary to be made available to the public.

*Expansions of Security Protective Service Jurisdiction of the Central Intelligence Agency.*

The Committees direct the CIA, in connection with the expansion of its security protective service jurisdiction as set forth in section 6413 of Subdivision 2 of the Act, to engage with Virginia state and local law enforcement authorities to ensure that a memorandum of understanding, akin to those in place at other agencies setting forth the appropriate allocation of duties and responsibilities, is in effect.

*Unauthorized Disclosures of Classified Information.*

The Committees are concerned by the recent widespread media reports that purport to contain unauthorized disclosures of classified information. Protecting the nation's secrets from unauthorized disclosure is essential to safeguarding our nation's intelligence sources and methods. An unlawful disclosure of classified information can destroy sensitive collection capabilities and endanger American lives, including those individuals who take great personal risks to assist the United States in collecting vital foreign intelligence.

Federal law prohibits the unauthorized disclosure of classified information, but enforcement is often lacking or inconsistent. Accordingly, the Committees desire to better understand the number of potential unauthorized disclosures discovered and investigated on a routine basis. Moreover, the Committees have little visibility into the number of investigations initiated by each IC agency or the number of criminal referrals to the Department of Justice. Accordingly, section 6718 of Subdivision 2 of the Act requires all IC agencies to provide the congressional intelligence committees with a semi-annual report of the number of investigations of unauthorized disclosures to journalists or media organizations, including subsequent referrals made to the United States Attorney General.

Additionally, the Committees wish to better understand the role of IGs within elements of the IC, with respect to unauthorized disclosures of classified information at those elements.

Therefore, the Committees direct the IC IG, within 180 days of enactment of the Act, to provide the congressional intelligence committees with a report regarding the role of IGs with respect to investigating unauthorized disclosures. The report shall address: the roles of IC elements' security personnel and law enforcement regarding unauthorized disclosures; the current role of IGs within IC elements regarding such disclosures; what, if any, specific actions could be taken by such IGs to increase their involvement in the investigation of such matters; any laws, rules or procedures that currently prevent IGs from increasing their involvement; and the benefits and drawbacks of increased IG involvement, to include potential impacts to IG's roles and missions.

*Presidential Policy Guidance.*

The Presidential Policy Guidance (PPG) dated May 22, 2013, and entitled "Procedures for Approving Direct Action Against Terrorist Targets Located Outside the United States and Areas of Active Hostilities" provides for the participation by elements of the IC in reviews of certain proposed counterterrorism operations. The Committees expect to remain fully and currently informed about the status of the PPG and its implementation.

Therefore, the Committees direct ODNI, within five days of any change to the PPG, or to any successor policy guidance, to submit to the congressional intelligence committees a written notification thereof, that shall include a summary of the change and the specific legal and policy justifications for the change.

*Centers for Academic Excellence.*

The Committees commend the commitment demonstrated by the program managers of the IC's Centers for Academic Excellence (IC-CAE), IC agencies that sponsored CAE interns, and all other personnel who contributed to the inaugural edition of the CAE Internship Program in summer 2017.

The Committees expect the IC-CAE Program to build on this foundation by showing

measurable, swift progress, and ultimately fulfilling Congress's intent that the Program serve as a pipeline of the next generation of IC professionals.

Therefore, the Committees direct that the IC take all viable action to expand the IC-CAE Program by increasing, to the fullest extent possible:

1. The number and racial and gender diversity of IC-CAE interns;
2. The number of IC-CAE academic institutions and their qualified internship candidates participating in the IC-CAE Program; and
3. The number of IC elements that sponsor IC-CAE interns.

*Report on Violent Extremist Groups.*

Violent extremist groups like ISIS continue to exploit the Internet for nefarious purposes: to inspire lone wolves; to spread propaganda; to recruit foreign fighters; and to plan and publicize atrocities. As a former Director of the National Counterterrorism Center (NCTC) has stated publicly:

[W]e need to counter our adversaries' successful use of social media platforms to advance their propaganda goals, raise funds, recruit, coordinate travel and attack plans, and facilitate operations. . . . Our future work must focus on denying our adversaries the capability to spread their messages to at-risk populations that they can reach through the use of these platforms.

Section 403 of the Intelligence Authorization Act for Fiscal Year 2017 required the DNI, consistent with the protection of sources and methods, to assist public and private sector entities in recognizing online violent extremist content—specifically, by making publicly available a list of insignias and logos associated with foreign extremist groups designated by the Secretary of State. The Committees believe the IC can take additional steps.

Therefore, the Committees direct the Director of NCTC, in coordination with other appropriate officials designated by the DNI, within 180 days of enactment of the Act, to brief the congressional intelligence committees on options for a pilot program to develop and continually update best practices for private technology companies to quickly recognize and lawfully take down violent extremist content online. Such briefing shall address:

1. The feasibility, risks, costs, and benefits of such a program;
2. The U.S. Government agencies and private sector entities that would participate; and
3. Any additional authorities that would be required by the program's establishment.

*South China Sea.*

The South China Sea is an area of great geostrategic importance to the United States and its allies. However, China's controversial territorial claims and other actions stand to undercut international norms and erode the region's stability. It is thus imperative the United States uphold respect for international law in the South China Sea. Fulfilling that objective in turn will require an optimal intelligence collection posture.

Therefore, the direct the DoD, in coordination with DNI, within 30 days of enactment of the Act, to brief the congressional intelligence and defense committees on known intelligence collection gaps, if any, with respect to adversary operations and aims in the South China Sea. The briefing shall identify the gaps and whether those gaps are driven by lack of access, lack of necessary collection capabilities or legal or policy authorities, or by other factors. The briefing shall also identify IC judgments that assess which intelligence disciplines would be best-

suited to answer the existing gaps, and current plans to address the gaps over the Future Years Defense Program.

*Policy on Minimum Insider Threat Standards.*

Executive Order 13587 and the National Insider Threat Task Force established minimum insider threat standards. Such standards are required for the sharing and safeguarding of classified information on computer networks while ensuring consistent, appropriate protections for privacy and civil liberties. The Committees understand there are policies in place to attempt implementation of such standards; however, the Committees have found that several elements of the IC have not fully implemented such standards. Therefore, given the several high-profile insider threat issues, the Committees emphasize the importance of such minimums by statutorily requiring the DNI to establish a policy on minimum insider threat standards, consistent with the National Insider Threat Policy and Minimum Standards for Executive Branch Insider Threat Programs, and IC elements should expeditiously establish their own policies and implement the DNI guidance.

Further, referring to the directive language found in the committee report accompanying H.R. 5515, the Fiscal Year 2019 NDAA reported by the House Armed Services Committee (HASC), the Committees direct the Chief Management Officer to provide a briefing to the congressional intelligence and defense committees, no later than 90 days after enactment of the Act, on the outcomes of its cost and technical analyses required by this report, and the DoD's efforts to implement enterprise-wide programs and policies for insider threat detection, user activity monitoring, and cyber-attack detection and remediation.

*Intelligence Community Information Technology Environment.*

The Committees remain supportive of the goals of Intelligence Community Information Technology Environment (IC ITE) and the importance of the common, secure sharing infrastructure it creates. The Committees further understand that the path to implement a complex, technical environment such as IC ITE needs to be sufficiently flexible and agile. However, the Committees remain concerned with the lack of consistency and substance in previous reports and briefings on IC ITE. Therefore, section 6312 of Subdivision 2 of the Act requires a long-term roadmap, business plan, and security plan that shall be reported to the congressional intelligence committees at least quarterly with additional notifications as necessary.

*Intelligence Community Chief Financial Officer.*

The *Chief Financial Officers (CFO) Act of 1990* mandated best practices for decision-making and accountability, as well as improved decision-makers' access to reliable and timely financial and performance information. The CFO Act, as amended, requires that the chief financial officers of 24 departments and agencies "report directly to the head of the agency regarding financial management matters." Section 6404 of Subdivision 2 of the Act brings the ODNI in line with the best practices implemented in the CFO Act.

*Intelligence Community Chief Information Officer.*

As codified in 44 U.S.C. 3506(a)(1)(A), each federal agency head is responsible for "carrying out the information resources management activities to improve agency productivity, efficiency, and effectiveness." Accordingly, section 6405 of Subdivision 2 of the Act expresses the Committee's intent to emphasize the importance of the IC Chief Information Officer (CIO), as defined in 50 U.S.C.

3032(a), in assisting the DNI with information resource management by requiring the IC CIO to report directly to the DNI.

*Central Intelligence Agency Subsistence for Personnel Assigned to Austere Locations.*

Section 6411 of Subdivision 2 of the Act permits the Director of the CIA to allow subsistence for personnel assigned to austere locations. Although the statute does not define “austere,” the Committees believe that utilization of this authority should be minimal. Therefore, within 180 days after the enactment of the Act, the CIA shall brief the Committees on the CIA’s definition of “austere” and the CIA regulations in place governing this authority.

*Collocation of Certain Department of Homeland Security Personnel at Field Locations.*

The Committees support DHS I&A’s intent to integrate into operations across the broader DHS enterprise. Accordingly, section 6434 of Subdivision 2 of the Act requires I&A to identify opportunities for collocation of I&A field officers and to submit to the Committees a plan for their deployment.

*Limitations on Intelligence Community Elements’ Communications with Congress.*

Effective oversight of the IC requires unencumbered communications between representatives of the agencies, members of Congress, and congressional staff. The Committees direct the DNI not to limit any element of the IC from having interactions with the congressional intelligence committees, including but not limited to, preclearance by the DNI of remarks, briefings, discussions of agency resources or authorities requirements, or mandatory reports to the DNI on conversations with the Committees.

*Intelligence Community Support to the National Vetting Center.*

On February 6, 2018, the President issued National Security Policy Memorandum (NSPM)-9, “Presidential Memorandum on Optimizing the Use of Federal Government Information in Support of National Vetting Enterprise.” The memorandum directs the DHS, in coordination with the ODNI and other agencies, to establish the National Vetting Center. The memorandum also requires agencies to “provide the Center access to relevant biographic, biometric, and related derogatory information.” It further directs DNI, in coordination with the heads of relevant IC elements, to “establish a support element to facilitate, guide, and coordinate all IC efforts to use classified intelligence and other relevant information within the IC holdings in support of the center.” The Committees wish to obtain regular updates and the most current information about the activities of that support element.

Therefore, no later than 180 days after the enactment of the Act and annually thereafter, the Committees direct the DNI and the Under Secretary for Intelligence and Analysis at DHS to brief the Committees on the status of IC support to the National Vetting Center, as established by NSPM-9.

*Update on Status of Attorney General-Approved U.S. Person Procedures under Executive Order 12333.*

The Committees acknowledge the difficult, labor-intensive work undertaken by certain IC elements, to ensure the current effectiveness of, and in some cases to substantially revise, final Attorney General-approved procedures regarding the collection, dissemination, and retention of United States persons information. The Committees wish to better understand the status of this project, throughout the IC.

Therefore, the Committees direct that, not later than 60 days after enactment of the Act, the DNI and the Attorney General shall

brief the Committees on the issuance of final, Attorney General-approved procedures by elements of the IC. Specifically, the briefing shall identify (1) any such elements that have not yet issued final procedures; and (2) with respect to such elements, the status of the procedures’ development, and any interim guidance or procedures on which those elements currently rely.

*Homegrown Violent Extremists Imprisoned in Department of Defense Facilities.*

The Committees are concerned about an evident gap in information sharing about individuals imprisoned in DoD facilities who are categorized by the FBI as homegrown violent extremists (HVEs). A recent FBI report underscores this gap, highlighting the case of an individual who has been convicted and sentenced to death by a U.S. military court martial and remains incarcerated in a U.S. military facility. The Committees understand that, despite his incarceration, this inmate openly communicates with the outside world through written correspondence and has continued to inspire extremists throughout the world. The Committees further understand that the FBI is unable to determine the full scope of this inmate’s contacts with the outside world because only a portion of his communications have been provided by the DoD.

Therefore, no later than 180 days after the enactment of the Act, the Committees direct the FBI to work with the DoD to create a process by which the DoD provides to the FBI the complete communications of individuals imprisoned in DoD facilities and who are categorized by the FBI as HVEs.

*Naming of Federal Bureau of Investigation Headquarters.*

According to statute enacted in 1972, the current FBI headquarters building in Washington, D.C. must be “known and designated” as the “J. Edgar Hoover FBI Building.” That tribute has aged poorly. It should be reconsidered, in view of Hoover’s record on civil liberties—including the effort to disparage and undermine Dr. Martin Luther King Jr. Even today, Hoover’s name evokes the FBI’s sordid “COINTELPRO” activities.

The Committees believe Congress should consider repealing the provision requiring the existing Pennsylvania Avenue building to be known as the “J. Edgar Hoover FBI Building.” A new name should be determined, through a joint dialogue among Bureau leadership, law enforcement personnel, elected officials, and civil rights leaders.

*Science, Technology, Engineering, and Math careers in Defense Intelligence.*

Referring to the directive language found in the committee report accompanying H.R. 5515, the HASC-reported Fiscal Year 2019 NDAA, the Committees direct the Director of DIA to provide, within 90 days after enactment of the Act, a briefing to the congressional intelligence committees and the congressional defense committees on a plan to develop a Science, Technology, Engineering, and Math career program that attracts and maintains the defense intelligence cadre of Science and Technical Intelligence analysts to meet tomorrow’s threats.

*Security and Intelligence Role in Export Control.*

Referring to the directive language found in the committee report accompanying H.R. 5515, the HASC-reported Fiscal Year 2019 NDAA, the Committees direct the Under Secretary of Defense for Policy, in coordination with the USD(I), within 60 days of enactment of the Act, to brief the congressional intelligence and defense committees, on security support to export control.

*Security Clearance Background Investigation Reciprocity.*

Referring to the directive language found in the committee report accompanying H.R. 5515, the HASC-reported Fiscal Year 2019 NDAA, the Committees direct the Secretary of Defense, in coordination with the DNI and the Director of the Office of Personnel Management, within 60 days of enactment of the Act, to brief the Committees and the congressional defense committees on efforts to ensure seamless transition of investigations between authorized investigative agencies, as required by law.

Further, referring to the directive language found in the committee report accompanying H.R. 5515, the HASC-reported Fiscal Year 2019 NDAA, the Committees direct the Secretary of Defense, in coordination with the DNI and the Director of the Office of Personnel Management, within 90 days of enactment of the Act, to brief the congressional intelligence committees on efforts to ensure reciprocity is a consideration for implementation of continuous evaluation and continuous vetting across the federal government.

*Foreign Influence Task Force.*

The IC has warned of active measures taken by foreign actors to interfere with and undermine the U.S. democratic process, most recently and brazenly by the Russian Federation. The Committees appreciate FBI efforts to confront this challenge in part through creation of its Foreign Influence Task Force. The Committees believe that confronting foreign influence directed at the United States is of fundamental importance, and thus desire to engage in a close and regular dialogue with the FBI about the task force’s activities.

Therefore, the Committees direct the FBI to provide detailed, quarterly briefings to the Committees regarding the task force’s activities, to include its progress and any significant challenges.

*Enhanced Oversight of IC Contractors.*

A topic of sustained congressional intelligence committee interest has been improving the federal government’s oversight of IC acquisition and procurement practices, including activities by poorly performing IC contractors.

A framework exists to ensure that IC elements do not award IC contracts to businesses that engage in negligence or even gross negligence, consistently fail to appropriately safeguard classified information, maintain poor financial practices, or other issues. For example, an IC element may maintain a list of contractors of concern, in order to ensure that proposals from such contractors are rejected or subjected to additional scrutiny. The Committees wish to build on these practices and are concerned about the existing framework’s adequacy.

Therefore, the Committees direct all elements of the IC, to the fullest extent consistent with applicable law and policy, to share with one another information about contractors with track records of concern—such as the commission of negligence or gross negligence in the performance of IC contracts, or the repeated failure to appropriately safeguard classified information in a fashion that the contractor reasonably could have been expected to prevent.

Additionally, no later than 30 days after enactment of the Act, the DNI shall brief the Committees on the authorities of IC elements with respect to contractors with track records of concern—before, during, and after procurement. An objective of the briefing will be to discuss information sharing practices in this regard, and to identify specific areas where the oversight framework can be strengthened.

*Security Clearance Reporting Requirements.*

The Agreement directs the Office of Management and Budget, in coordination with members of the Performance Accountability Council, to report to Congress, within 90 days of enactment of the Act, on recommendations for harmonizing and streamlining reporting requirements related to security clearances that have been set forth in legislation.

PART III: SECTION-BY-SECTION ANALYSIS AND EXPLANATION OF LEGISLATIVE TEXT  
SECTION-BY-SECTION ANALYSIS AND EXPLANATION

The following is a section-by-section analysis and explanation of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (the “Act”).

SUBDIVISION 1—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2020

*Section 5100. Table of contents.*

TITLE LI—INTELLIGENCE ACTIVITIES

*Section 5101. Authorization of appropriations.*

Section 5101 lists the United States Government departments, agencies, and other elements for which the Act authorizes appropriations for intelligence and intelligence-related activities for Fiscal Year 2020.

*Section 5102. Classified schedule of authorizations.*

Section 5102 provides that the details of the amounts authorized to be appropriated for intelligence and intelligence-related activities for Fiscal Year 2020 are contained in the classified Schedule of Authorizations and that the classified Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President.

*Section 5103. Intelligence Community Management Account.*

Section 5103 authorizes appropriations for the Intelligence Community Management Account (ICMA) of the ODNI for Fiscal Year 2020.

TITLE LII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

*Section 5201. Authorization of appropriations.*

Section 5201 authorizes appropriations in the amount of \$514,000,000 for the CIA Retirement and Disability Fund for Fiscal Year 2020.

TITLE LIII—INTELLIGENCE COMMUNITY MATTERS

SUBTITLE A—GENERAL INTELLIGENCE COMMUNITY MATTERS

*Section 5301. Restriction on conduct of intelligence activities.*

Section 5301 provides that the authorization of appropriations by the Act shall not be deemed to constitute authority for the conduct of any intelligence activity that is not otherwise authorized by the Constitution or laws of the United States.

*Section 5302. Increase in employee compensation and benefits authorized by law.*

Section 5302 provides that funds authorized to be appropriated by the Act 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 compensation or benefits authorized by law.

*Section 5303. Expansion of scope of protections for identities of covert agents.*

Section 5303 amends the definition of “covert agent” in the National Security Act of 1947 (50 U.S.C. 3126

(4)) to protect the identities of all undercover intelligence officers, and United States

citizens whose relationship to the United States is classified, regardless of the location of the individuals’ government service or time since separation from government service.

*Section 5304. Required counterintelligence assessments, briefings, notifications, and reports.*

Section 5304 requires the DNI, in consultation with other appropriate agencies, to conduct an assessment following a United States election of any foreign government interference. Section 5304 requires the DNI to post publicly advisory reports on foreign counterintelligence and cybersecurity threats to federal election campaigns. It also requires quarterly briefings to the congressional intelligence committees regarding the Federal Bureau of Investigation’s counterintelligence activities and prompt notification of an investigation carried out regarding a counterintelligence risk related to a federal election or campaign.

*Section 5305. Inclusion of security risks in program management plans required for acquisition of major systems in National Intelligence Program.*

Section 5305 amends the National Security Act of 1947 (50 U.S.C. 3024(q)(1)(A)) to require that the annual program management plans on major system acquisitions that the DNI submits to Congress address security risks, in addition to cost, schedule, performance goals, and program milestone criteria.

*Section 5306. Intelligence community public-private talent exchange.*

Section 5306 requires the DNI to develop policies, processes, and procedures to facilitate IC personnel rotations to the private sector and vice versa, to bolster skill development and collaboration. Section 5306 further sets forth requirements with which agreements governing such rotations must address, including terms and conditions, including termination, duration, employment status, pay, and benefits.

*Section 5307. Assessment of contracting practices to identify certain security and counterintelligence concerns.*

Section 5307 requires the DNI to conduct an assessment of the authorities, policies, processes, and standards used by the IC to ensure that the IC is weighing security and counterintelligence risks in contracting with companies that contract—or carry out joint research and development—with the People’s Republic of China, the Russian Federation, the Democratic People’s Republic of Korea, or the Islamic Republic of Iran.

SUBTITLE B—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

*Section 5321. Establishment of Climate Security Advisory Council.*

Section 5321 requires the DNI to establish an advisory council to assist analytic components of the IC with incorporating analysis of climate security into their work. The council will also facilitate coordination and sharing of data between the IC and non-IC elements related to climate change.

*Section 5322. Foreign Malign Influence Response Center.*

Section 5322 establishes a Foreign Malign Influence Response Center within the ODNI to analyze and integrate all U.S. Government intelligence pertaining to hostile efforts undertaken by, at the direction of, or on behalf of or with the substantial support of, the government of the Russian Federation, Iran, North Korea, China, or any other country that the Director of the Center determines appropriate, to influence U.S.-based policies, activities, or public opinion.

*Section 5323. Encouragement of cooperative actions to detect and counter foreign influence operations.*

Section 5323 provides the DNI, in coordination with the Secretary of Defense, with the necessary authorities and ability to use up to \$30 million of NIP funds, to establish an independent, non-profit Social Media Data and Threat Analysis Center (“Center”). Section 323 further provides that this Center shall establish a central portal for social media data analysis, enabling: (1) social media companies to voluntarily share data on foreign influence operations; (2) researchers to analyze that data; and (3) information sharing between and among government and private companies. Section 5323 also requires the Director of the Center to produce quarterly public reports on trends in foreign influence and disinformation operations, including any threats to campaigns and elections, as well as an annual report to Congress on the degree of cooperation and commitment from the social media companies.

*Section 5324. Transfer of National Intelligence University to the Office of the Director of National Intelligence.*

Section 5324 requires the Director of the DIA to transfer to the DNI the National Intelligence University, upon submission of required joint certifications to appropriate congressional committees by the Secretary of Defense and the DNI.

SUBTITLE C—INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY

*Section 5331. Definitions.*

Section 5331 provides definitions for terminology used throughout this Subtitle.

*Section 5332. Inspector General external review panel.*

Section 5332 codifies the whistleblower protections contained in Part C of Presidential Policy Directive-19 to ensure an effective appeals process through external review panels and the reporting of waste, fraud, and abuse. Section 5332 further requires the Inspector General of the Intelligence Community (IC IG) to submit to the congressional intelligence committees a recommendation on how to ensure that a whistleblower with a complaint against an Inspector General of an IC agency has equal access to adjudication, appellate review, and external review panels.

*Section 5333. Harmonization of whistleblower processes and procedures.*

Section 5333 requires the IC IG, in coordination with the IC Inspectors General Forum, to develop recommendations applicable to Inspectors Generals for all IC elements regarding the harmonization, where appropriate, of policies and directives related to whistleblower claims and appeals processes and procedures. Section 5333 further requires the IC IG to maximize transparency regarding these processes and procedures.

*Section 5334. Oversight by Inspector General of the Intelligence Community over intelligence community whistleblower matters.*

Section 5334 requires the IC IG, in consultation with the IC Inspectors General Forum, to establish a system whereby the IC IG is provided in near real time of whistleblower complaints relating to the programs and activities under the DNI’s jurisdiction, as well as any IG actions relating to such complaints.

*Section 5335. Report on cleared whistleblower attorneys.*

Section 5335 requires the IC IG to submit to the congressional intelligence committees a report on access to cleared attorneys by whistleblowers in the IC, including any recommended improvements to the limited security agreement process and such other options as the IC IG considers appropriate.

**SUBTITLE D—CENTRAL INTELLIGENCE AGENCY**

*Section 5341. Clarification of certain authority of the Central Intelligence Agency.*

Section 5341 clarifies current CIA authorities related to death benefits, requires the Director of the CIA to submit a report if the CIA does not modify relevant regulations, and requires a briefing on certain health care services for CIA personnel.

**TITLE LIV—SECURITY CLEARANCES**

*Section 5401. Improving visibility into the security clearance process.*

Section 5401 requires the DNI, acting as the Security Executive Agent, to issue a policy requiring the head of each Federal agency to create an electronic portal whereby the agency and its workforce applicants can review the status of their security clearance processing. An enterprise solution that is accessible to multiple agencies may meet this objective. Any portal should have appropriate security safeguards.

*Section 5402. Making certain policies and execution plans relating to personnel clearances available to industry partners.*

Section 5402 requires each head of a Federal agency to share security clearance policies and plans with directly affected industry partners, consistent with national security and with National Industrial Security Program (NISP) goals. Section 5402 further requires the DNI, acting as the Security Executive Agent, jointly with the Director of the NISP, to develop policies and procedures for sharing this information.

**TITLE LV—MATTERS RELATING TO FOREIGN COUNTRIES**

**SUBTITLE A—MATTERS RELATING TO RUSSIA**

*Section 5501. Annual reports on influence operations and campaigns in the United States by the Russian Federation.*

Section 5501 requires the Director of the National Counterintelligence and Security Center to submit an annual report to the congressional intelligence committees concerning the influence operations and campaigns in the United States conducted by the Russian Federation.

*Section 5502. Assessment of legitimate and illegitimate financial and other assets of Vladimir Putin.*

Section 5502 expresses the sense of Congress that the United States should do more to expose the corruption of Russian President Vladimir Putin and directs the DNI to submit to appropriate congressional committees an assessment on the net worth and financial and other assets of President Putin and his family members.

*Section 5503. Assessments of intentions of political leadership of the Russian Federation.*

Section 5503 directs the IC to submit assessments to certain congressional committees of the current intentions of the political leadership of the Russian Federation concerning potential military action against members of the North Atlantic Treaty Organization (NATO), responses to an enlarged United States or NATO military presence in Eastern Europe, and potential actions taken for the purpose of exploiting perceived divisions among the governments of Russia's Western adversaries.

**SUBTITLE B—MATTERS RELATING TO CHINA**

*Section 5511. Annual reports on influence operations and campaigns in the United States by the Communist Party of China.*

Section 5511 requires the Director of the National Counterintelligence and Security Center to submit an annual report to the

congressional intelligence committees concerning the influence operations and campaigns in the United States conducted by the Communist Party of China.

*Section 5512. Report on repression of ethnic Muslim minorities in the Xinjiang region of the People's Republic of China.*

Section 5512 requires the Director of National Intelligence to submit a report to the congressional intelligence committees concerning activity by the People's Republic of China to repress ethnic Muslim minorities in the Xinjiang region of China.

*Section 5513. Report on efforts by People's Republic of China to influence election in Taiwan.*

Section 5513 requires the DNI to submit a report within 45 days of the 2020 Taiwan Presidential and Vice Presidential elections concerning any influence operations by China to interfere in or undermine the election and efforts by the United States to disrupt those operations.

**SUBTITLE C—MATTERS RELATING TO OTHER COUNTRIES**

*Section 5521. Sense of Congress and report on Iranian efforts in Syria and Lebanon.*

Section 5521 requires the DNI, in coordination with the Secretary of State and the Secretary of Defense, to submit a report that assesses Iran's efforts to establish influence in Syria, Iran's support of proxy forces, and the resulting threats to U.S. interests and allies.

*Section 5522. Assessments regarding the Northern Triangle and Mexico.*

Section 5522 requires the DNI, in coordination with other IC officials, to submit a comprehensive assessment of drug trafficking, human trafficking, and human smuggling activities in the Northern Triangle and Mexico. Section 5522 further requires the DNI to provide a briefing on the IC's collection priorities and activities in these areas.

**TITLE LVI—FEDERAL EFFORTS AGAINST DOMESTIC TERRORISM**

*Section 5601. Definitions.*

Section 5601 provides definitions for terminology used throughout this Title.

*Section 5602. Strategic intelligence assessment of and reports on domestic terrorism.*

Section 5602 requires the Director of the FBI and the Secretary of Homeland Security, in consultation with the DNI, to submit a report on standardization of terminology and procedures relating to domestic terrorism, and a report containing strategic intelligence assessment and data on domestic terrorism, together with required documents and materials, with annual updates for 5 years thereafter.

**TITLE LVII—REPORTS AND OTHER MATTERS**

**SUBTITLE A—REPORTS AND BRIEFINGS**

*Section 5701. Modification of requirements for submission to Congress of certain reports.*

Section 5701 amends or cancels numerous reporting requirements under current law.

*Section 5702. Increased transparency regarding counterterrorism budget of the United States.*

Section 5702 makes several findings regarding the transparency of the IC's counterterrorism budget and directs a briefing from the executive branch on the feasibility of releasing additional information to the public concerning the IC's efforts on counterterrorism.

*Section 5703. Study on role of retired and former personnel of intelligence community with respect to certain foreign intelligence operations.*

Section 5703 requires the DNI to conduct a study on former IC personnel providing intel-

ligence assistance to foreign governments, and to provide a report on the findings and a plan for recommendations.

*Section 5704. Collection, analysis, and dissemination of workforce data.*

Section 5704 requires the DNI to provide a publicly available annual report on diversity and inclusion efforts of the IC's workforce.

*Section 5705. Plan for strengthening the supply chain intelligence function.*

Section 5705 requires the Director of the NCSC, in coordination with interagency partners, to submit a plan for strengthening supply chain intelligence function.

*Section 5706. Comprehensive economic assessment of investment in key United States technologies by companies or organizations linked to China.*

Section 5706 requires the DNI, in coordination with other designated agencies, to submit to the congressional intelligence committees a comprehensive economic assessment of investment in key United States technologies, by companies or organizations linked to China, as well as the national security implications of Chinese-backed investments to the United States.

*Section 5707. Report by Director of National Intelligence on fifth-generation wireless network technology.*

Section 5707 directs the DNI to submit to the appropriate committees a report on the threat to the national security of the United States posed by adoption of fifth-generation wireless network built by foreign companies and possible efforts to mitigate the threat.

*Section 5708. Report on use by intelligence community of facial recognition technology.*

Section 5708 requires the DNI to submit a report on the IC's use of facial recognition technology.

*Section 5709. Report on deepfake technology, foreign weaponization of deepfakes, and related notifications.*

Section 5709 requires the DNI to submit a report on the potential national security impacts of machine-manipulated media and the use of machine-manipulated media by foreign governments to spread disinformation or engage in other malign activities.

*Section 5710. Annual report by Comptroller General of the United States on cybersecurity and surveillance threats to Congress.*

Section 5710 requires the Comptroller General, in consultation with the DNI, Secretary of Homeland Security, and the Sergeant at Arms, to submit a report to the Committees on cybersecurity and surveillance threats to Congress.

*Section 5711. Analysis and periodic briefings on major initiatives of intelligence community in artificial intelligence and machine learning.*

Section 5711 requires the DNI, in coordination with other appropriate IC elements, to provide briefings to the congressional intelligence committees on the IC's major initiatives in artificial intelligence and machine learning.

*Section 5712. Report on best practices to protect privacy and civil liberties of Chinese Americans.*

Section 5712 requires the DNI, through the Office of Civil Liberties, Privacy, and Transparency, and in coordination with other IC civil liberty and privacy officers, to submit a report on how IC policies targeting China affect the privacy and civil liberties of certain Americans of Chinese descent, along with recommendations for necessary protections.

*Section 5713. Oversight of foreign influence in academia.*

Section 5713 requires the DNI, in consultation with other appropriate IC elements, to



submit a report on the risks to sensitive research subjects posed by foreign entities. Section 5713 further requires the report to identify specific national security-related threats to research conducted at institutions of higher education.

*Section 5714. Report on death of Jamal Khashoggi.*

Section 5714 requires the DNI to submit to Congress an unclassified report on the death of Jamal Khashoggi, consistent with protecting sources and methods. The report shall include identification of those who carried out, participated in, ordered, or were otherwise complicit in, or responsible for, Mr. Khashoggi's death.

*Section 5715. Report on terrorist screening database.*

Section 5715 requires the DNI and the Secretary of State to jointly submit a report on the FBI's terrorist screening database.

*Section 5716. Report containing threat assessment of terrorist use of conventional and advanced conventional weapons.*

Section 5716 requires the Under Secretary of Homeland Security for I&A, in coordination with the Director of the FBI, to develop and submit a threat assessment regarding the availability of certain conventional weapons in support of terrorism activities.

*Section 5717. Assessment of homeland security vulnerabilities associated with certain retired and former personnel of the intelligence community.*

Section 5717 requires the DNI to submit an assessment of the homeland security vulnerabilities associated with retired and former personnel of the IC providing covered intelligence assistance.

*Section 5718. Study on feasibility and advisability of establishing Geospatial-Intelligence Museum and learning center.*

Section 5718 requires the Director of the National Geospatial-Intelligence Agency (NGA) to complete a study and report the findings on the feasibility and advisability of establishing a Geospatial-Intelligence Museum and learning center.

**SUBTITLE B—OTHER MATTERS**

*Section 5721. Whistleblower disclosures to Congress and committees of Congress.*

Section 5721 enables whistleblowers to provide classified disclosures to appropriate committees of Congress.

*Section 5722. Task force on illicit financing of espionage and foreign influence operations.*

Section 5722 requires the DNI to establish a task force to study and assess the illicit financing of espionage and foreign influence operations directed at the United States and requires the task force to issue a report on this subject to the appropriate congressional committees.

*Section 5723. Establishment of fifth-generation technology prize competition.*

Section 5723 establishes a program to award prizes to stimulate research and development relevant to fifth-generation wireless technology.

*Section 5724. Establishment of deepfakes prize competition.*

Section 5724 establishes a program to award prizes to stimulate the research, development, or commercialization of technologies to automatically detect machine-manipulated media.

*Section 5725. Identification of and countermeasures against certain International Mobile Subscriber Identity-Catchers.*

Section 5725 requires the DNI and the Director of the FBI, in collaboration with the Under Secretary of DHS for I&A, and other

appropriate heads of Federal agencies, to undertake an effort to identify and, when appropriate, develop countermeasures against, International Mobile Subscriber Identity-Catchers operated within the United States by criminals and hostile foreign governments.

*Section 5726. Securing energy infrastructure.*

Section 5726 requires the Secretary of Energy, within 180 days of enactment of the Act, to establish a two-year control systems implementation pilot program within the National Laboratories. This pilot program will partner with covered entities in the energy sector to identify new security vulnerabilities, and for purposes of researching, developing, testing, and implementing technology platforms and standards in partnership with such entities. Section 5726 also requires the Secretary to establish a working group composed of identified private and public sector entities to evaluate the technology platforms and standards for the pilot program, and develop a national cyber-informed engineering strategy to isolate and defend covered entities from security vulnerabilities. Section 5726 requires the Secretary, within 180 days after the date on which funds are first disbursed, to submit to specified committees an interim report that describes the pilot program's results, provides a feasibility analysis, and describes the working group's evaluations. Section 5726 further requires the Secretary, within two years of funding, to submit to the congressional intelligence committees a progress report on the pilot program and an analysis of the feasibility of the methods studied, and a description of the working group's evaluation results.

**SUBDIVISION 2—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS 2018 AND 2019**

*Section 6100. Table of contents.*

**TITLE LXI—INTELLIGENCE ACTIVITIES**

*Section 6101. Authorization of appropriations.*

Section 6101 lists the United States Government departments, agencies, and other elements for which the Act deems authorized appropriations for intelligence and intelligence-related activities for Fiscal Years 2018 and 2019.

*Section 6102. Intelligence Community Management Account.*

Section 6102 provides that the amounts that were appropriated for Fiscal Years 2018 and 2019 are deemed authorized.

**TITLE LXII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM**

*Section 6201. Authorization of appropriations.*

Section 6201 deems authorized the appropriations for the CIA Retirement and Disability Fund for Fiscal Years 2018 and 2019.

*Section 6202. Computation of annuities for employees of the Central Intelligence Agency.*

Section 6202 makes technical changes to the CIA Retirement Act to conform with various statutes governing the Civil Service Retirement System.

**TITLE LXIII—GENERAL INTELLIGENCE COMMUNITY MATTERS**

*Section 6301. Restriction on conduct of intelligence activities.*

Section 6301 provides that the authorization of appropriations by the Act shall not be deemed to constitute authority for the conduct of any intelligence activity that is not otherwise authorized by the Constitution or the laws of the United States.

*Section 6302. Increase in employee compensation and benefits authorized by law.*

Section 6302 provides that funds authorized to be appropriated by the Act 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 compensation or benefits authorized by law.

*Section 6303. Modification of special pay authority for science, technology, engineering, or mathematics positions and addition of special pay authority for cyber positions.*

Section 6303 provides an increased yearly cap for Science, Technology, Engineering, or Mathematics (STEM) employee positions in the IC that support critical cyber missions. Section 6303 also permits the National Security Agency (NSA) to establish a special rate of pay for positions that perform functions that execute the agency's cyber mission.

*Section 6304. Modification of appointment of Chief Information Officer of the Intelligence Community.*

Section 6304 changes the position of IC Chief Information Officer from being subject to presidential appointment to being subject to appointment by the DNI.

*Section 6305. Director of National Intelligence review of placement of positions within the intelligence community on the Executive Schedule.*

Section 6305 requires the DNI, in coordination with the Office of Personnel Management, to conduct a review of the positions within the IC that may be appropriate for inclusion on the Executive Schedule, and the appropriate levels for inclusion.

*Section 6306. Supply Chain and Counterintelligence Risk Management Task Force.*

Section 6306 requires the DNI to establish a task force to standardize information sharing between the IC and the United States Government acquisition community with respect to supply chain, cybersecurity, and counterintelligence risks. Section 6306 further provides requirements for membership, security clearances, and annual reports.

*Section 6307. Consideration of adversarial telecommunications and cybersecurity infrastructure when sharing intelligence with foreign governments and entities.*

Section 6307 requires the IC, when entering into foreign intelligence sharing agreements, to consider the pervasiveness of telecommunications and cybersecurity infrastructure, equipment, and services provided by United States adversaries or entities thereof.

*Section 6308. Cyber protection support for the personnel of the intelligence community in positions highly vulnerable to cyber attack.*

Section 6308 permits the DNI to provide cyber protection support for the personal technology devices and personal accounts of IC personnel whom the DNI determines to be highly vulnerable to cyber attacks and hostile information collection activities.

*Section 6309. Elimination of sunset authority relating to management of supply-chain risk.*

Section 6309 extends certain IC procurement authorities to manage and protect against supply chain risks.

*Section 6310. Limitations on determinations regarding certain security classifications.*

Section 6310 prohibits an officer of the IC who is nominated to a Senate-confirmed position from making certain classification determinations posing potential conflicts of interest regarding that nominee.

*Section 6311. Joint Intelligence Community Council.*

Section 6311 amends Section 101A of the National Security Act of 1947 (50 U.S.C. 3022(d)) as to the Joint Intelligence Community Council meetings and to require a report on its activities.

*Section 6312. Intelligence community information technology environment.*

Section 6312 defines the roles and responsibilities for the performance of the Intelligence Community Information Technology Environment (IC ITE). Section 6312 requires certain reporting and briefing requirements to the congressional intelligence committees regarding the IC's ongoing implementation of IC ITE.

*Section 6313. Report on development of secure mobile voice solution for intelligence community.*

Section 6313 requires the DNI, in coordination with the Directors of the CIA and NSA, provide the congressional intelligence committees with a classified report on the feasibility, desirability, cost, and required schedule associated with the implementation of a secure mobile voice solution for the IC.

*Section 6314. Policy on minimum insider threat standards.*

Section 6314 requires the DNI to develop minimum insider threat standards to be followed by each element of the IC, consistent with the National Insider Threat Policy and Minimum Standards for Executive Branch Insider Threat Programs.

*Section 6315. Submission of intelligence community policies.*

Section 6315 requires the DNI to make all ODNI policies and procedures available to the congressional intelligence committees. Section 6315 also requires ODNI to notify the congressional committees of any new or rescinded policies.

*Section 6316. Expansion of intelligence community recruitment efforts.*

Section 6316 requires the DNI, in consultation with IC elements, to submit a plan to the congressional intelligence committees as to each element's efforts in recruitment from rural and underrepresented regions.

#### TITLE LXIV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

##### SUBTITLE A—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

*Section 6401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.*

Section 6401 amends Title 50, section 3506, to provide protection for current and former ODNI personnel and designated immediate family members, if there is a national security threat that warrants such protection.

*Section 6402. Designation of the program manager-information sharing environment.*

Section 6402 amends the Intelligence Reform and Terrorism Protection Act of 2004 so that the Program Manager-Information Sharing Environment (PM-ISE) is subject to appointment by the DNI, not the President.

*Section 6403. Technical modification to the executive schedule.*

Section 6403 amends the Executive Schedule to make the Director of the National Counterintelligence and Security Center a Level IV position on the Executive Schedule.

*Section 6404. Chief Financial Officer of the Intelligence Community.*

Section 6404 amends the National Security Act of 1947 by requiring the Chief Financial Officer of the IC to directly report to the DNI.

*Section 6405. Chief Information Officer of the Intelligence Community.*

Section 6405 amends the National Security Act of 1947 by requiring the Chief Information Officer of the IC to directly report to the DNI.

##### SUBTITLE B—CENTRAL INTELLIGENCE AGENCY

*Section 6411. Central Intelligence Agency subsistence for personnel assigned to austere locations.*

Section 6411 authorizes the Director of the CIA to approve, with or without reimbursement, subsistence to personnel assigned to an austere overseas location.

*Section 6412. Special rules for certain monthly workers' compensation payments and other payments for Central Intelligence Agency personnel.*

Section 6412 authorizes the Director of the CIA to provide enhanced injury benefits to a covered employee or qualifying dependents who suffer an injury overseas due to war, insurgency, hostile act, or terrorist activities.

*Section 6413. Expansion of security protective service jurisdiction of the Central Intelligence Agency.*

Section 6413 expands the security perimeter jurisdiction at CIA facilities from 500 feet to 500 yards.

*Section 6414. Repeal of foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.*

Section 6414 repeals Title 50, section 3036(g), with conforming amendments to section 611 of the *Intelligence Authorization Act for Fiscal Year 2005* (Public Law 108-487).

##### SUBTITLE C—OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE OF THE DEPARTMENT OF ENERGY

*Section 6421. Consolidation of Department of Energy Offices of Intelligence and Counterintelligence.*

Section 6421 amends the Department of Energy Organization Act to consolidate the offices of intelligence and counterintelligence into the DOE Office of Intelligence and Counterintelligence.

*Section 6422. Repeal of Department of Energy Intelligence Executive Committee and budget reporting requirement.*

Section 6422 amends the Department of Energy Organization Act by repealing the Department of Energy Intelligence Executive Committee, as well as certain budgetary reporting requirements.

##### SUBTITLE D—OTHER ELEMENTS

*Section 6431. Plan for designation of counterintelligence component of the Defense Security Service as an element of intelligence community.*

Section 6431 directs the DNI and the Under Secretary of Defense for Intelligence, in coordination with the Director of the National Counterintelligence and Security Center, to provide the congressional intelligence and defense committees with an implementation plan to make the Defense Security Service's (DSS's) Counterintelligence component an element of the IC as defined in paragraph (4) of section 3 of the National Security Act of 1947 (50 U.S.C. 3003(4)), by January 1, 2020. Section 6431 further mandates that the plan shall not address the DSS's personnel security functions.

*Section 6432. Notice not required for private entities.*

Section 6432 provides a Rule of Construction that the Secretary of the Department of Homeland Security (DHS) is not required to provide notice to private entities before issuing directives on agency information security policies and practices.

*Section 6433. Establishment of advisory board for National Reconnaissance Office.*

Section 6433 amends the National Security Act of 1947 to authorize the Director of the NRO to establish an advisory board to study matters related to space, overhead recon-

naissance, acquisition, and other matters. Section 6433 provides that the board shall terminate 3 years after the Director declares the board's first meeting.

*Section 6434. Collocation of certain Department of Homeland Security personnel at field locations.*

Section 6434 requires the Under Secretary of Homeland Security for Intelligence & Analysis (DHS I&A) to identify opportunities for collocation of I&A field officers and to submit to the congressional intelligence committees a plan for deployment.

##### TITLE LXV—ELECTION MATTERS

*Section 6501. Report on cyber attacks by foreign governments against United States election infrastructure.*

Section 6501 directs the DHS Under Secretary for I&A to submit a report on cyber attacks and attempted cyber attacks by foreign governments on United States election infrastructure, in connection with the 2016 presidential election. Section 6501 further requires this report to include identification of the States and localities affected and include efforts to attack voter registration databases, voting machines, voting-related computer networks, and the networks of Secretaries of State and other election officials.

*Section 6502. Review of intelligence community's posture to collect against and analyze Russian efforts to influence the Presidential election.*

Section 6502 requires the DNI to submit to the congressional intelligence committees, within one year of enactment of the Act, a report on the Director's review of the IC's posture to collect against and analyze Russian efforts to interfere with the 2016 United States presidential election. Section 6502 further requires the review to include assessments of IC resources, information sharing, and legal authorities.

*Section 6503. Assessment of foreign intelligence threats to Federal elections.*

Section 6503 requires the DNI, in coordination with the Director of the CIA, Director of the NSA, Director of the FBI, Secretary of DHS, and heads of other relevant IC elements, to commence assessments of security vulnerabilities of State election systems one year before regularly scheduled Federal elections. Section 6503 further requires the DNI to submit a report on such assessments 180 days before regularly scheduled Federal elections, and an updated assessment 90 days before regularly scheduled Federal elections.

*Section 6504. Strategy for countering Russian cyber threats to United States elections.*

Section 6504 requires the DNI, in coordination with the Secretary of DHS, Director of the FBI, Director of the CIA, Secretary of State, Secretary of Defense, and Secretary of the Treasury, to develop a whole-of-government strategy for countering Russian cyber threats against United States electoral systems and processes. Section 6504 further requires this strategy to include input from solicited Secretaries of State and chief election officials.

*Section 6505. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.*

Section 6505 requires the DNI to provide a report assessing past and ongoing Russian influence campaigns against foreign elections and referenda, to include a summary of the means by which such influence campaigns have been or are likely to be conducted, a summary of defenses against or responses to such Russian influence campaigns, a summary of IC activities to assist foreign governments against such campaigns, and an assessment of the effectiveness of such foreign defenses and responses.

*Section 6506. Information sharing with State election officials.*

Section 6506 requires the DNI, within 30 days of enactment of the Act, to support security clearances for each eligible chief election official of a State, territory, or the District of Columbia (and additional eligible designees), up to the Top Secret level. Section 6506 also requires the DNI to assist with sharing appropriate classified information about threats to election systems.

*Section 6507. Notification of significant foreign cyber intrusions and active measure campaigns directed at elections for Federal offices.*

Section 6507 requires the Director of the FBI, and the Secretary of Homeland Security to brief the congressional intelligence committees, congressional leadership, the armed services committees, the appropriations committees, and the homeland security committees (consistent with sources and methods) not later than 14 days after a determination has been made with moderate or high confidence that a significant foreign cyber intrusion or active measures campaign intended to influence an upcoming election for any Federal office has taken place by a foreign state or foreign non-state person, group, or other entity. The briefing shall provide a description of the significant foreign cyber intrusion or active measures campaign, including an identification of the foreign state or foreign non-state person or group.

*Section 6508. Designation of counterintelligence officer to lead election security matters.*

Section 6508 requires the DNI to designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate election security-related counterintelligence matters, including certain risks from foreign power interference.

#### TITLE LXVI—SECURITY CLEARANCES

*Section 6601. Definitions.*

Section 6601 provides definitions for terminology used throughout this Title.

*Section 6602. Reports and plans relating to security clearances and background investigations.*

Section 6602 requires the interagency Performance Accountability Council (Council) to provide plans to reduce the background investigation inventory and best align the investigation function between DoD and the National Background Investigation Bureau. Section 6602 further requires the Council to report on the future of the clearance process and requires the DNI to notify the appropriate committees of responding to official requests to change clearance standards, and the status of those requests' disposition. As with other reports in this title, these reports can be met in a consolidated format and potentially through the regularly scheduled quarterly Council briefings.

*Section 6603. Improving the process for security clearances.*

Section 6603 requires the DNI to review the Questionnaire for National Security positions (SF-86 or any current instantiation thereof) and the Federal Investigative Standards to determine potential unnecessary information required and assess whether revisions are necessary to account for insider threats. Section 6603 further requires the DNI, in coordination with the Council, to establish policies on interim clearances and consistency between the clearance process for contract and government personnel.

*Section 6604. Goals for promptness of determinations regarding security clearances.*

Section 6604 requires the Council to implement a plan to be able to process 90 percent

of clearance requests at the Secret level in 30 days, and at the Top Secret-level in 90 days. The provision provides the Council with latitude to issue equivalent metrics that similarly improve the timeliness of the clearance process. The plan shall also address how to recognize reciprocity in accepting clearances among agencies within two weeks, and to require that ninety percent of clearance holders not be subject to a time-based periodic investigation.

*Section 6605. Security Executive Agent.*

Section 6605 establishes the DNI as the government's Security Executive Agent, consistent with Executive Order 13467, and sets forth relevant authorities.

*Section 6606. Report on unified, simplified, Governmentwide standards for positions of trust and security clearances.*

Section 6606 directs the DNI and the Director of the Office of Personnel Management to report on the advisability and implications of consolidating the tiers for positions of trust and security clearances from 5 to 3 tiers.

*Section 6607. Report on clearance in person concept.*

Section 6607 requires the DNI to submit a report on a concept whereby an individual can maintain eligibility for access to classified information for up to 3 years after access may lapse.

*Section 6608. Reports on reciprocity for security clearances inside of departments and agencies.*

Section 6608 requires each federal agency to submit a report to the DNI that identifies the number of clearances that take more than two weeks to reciprocally recognize and set forth the reason for any delays. Section 6608 further requires the DNI to submit an annual report summarizing reciprocity.

*Section 6609. Intelligence community reports on security clearances.*

Section 6609 requires the DNI to submit a report on each IC element's security clearance metrics, segregated by Federal employees and contractor employees.

*Section 6610. Periodic report on positions in the intelligence community that can be conducted without access to classified information, networks, or facilities.*

Section 6610 requires the DNI to submit to the congressional intelligence committees a report on positions that can be conducted without access to classified information, networks, or facilities, or may require only a Secret-level clearance.

*Section 6611. Information-sharing program for positions of trust and security clearances.*

Section 6611 requires the Security Executive Agent and the Suitability and Credentialing Executive Agents to establish a program to share information between and among government agencies and industry partners to inform decisions about positions of trust and security clearances.

*Section 6612. Report on protections for confidentiality of whistleblower-related communications.*

Section 6612 requires the Security Executive Agent, in coordination with the IC IG, to submit a report detailing the IC's controls used to ensure continuous evaluation programs protect the confidentiality of whistleblower-related communications.

*Section 6613. Reports on costs of security clearance background investigations.*

Section 6613 requires the DNI to provide an annual report for three years after enactment on the resources expended by each government agency for processing security clearance background investigations and

continuous evaluation programs, disaggregated by tier and employment status.

#### TITLE LXVII—REPORTS AND OTHER MATTERS

##### SUBTITLE A—MATTERS RELATING TO RUSSIA AND OTHER FOREIGN POWERS

*Section 6701. Limitation relating to establishment or support of cybersecurity unit with the Russian Federation.*

Section 6701 prohibits the Federal government from expending any funds to establish or support a cybersecurity unit or other cyber agreement that is jointly established or otherwise implemented by the United States Government and the Russian Federation, unless the DNI submits a report to the appropriate congressional committees at least 30 days prior to any such agreement. The report shall include the agreement's purpose, intended shared intelligence, value to national security, counterintelligence concerns, and any measures taken to mitigate such concerns.

*Section 6702. Assessment of threat finance relating to Russia.*

Section 6702 requires the DNI, in coordination with the Assistant Secretary of the Treasury for Intelligence and Analysis, to submit to the congressional intelligence committees, within 60 days of enactment of the Act, an assessment of Russian threat finance, based on all-source intelligence from both the IC and the Office of Terrorism and Financial Intelligence of the Treasury Department. Section 6702 further requires the assessment to include global nodes and entry points for Russian money laundering; United States vulnerabilities; connections between Russian individuals involved in money laundering and the Russian Government; counterintelligence threats to the United States posed by Russian money laundering and other forms of threat finance; and challenges to United States Government efforts to enforce sanctions and combat organized crime.

*Section 6703. Notification of an active measures campaign.*

Section 6703 requires the DNI to notify congressional leadership, and the Chairman and Vice Chairman or Ranking Member of the appropriate congressional committees, each time the DNI has determined there is credible information that a foreign power has attempted, is attempting, or will attempt to employ a covert influence or active measures campaign with regard to the modernization, employment, doctrine, or force posture of the United States' nuclear deterrent or missile defense. Section 6703 further requires that such notification must include information on any actions that the United States has taken to expose or halt such attempts.

*Section 6704. Notification of travel by accredited diplomatic and consular personnel of the Russian Federation in the United States.*

Section 6704 requires the Secretary of State to ensure that the Russian Federation provides notification at least two 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 non-compliance.

*Section 6705. Report and annual briefing on Iranian expenditures supporting foreign military and terrorist activities.*

Section 6705 requires the DNI to submit a report to Congress describing Iranian expenditures on military and terrorist activities outside the country.

*Section 6706. Expansion of scope of committee to counter active measures.*

Section 6706 amends a provision in the *Intelligence Authorization Act for Fiscal Year 2017* to expand the scope of the interagency committee to counter active measures by the Russian Federation to add China, Iran, North Korea, and other nation states.

#### SUBTITLE B—REPORTS

*Section 6711. Technical correction to Inspector General study.*

Section 6711 amends Title 50, section 11001(d), by replacing the IC IG's "audit" requirement for Inspectors General with employees having classified material access, with a "review" requirement.

*Section 6712. Reports on authorities of the Chief Intelligence Officer of the Department of Homeland Security.*

Section 6712 requires the Secretary of DHS, in consultation with the Under Secretary for I&A, to submit to the congressional intelligence committees a report on the adequacy of the Under Secretary's authorities required as the Chief Intelligence Officer to organize the Homeland Security Intelligence Enterprise, and the legal and policy changes necessary to coordinate, organize, and lead DHS intelligence activities.

*Section 6713. Review of intelligence community whistleblower matters.*

Section 6713 directs the IC IG, in consultations with the IGs of other IC agencies, to conduct a review of practices and procedures relating to IC whistleblower matters.

*Section 6714. Report on role of Director of National Intelligence with respect to certain foreign investments.*

Section 6714 directs the DNI to submit a report on ODNI's role in preparing analytic materials in connection with the United States Government's evaluation of national security risks associated with potential foreign investments.

*Section 6715. Report on surveillance by foreign governments against United States telecommunications networks.*

Section 6715 requires the DNI, in coordination with the Director of the CIA, Director of the NSA, Director of the FBI, and Secretary of DHS, to submit to the congressional intelligence, judiciary, and homeland security committees, within 180 days of enactment of the Act, a report on known attempts by foreign governments to exploit cybersecurity vulnerabilities in United States telecommunications networks to surveil United States persons, and any actions that the IC has taken to protect United States Government agencies and personnel from such surveillance.

*Section 6716. Biennial report on foreign investment risks.*

Section 6716 requires the DNI to establish an IC working group on foreign investment risks and prepare a biennial report that includes an identification, analysis, and explanation of national security vulnerabilities, foreign investment trends, foreign countries' strategies to exploit vulnerabilities through the acquisition of either critical technologies (including components or items essential to national defense), critical materials (including physical materials essential to national security), or critical infrastructure (including physical or virtual systems and assets whose destruction or incapacity would have a debilitating impact on national security), and market distortions caused by foreign countries. Technologies, materials, and infrastructure are deemed to be "critical" under this provision if their exploitation by a foreign government could cause severe harm to the national security of the United States.

*Section 6717. Modification of certain reporting requirement on travel of foreign diplomats.*

Section 6717 amends a provision in the *Intelligence Authorization Act for Fiscal Year 2017*, to require reporting of "a best estimate" of known or suspected violations of certain travel requirements by accredited diplomatic and consular personnel of the Russian Federation.

*Section 6718. Semiannual reports on investigations of unauthorized disclosures of classified information.*

Section 6718 requires the Assistant Attorney General for National Security at the Department of Justice, in consultation with the Director of the FBI, to submit to the congressional intelligence and judiciary committees a semiannual report on the status of IC referrals to the Department of Justice regarding unauthorized disclosures of classified information. Section 6718 also directs IC elements to submit to the congressional intelligence committees a semiannual report on the number of investigations opened and completed by each agency regarding an unauthorized public disclosure of classified information to the media, and the number of completed investigations referred to the Attorney General.

*Section 6719. Congressional notification of designation of covered intelligence officer as persona non grata.*

Section 6719 requires, not later than 72 hours after a covered intelligence officer is designated as *persona non grata*, that the DNI, in consultation with the Secretary of State, submit to the designated committees a notification of that designation, to include the basis for the designation and justification for the expulsion.

*Section 6720. Reports on intelligence community participation in vulnerabilities equities process of Federal Government.*

Section 6720 requires the DNI to submit, within 90 days of enactment of the Act, to the congressional intelligence committees a report describing the Vulnerabilities Equities Process (VEP) roles and responsibilities for each IC element. Section 6720 further requires each IC element to report to the congressional intelligence committees within 30 days of a significant change to that respective IC element's VEP process and criteria. Section 6720 also requires the DNI to submit an annual report to the congressional intelligence committees with specified information on certain VEP metrics.

*Section 6721. Inspectors General reports on classification.*

Section 6721 requires each designated IG to submit to the congressional intelligence committees a report on the accuracy in the application of classification and handling markings on a representative sample of finished products, to include those with compartments. Section 6721 also directs analyses of compliance with declassification procedures and a review of the effectiveness of processes for identifying topics of public or historical importance that merit prioritization for declassification review.

*Section 6722. Reports on global water insecurity and national security implications and briefing on emerging infectious disease and pandemics.*

Section 6722 requires the DNI to submit to the congressional intelligence committees a report on the implications of global water insecurity on the United States' national security interests. Section 6722 further requires the DNI to provide a briefing to appropriate congressional committees on the geopolitical effects of emerging infectious disease and pandemics, and their implications on the United States' national security.

*Section 6723. 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 6723 amends a provision in the *Intelligence Authorization Act for Fiscal Year 2017*, instead requiring each IC element to submit an annual report to the Committees that lists each significant memorandum of understanding or other agreement entered into during the preceding fiscal year. Section 6723 further requires each IC element to provide such documents if an intelligence committee so requests.

*Section 6724. Study on the feasibility of encrypting unclassified wireline and wireless telephone calls.*

Section 6724 requires the DNI to complete a study on the feasibility of encrypting unclassified wireline and wireless telephone calls between personnel in the IC.

*Section 6725. Reports on intelligence community loan repayment and related programs.*

Section 6725 requires the DNI, in cooperation with the heads of the elements of the IC, to submit to the congressional intelligence committees a report on potentially establishing an IC-wide program for student loan repayment and forgiveness.

*Section 6726. Repeal of certain reporting requirements.*

Section 6726 repeals certain IC reporting requirements.

*Section 6727. Inspector General of the Intelligence Community report on senior executives of the Office of the Director of National Intelligence.*

Section 6727 directs the IC IG to submit a report to the congressional intelligence committees regarding senior executive service staffing at the ODNI.

*Section 6728. Briefing on Federal Bureau of Investigation offering permanent residence to sources and cooperators.*

Section 6728 directs the FBI within 30 days of enactment of this Act to provide a briefing to the congressional intelligence committees regarding the FBI's ability to provide permanent U.S. residence to foreign individuals who serve as cooperators in national security-related investigations.

*Section 6729. Intelligence assessment of North Korea revenue sources.*

Section 6729 requires the DNI, in coordination with other relevant IC elements, to produce to the congressional intelligence committees an intelligence assessment of the North Korean regime's revenue sources.

*Section 6730. Report on possible exploitations of virtual currencies by terrorist actors.*

Section 6730 requires the DNI, in consultation with the Secretary of the Treasury, to submit to Congress a report on the possible exploitation of virtual currencies by terrorist actors.

#### SUBTITLE C—OTHER MATTERS

*Section 6741. Public Interest Declassification Board.*

Section 6741 permanently reauthorizes the Public Interest Declassification Board administered by the National Archives and Records Administration.

*Section 6742. Technical and clerical amendments to the National Security Act of 1947.*

Section 6742 makes certain edits to the National Security Act of 1947 as amended for technical or clerical purposes.

*Section 6743. Bug bounty programs.*

Section 6743 directs the Secretary of DHS, in consultation with the Secretary of Defense, to submit a strategic plan to implement bug bounty programs at appropriate

agencies and departments of the United States Government. Section 6743 further requires the plan to include an assessment of the “Hack the Pentagon” pilot program and subsequent bug bounty programs. Section 6743 also requires the plan to provide recommendations on the feasibility of initiating bug bounty programs across the United States Government.

*Section 6744. Technical amendments related to the Department of Energy.*

Section 6744 provides technical corrections to certain provisions regarding the Department of Energy’s Office of Intelligence and Counterintelligence.

*Section 6745. Sense of Congress on notification of certain disclosures of classified information.*

Section 6745 expresses the sense of Congress that, pursuant to the requirement for the IC to keep the congressional intelligence committees “fully and currently informed” in Section 502 of the National Security Act of 1947, IC agencies must submit prompt written notification after becoming aware that an individual in the executive branch has disclosed certain classified information outside established intelligence channels to foreign adversaries — North Korea, Iran, China, Russia, or Cuba.

*Section 6746. 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.*

Section 6746 provides a Sense of Congress that, as to foreign individuals to be accredited to a United Nations mission, the Secretary of State should consider known and suspected intelligence and espionage activities, including activities constituting precursors to espionage, carried out by such individuals against the United States, or against foreign allies or partners of the United States. Section 6746 further provides that the Secretary of State should consider an individual’s status as a known or suspected intelligence officer for a foreign adversary.

*Section 6747. Sense of Congress on WikiLeaks.*

Section 6747 provides a Sense of Congress that WikiLeaks and its senior leadership resemble a non-state hostile intelligence service, often abetted by state actors, and should be treated as such.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

HONORING SERGEANT KORT M. PLANTENBERG, CHIEF WARRANT OFFICER 2 JAMES A. ROGERS, JR., AND CHIEF WARRANT OFFICER 2 CHARLES P. NORD

• Ms. KLOBUCHAR. Madam President, today I rise with a heavy heart to honor and pay tribute to three exemplary National Guard Members from my home State of Minnesota. On Thursday, December 5, SGT Kort M. Plantenberg, CW2 James A. Rogers, Jr., and CW2 Charles P. Nord lost their lives when their Black Hawk UH-60 helicopter went down southwest of St. Cloud, MN, during a routine maintenance flight.

They had just returned home from the Middle East in May after a 9-month deployment conducting medical evacuations. Once back in Minnesota, they had continued serving our Nation by

ensuring that our Forces would be prepared to respond the moment they were needed. After this tragic loss, Governor Walz, a Minnesota National Guardsman for nearly 25 years, remarked that “we will forever be in the debt of these warriors.” I couldn’t agree more.

Today, I would like to honor these brave men for giving what President Lincoln called, “the last full measure of devotion.” We are forever grateful for heroes like Sergeant Plantenberg, Chief Warrant Officer 2 Rogers, and Chief Warrant Officer 2 Nord.

Some who knew these extraordinary men described Sergeant Plantenberg as “one of the most professional individuals . . . [who] had unlimited potential.” Chief Warrant Officer 2 Rogers was said to be a “calming presence” who could always make those around him laugh. Chief Warrant Officer 2 Nord was described as “lighthearted—and kind-hearted.” Like many who serve this country, these men all had so many gifts, and our Nation is better today because of their service and sacrifice.

During this time of unimaginable grief, I would also like to offer my prayers and condolences to the families of these fallen heroes. I hope they take comfort in the fact that their lives weren’t lost in vain but in support of their common goal: to serve the Nation they loved.

They will be missed, but never forgotten, as their service has inspired us all. So now, it is up to us to preserve their memory and support all of our brave men and women who make such an immense sacrifice to keep our Nation strong. Our thoughts and prayers are with their families and loved ones and with the entire Minnesota National Guard community, at home and overseas. There is no limit to the respect they have earned, no cap to the honor they are due, and no time when we will not be in their debt.

Thank you.●

HONORING SERGEANT KORT M. PLANTENBERG, CHIEF WARRANT OFFICER 2 JAMES A. ROGERS, JR., AND CHIEF WARRANT OFFICER 2 CHARLES P. NORD

Ms. SMITH. Madam President, today I wish to recognize and celebrate the lives of James Rogers, Charles Nord, and Kort Plantenberg, all members of the Minnesota National Guard, who tragically lost their lives in a helicopter accident on Thursday, December 5. After returning home safely from deployment to the Middle East in May, this loss is especially heart wrenching. These men conducted medical evacuations in the Middle East, and their service to our troops and allies will not be forgotten. I am grateful for their service and sacrifice for Minnesota and our country.

CW2 James Rogers, often remembered for his curious nature, served 10 years in the Minnesota National

Guard, having enlisted before his high school graduation. CW2 Charles Nord enlisted in 2007, and he leaves behind his wife, young daughter, and a child on the way. SGT James Plantenberg enlisted in 2016, was a member of the Guard’s biathlon team, and was preparing to start flight school. We are all indebted to these men for their service, and I wish their families peace during this time of tragic loss.

#### ADDITIONAL STATEMENTS

##### REMEMBERING THE HANSEN FAMILY

• Mr. RISCH. Madam President, I rise today on a more somber note to pay tribute to members of the Hansen family who recently lost their lives in a tragic accident.

For Jim Hansen, family is what mattered most in life. This past Thanksgiving, he was with his sons, grandsons, and great-grandson, participating in an annual hunting activity that had become a family tradition.

On November 30, 2019, they were returning from this cherished family time, when a tragic plane accident took the lives of nine members of the Hansen family: Jim Hansen, Sr., Jim Hansen, Jr., Kirk Hansen, Stockton Hansen, Logan Hansen, Kyle Naylor, Tyson Dennert, Jake Hansen, and Houston Hansen.

My wife Vicki and I offer our deepest condolences and our hearts go out to the remaining family members during this overwhelmingly difficult time. Their loss will not only be felt throughout their community in eastern Idaho, but also by countless others throughout the world who have been touched by their religious and philanthropic service.

The miraculous survival of Josh Hansen, Matt Hansen, and Thomas Long is a tender mercy to their remaining loved ones and will hopefully bring a measure of healing for their families.

Jim Hansen, Sr., spent his entire life building a legacy steeped in a strong sense of commitment to family, a touchstone to guide future generations. Being born into a family known for hard work and business acumen, as well as caring for people in need, Jim, Jr., and Kirk harnessed their entrepreneurial spirit to expand the family business into other successful ventures that had a significant impact on their home community of Idaho Falls. The success of their values and vision was manifest in the growth of their business endeavors and their global impact.

Kirk and Jim were passionate about bringing hope to others, and that hope took shape in several forms. With the guidance and insight of their remarkable wives, Kirk and Jim helped found Kyani Caring Hands. For nearly a decade, this organization dedicated a significant portion of its time, energy, and financial resources to respond to disasters and support poverty-stricken

communities throughout the world, with a special focus on improving children's nutrition and education.

The tragic plane accident that claimed the lives of these Idaho sons will forever cement the ideals and values that motivated these men to do good where good was needed.

Idaho said farewell to several great men who were not only pillars of the community, but also beloved by employees everywhere. Jim Hansen, Sr., and his two sons, Kirk and Jim, Jr., were known throughout the world as men who were passionate about helping others and touching lives wherever they went. The Hansen men and children who lost their lives in this tragic plane accident will be deeply missed, but their legacy will not be forgotten.●

#### RECOGNIZING VALLEY QUEEN CHEESE FACTORY

● Mr. ROUNDS. Madam President, today, it is my pleasure to name Valley Queen Cheese Factory of Milbank, SD as the Senate Small Business of the Week. Valley Queen Cheese is a prime example of the important role small businesses play in their local economies and communities.

In 1929, Alfred Nef and Alfred Gonzenbach decided Milbank, SD was the perfect home for their business and founded Valley Queen Cheese. Four generations later, Valley Queen remains a family-run operation and is still owned by the Nef and Gonzenbach families. Today, it operates less than half a mile from the original location. It is a recognized leader in the South Dakota business community and the greater dairy industry. Since 2017, Doug Wilke has served as CEO of Valley Queen. With guidance from the board of directors, he currently oversees the largest cheese plant in South Dakota and the largest employer in Milbank.

More than 90 percent of all milk Valley Queen uses comes from South Dakota cows, and they make a conscious effort to continue South Dakota's leadership in this important industry. Thanks to a recent expansion, Valley Queen now has the capacity to produce 200 million pounds of cheese from 2 billion pounds of milk each year. Their cheese can be found in most local grocery stores, as it is sold to some of the best-known food brands in the world. To meet the growing demand, Valley Queen recently invested in a business expansion project that increased the factory's output by twenty-five percent.

Valley Queen is an active leader in the Milbank community, where it has grown to employ 300 people. In 2017, the Valley Queen Charitable Foundation was established to advance positive change by supporting local organizations and initiatives. In its first 3 years as a nonprofit, the foundation has contributed more than \$900,000 to local charities that have a community, educational, or humanitarian focus. Since

1990, Valley Queen has awarded high school and college students over \$300,000 in scholarships. In addition to the business's own philanthropy, Valley Queen makes an annual contribution to the Milbank Community Foundation, which seeks to improve the quality of life of residents in the community.

Valley Queen has been recognized for their continuous improvement and exceptional process control through several awards. Earlier this year, Valley Queen won two awards and received near-perfect marks at the U.S. Championship Cheese Contest for their reduced fat cheddar and Monterey Jack jalapeno cheeses. Valley Queen's sustained efforts toward improved research and development does not go unnoticed by the industry.

Valley Queen is an excellent example of how small businesses fit the shared values and ideals of their community and give back in a multitude of ways. I am proud to highlight Valley Queen and its team for their integral social and economic contributions to South Dakota. Although many years removed from being a startup company, Valley Queen remains committed to the legacy of its founders. Furthermore, Milbank, South Dakota continues to serve as the perfect home for this thriving business. Congratulations again to the entire team at Valley Queen Cheese Factory for being named Senate Small Business of the Week.●

#### TRIBUTE TO FRANK FRAZIER

● Mr. TILLIS. Madam President, I rise today to pay tribute to Mr. Frank Frazier of Oxford, NC, for his 35 years of dedicated public service to the city of Henderson and surrounding communities. Mr. Frazier was hired as an engineering technician for the city of Henderson in 1985 and has since dedicated his career to public service. He has held a number of roles within local government including, but not limited to, director of engineering, assistant city manager and city manager.

As city manager, Mr. Frazier has managed over 200 employees responsible for all city operations including the Fire and Police Departments, engineering, human resources, finance, recreation, and water resources, among many others. Mr. Frazier has led several significant projects that have benefited the city, county, and region as a whole, including upgrades to the Henderson Water Reclamation Facility and an upgrade to the Kerr Lake Regional Water Plant. Not only did Mr. Frazier successfully execute many accomplishments for the community, he did so through balanced budgets without tax increases and simultaneously providing substantial pay raises to city employees.

Mr. Frazier is well respected and acknowledged for his consistent dedication to improving the quality of life for Henderson and the greater region. I would like to thank Mr. Frazier for his

35 years of honorable service, as well as acknowledge his wife Sherrie and their two sons, Mitchell and Chad, who have supported his service. I wish Mr. Frazier all the best in his future endeavors as he retires from the city of Henderson.●

#### MESSAGES FROM THE HOUSE

At 11:39 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 50. An act to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes.

S. 216. An act to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 453. An act to take certain Federal lands in Tennessee into trust for the benefit of the Eastern Band of Cherokee Indians, and for other purposes.

H.R. 2647. An act to adopt a certain California flammability standard as a Federal flammability standard to protect against the risk of upholstered furniture flammability, and for other purposes.

H.R. 3172. An act to provide that inclined sleepers for infants and crib bumpers shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act, and for other purposes.

H.R. 3362. An act to amend title 49, United States Code, to require small hub airports to construct areas for nursing mothers, and for other purposes.

H.R. 4227. An act to prohibit the submission to the Federal Communications Commission of broadband internet access service coverage information or data for the purposes of compiling an inaccurate broadband coverage map.

H.R. 4229. An act to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes.

H.R. 4779. An act to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes.

H.R. 4920. An act to amend title 38, United States Code, to provide for an exception to certain small business contracting requirements applicable to the Department of Veterans Affairs procurement of certain goods and services covered under the Ability One program, and for other purposes.

H.R. 4998. An act to prohibit certain Federal subsidies from being used to purchase communications equipment or services posing national security risks, to provide for the establishment of a reimbursement program for the replacement of communications equipment or services posing such risks, and for other purposes.

The message further announced that the House agreed to the amendment of



the Senate to the bill (H.R. 150) to modernize Federal grant reporting, and for other purposes.

At 4:10 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 81. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1158.

H. Con. Res. 82. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1865.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1158) to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1865) to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

#### ENROLLED BILL SIGNED

At 4:11 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 5363. An act to reauthorize mandatory funding programs for historically Black colleges and universities and other minority-serving institutions, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mrs. BLACKBURN).

#### MEASURES REFERRED

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

H.R. 759. An act to restore an opportunity for tribal economic development on terms that are equal and fair, and for other purposes; to the Committee on Indian Affairs.

H.R. 3172. An act to provide that inclined sleepers for infants and crib bumpers shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4227. An act to prohibit the submission to the Federal Communications Commission of broadband internet access service coverage information or data for the purposes of compiling an inaccurate broadband coverage map; to the Committee on Commerce, Science, and Transportation.

H.R. 4779. An act to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4920. An act to amend title 38, United States Code, to provide for an exception to

certain small business contracting requirements applicable to the Department of Veterans Affairs procurement of certain goods and services covered under the Ability One program, and for other purposes; to the Committee on Veterans' Affairs.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4229. An act to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3499. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Registration and Compliance Requirements for Commodity Pool Operators and Commodity Trading Advisors: Registered Investment Companies, Business Development Companies, and Definition of Reporting Person" (RIN3038-AE76) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3500. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Registration and Compliance Requirements for Commodity Pool Operators (CPOs) and Commodity Trading Advisors: Family Offices and Exempt CPOs" (RIN3038-AE76) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3501. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Sweet Cherries Grown in Designated Counties in Washington; Decreased Assessment Rate" ((7 CFR Part 923) (Docket Nos. AMS-SC-19-0049 and SC-19-923-1 FR)) received in the Office of the President of the Senate on December 10, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3502. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred in the Department of Agriculture's County Agriculture Risk Coverage account; to the Committee on Appropriations.

EC-3503. A communication from the Policy Analyst, Department of the Army, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Obtaining Information From Financial Institutions" ((RIN0702-AA99) (32 CFR Part 504)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Armed Services.

EC-3504. A communication from the Chief of the Legal Assistance Policy Division, Department of the Army, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Family Support, Child Custody, and Paternity" (RIN0702-

AA84) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Armed Services.

EC-3505. A communication from the Acting General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Payday Alternative Loans" (RIN3133-AE84) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-3506. A communication from the Policy Associate Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending (Regulation Z) Annual Threshold Adjustments (Credit Cards, HOEPA, and Qualified Mortgages)" (12 CFR Part 1026) received in the Office of the President of the Senate on December 11, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-3507. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Assessments" (RIN3064-AE98) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-3508. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Assessments" (RIN3064-AF16) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-3509. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the final report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-3510. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Commission's competitive sourcing efforts during fiscal year 2019; to the Committee on Commerce, Science, and Transportation.

EC-3511. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Modernizing the E-Rate Program for Schools and Libraries" ((RIN3060-AK57) (FCC 19-117)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3512. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund" ((RIN3060-AK57) (WC Docket No. 10-90)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3513. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled "Annual Report to Congress on Federal Government Energy Management and Conservation Programs, Fiscal Year 2016"; to the Committee on Energy and Natural Resources.

EC-3514. A communication from the Director of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Enforcement Guidance

Memorandum (EGM) 19-001, Clarification of Inspection Documentation Requirements in Section 2.2.3 of the Enforcement Policy” (RIN3150-A112) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Environment and Public Works.

EC-3515. A communication from the Senior Advisor, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report of a correction relative to a report of a vacancy in the position of Assistant Secretary for Legislation, Department of Health and Human Services, received in the Office of the President of the Senate on December 12, 2019; to the Committee on Finance.

EC-3516. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Calculation of UBTI for Certain Exempt Organizations” (RIN1545-BJ92) received in the Office of the President of the Senate on December 11, 2019; to the Committee on Finance.

EC-3517. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with the War Powers Act, a report relative to deployments of United States Armed Forces equipped for combat (OSS-2019-1312); to the Committee on Foreign Relations.

EC-3518. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Fiscal Year 2017 Report to Congress: Older Americans Act”; to the Committee on Health, Education, Labor, and Pensions.

EC-3519. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation; Federal Acquisition Circular 2020-03; Small Entity Compliance Guide” (48 CFR Chapter 1 (FAC 2020-03)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3520. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation; Federal Acquisition Circular 2020-03, Introduction” (48 CFR Chapter 1 (FAC 2020-03)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3521. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation; FAR Case 2018-017, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment” ((RIN9000-AN83) (48 CFR Parts 4 and 52)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3522. A communication from the Secretary of Education, transmitting, pursuant to law, the Department’s Semiannual Report of the Office of the Inspector General for the period from April 1, 2019 through September 30, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3523. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled “2017 Report to Congress on the Benefits and Costs

of Federal Regulations and Agency Compliance with the Unfunded Mandates Reform Act”; to the Committee on Homeland Security and Governmental Affairs.

EC-3524. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission’s Performance and Accountability Report for fiscal year 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3525. A communication from the Chief Financial Officer, National Labor Relations Board, transmitting, pursuant to law, a report entitled “Performance and Accountability Report for Fiscal Year 2019”; to the Committee on Homeland Security and Governmental Affairs.

EC-3526. A communication from the Federal Register Liaison Officer, Office of the Judge Advocate General, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Policies and Responsibilities for Implementation of the National Environmental Policy Act within the Department of the Navy” ((RIN0703-AB01) (32 CFR Part 775)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Armed Services.

EC-3527. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report relative to the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was originally declared in Executive Order 12938 of November 14, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC-3528. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled “Fair Credit Reporting Act Disclosures” (12 CFR Part 1022) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-3529. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Extension of the Prohibition Against Certain Flights in Specified Areas of the Sanaa Flight Information Region (FIR) (OYSC)” ((RIN2120-AL44) (Docket No. FAA-2015-8672)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3530. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Extension of the Prohibition Against Certain Flights in the Territory and Airspace of Somalia” ((RIN2120-AL46) (Docket No. FAA-2007-27602)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3531. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3881” ((RIN2120-AA65) (Docket No. 31285)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3532. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3882” ((RIN2120-AA65) (Docket No. 31286)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3533. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3880” ((RIN2120-AA65) (Docket No. 31284)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3534. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach and Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3879” ((RIN2120-AA65) (Docket No. 31283)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3535. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment and Removal of Air Traffic Service (ATS) Routes; Southeastern United States” ((RIN2120-AA66) (Docket No. FAA-2019-0638)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3536. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Madera, CA” ((RIN2120-AA66) (Docket No. FAA-2018-1002)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3537. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D; Los Angeles, CA” ((RIN2120-AA66) (Docket No. FAA-2019-0535)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3538. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and E Airspace and Establishment of Class E Airspace; La Crosse, WI” ((RIN2120-AA66) (Docket No. FAA-2019-0503)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3539. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and E Airspace; Alpena, MI” ((RIN2120-AA66) (Docket No. FAA-2019-0549)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3540. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes” ((RIN2120-AA64) (Docket No. FAA-2019-0584)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3541. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Dassault Aviation Airplanes” ((RIN2120-AA64) (Docket No. FAA-2019-0973)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3542. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2017-1024)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3543. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2019-0188)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3544. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120-AA64) (Docket No. FAA-2019-0443)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3545. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2019-0494)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3546. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2019-0671)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3547. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2019-0440)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3548. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2019-0437)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3549. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Dassault Aviation Airplanes” ((RIN2120-AA64) (Docket No. FAA-2019-0697)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3550. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Dassault Aviation Airplanes” ((RIN2120-AA64) (Docket No. FAA-2019-0668)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3551. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.)” ((RIN2120-AA64) (Docket No. FAA-2019-0479)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3552. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Saab AB, Saab Aeronautics (Formerly Known as Saab AB, Saab Aerosystems) Airplanes” ((RIN2120-AA64) (Docket No. FAA-2019-0669)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3553. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes”

((RIN2120-AA64) (Docket No. FAA-2019-0321)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3554. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; International Aero Engines, LLC Turbofan Engines” ((RIN2120-AA64) (Docket No. FAA-2019-0995)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3555. A communication from the General Attorney, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Maintenance of and Access to Records Pertaining to Individuals” (RIN2105-AE76) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3556. A communication from the Chief of Regulatory Development, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Extension of Compliance Date for States’ Query of the Drug and Alcohol Clearinghouse” (RIN2126-AC32) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3557. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters” ((RIN2120-AA64) (Docket No. FAA-2017-1105)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3558. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-176, “Community Harassment Prevention Second Temporary Amendment Act of 2019”; to the Committee on Homeland Security and Governmental Affairs.

EC-3559. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-175, “Fiscal Year 2020 Budget Support Clarification Temporary Amendment Act of 2019”; to the Committee on Homeland Security and Governmental Affairs.

EC-3560. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission’s Semiannual Report of the Inspector General and the Semiannual Management Report for the period from April 1, 2019 through September 30, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3561. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Corps’ Agency Financial Report for fiscal year 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3562. A communication from the Assistant Attorney General for Administration, Department of Justice, transmitting, pursuant to law, the Agency Financial Report for fiscal year 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3563. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 23-177, “Federal Worker Housing Relief Extension Temporary Act of 2019”; to the Committee on Homeland Security and Governmental Affairs.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 553. A bill to direct the Secretary of Commerce to establish a working group to recommend to Congress a definition of blockchain technology, and for other purposes (Rept. No. 116-177).

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1228. A bill to amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio, and for other purposes (Rept. No. 116-178).

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1611. A bill to ensure appropriate prioritization, spectrum planning, and inter-agency coordination to support the Internet of Things (Rept. No. 116-179).

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S.J. Res. 4. A joint resolution requiring the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the United States from the North Atlantic Treaty and authorizing related litigation, and for other purposes.

H.R. 133. A bill to promote economic partnership and cooperation between the United States and Mexico.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 142. A resolution condemning the Government of the Philippines for its continued detention of Senator Leila De Lima, calling for her immediate release, and for other purposes.

S. Res. 152. A resolution expressing the importance of the United States alliance with the Republic of Korea and the contributions of Korean Americans in the United States.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 258. A bill to prohibit oil and gas leasing on the National Forest System land in the Ruby Mountains Ranger District located in the Humboldt-Toiyabe National Forest, Elko and White Pine Counties, Nevada, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 297. A resolution commending the Inter-American Foundation (IAF) on the occasion of its 50th anniversary for its significant accomplishments and contributions to the economic and social development of the Americas.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 298. A bill to establish the Springfield Race Riot National Historic Monument in the State of Illinois, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 327. A bill to amend the Federal Lands Recreation Enhancement Act to provide for

a lifetime National Recreational Pass for any veteran with a service-connected disability.

By Mr. RISCH, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 343. A resolution congratulating the people of the Czech Republic and the people of the Slovak Republic on the 30th anniversary of the Velvet Revolution, the 26th anniversary of the formation of the Czech Republic and the Slovak Republic, and the 101st anniversary of the declaration of independence of Czechoslovakia.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 371. A resolution reaffirming the support of the United States for the people of the Republic of South Sudan and calling on all parties to uphold their commitments to peace and dialogue as outlined in the 2018 revitalized peace agreement.

By Mr. RISCH, from the Committee on Foreign Relations, without amendment and with an amended preamble:

S. Res. 375. A resolution recognizing the 75th anniversary of the Warsaw Uprising.

S. Res. 385. A resolution celebrating the 30th anniversary of the fall of the Berlin Wall, the reunification of both Germany and Europe, and the spread of democracy around the world.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 389. A bill to authorize the Society of the First Infantry Division to make modifications to the First Division Monument located on Federal land in Presidential Park in the District of Columbia, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 395. A resolution recognizing the 40th anniversary of the Iran Hostage Crisis, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 434. A bill to provide for a report on the maintenance of Federal land holdings under the jurisdiction of the Secretary of the Interior.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 447. A resolution expressing serious concern about widespread irregularities in Bolivia’s October 20, 2019, general elections and supporting the convening of new elections in Bolivia at the earliest possible date.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 490. A bill to designate a mountain ridge in the State of Montana as “B-47 Ridge”.

S. 526. A bill to withdraw certain Bureau of Land Management land from mineral development.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 617. A bill to authorize the Department of Energy to conduct collaborative research with the Department of Veterans Affairs in order to improve healthcare services for veterans in the United States, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title:

S. 704. A bill to prioritize the efforts of and enhance coordination among United States agencies to encourage countries in Central and Eastern Europe to diversify their energy sources and supply routes, increase Europe’s energy security, and help the United States reach its global energy security goals, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 876. A bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to establish a program to prepare veterans for careers in the energy industry, including the solar, wind, cybersecurity, and other low-carbon emissions sectors or zero-emissions sectors of the energy industry, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1189. A bill to require the Secretary of State to determine whether the Russian Federation should be designated as a state sponsor of terrorism and whether Russian-sponsored armed entities in Ukraine should be designated as foreign terrorist organizations.

S. 1310. A bill to strengthen participation of elected national legislators in the activities of the Organization of American States and reaffirm United States support for Organization of American States human rights and anti-corruption initiatives, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1739. A bill to enable projects that will aid in the development and delivery of related instruction associated with apprenticeship and preapprenticeship programs that are focused on serving the skilled technical workforce at the National Laboratories and certain facilities of the National Nuclear Security Administration, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1830. A bill to enhance the security of the United States and its allies, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 2368. A bill to amend the Atomic Energy Act of 1954 and the Energy Policy Act of 2005 to support licensing and relicensing of certain nuclear facilities and nuclear energy research, demonstration, and development, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2425. A bill to amend the Energy Policy and Conservation Act to establish the CHP Technical Assistance Partnership Program, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 2508. A bill to require the Secretary of Energy to establish a council to conduct a survey and analysis of the employment figures and demographics in the energy, energy efficiency, and motor vehicle sectors of the United States, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 2547. A bill to state the policy of the United States with respect to the expansion of cooperation with allies and partners in the Indo-Pacific region and Europe regarding the People’s Republic of China.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2556. A bill to amend the Federal Power Act to provide energy cybersecurity investment incentives, to establish a grant and technical assistance program for cybersecurity investments, and for other purposes.

S. 2657. A bill to support innovation in advanced geothermal research and development, and for other purposes.

S. 2668. A bill to establish a program for research, development, and demonstration of solar energy technologies, and for other purposes.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2683. A bill to establish a task force to assist States in implementing hiring requirements for child care staff members to improve child safety.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2688. A bill to amend the Energy Policy Act of 2005 to establish an Office of Technology Transitions, and for other purposes.

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry, with amendments:

S. 2695. A bill to authorize the Secretary of Agriculture to provide for the defense of United States agriculture and food through the National Bio and Agro-Defense Facility, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2702. A bill to require the Secretary of Energy to establish an integrated energy systems research, development, and demonstration, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2714. A bill to amend the America COMPETES Act to reauthorize the ARPA-E program, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

H.R. 2744. A bill to authorize the Administrator of the United States Agency for International Development to prescribe the manner in which programs of the agency are identified overseas, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 2799. A bill to require the Secretary of Energy and the Secretary of the Interior to establish a joint Nexus of Energy and Water Sustainability Office, and for other purposes.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 2927. A bill to amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, without amendment:

S. 2977. A bill to extend the termination of sanctions with respect to Venezuela under the Venezuela Defense of Human Rights and Civil Society Act of 2014.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2997. A bill to revise and extend health workforce programs under title VII of the Public Health Service Act.

By Mr. BARRASSO, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 3051. A bill to improve protections for wildlife, and for other purposes.

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 3076. An original bill to release a federal reversionary interest in Chester County, Tennessee, to manage certain Federal land in Bath County, Virginia.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BARRASSO from the Committee on Environment and Public Works.

\*Robert J. Feitel, of Maryland, to be Inspector General, Nuclear Regulatory Commission.

By Mr. JOHNSON from the Committee on Homeland Security and Governmental Affairs.

\*Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### 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. CASEY:

S. 3062. A bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARDIN:

S. 3063. A bill to encourage greater community accountability of law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. WICKER:

S. 3064. A bill to oppose violations of religious freedom in Ukraine by Russia and armed groups commanded by Russia; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself,

Mr. WYDEN, Mr. DURBIN, Mr. MARKEY, Mr. MENENDEZ, Mr. CASEY, Mrs. GILLIBRAND, Mr. BOOKER, Mr. VAN HOLLEN, Mr. BROWN, Mr. COONS, Ms. KLOBUCHAR, Ms. HARRIS, Mr. UDALL, Ms. DUCKWORTH, Mrs. MURRAY, Ms. BALDWIN, Mr. REED, Mr. CARPER, Ms. WARREN, and Mr. MURPHY):

S. 3065. A bill to amend the Consumer Product Safety Act to direct the Consumer Product Safety Commission to establish consumer product safety standards for firearm locks and firearm safes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. ERNST (for herself and Ms. DUCKWORTH):

S. 3066. A bill to provide for an advisory committee for the prevention of sexual misconduct in the Coast Guard, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. CAPITO (for herself, Mr. JONES, Ms. ERNST, Mrs. SHAHEEN, and Mr. MANCHIN):

S. 3067. A bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting; to the Committee on Finance.

By Mr. GARDNER:

S. 3068. A bill to modify the boundary of the Rocky Mountain National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER:

S. 3069. A bill to authorize the Secretary of the Interior to correct a land ownership error within the boundary of Rocky Mountain National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. DURBIN, and Mrs. CAPITO):

S. 3070. A bill to modify reporting requirements under the Controlled Substances Act; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Ms. DUCKWORTH, Mr. LEAHY, Ms. HARRIS, and Mr. BROWN):

S. 3071. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, or adult child, or another related individual, who has a serious health condition, and to allow employees to take, as additional leave, parental involvement and family wellness leave to participate in or attend their children's and grandchildren's educational and extracurricular activities or meet family care needs; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HYDE-SMITH (for herself, Mr. CRAMER, Mr. WICKER, Mr. INHOFE, Mr. SCOTT of Florida, Mr. DAINES, Mr. COTTON, Mr. SASSE, Mr. LANKFORD, Mr. ROUNDS, and Mr. MORAN):

S. 3072. A bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the approval of new abortion drugs, to prohibit investigational use exemptions for abortion drugs, and to impose additional regulatory requirements with respect to previously approved abortion drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY (for himself, Mr. TILLIS, and Mr. MENENDEZ):

S. 3073. A bill to require online marketplaces to disclose certain verified information regarding seller's of children's products to inform consumers; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH:

S. 3074. A bill to amend the Public Health Service Act to provide for and support liver illness visibility, education, and research, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROMNEY:

S. 3075. A bill to designate as wilderness certain National Forest System land in the State of Illinois, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROBERTS:

S. 3076. An original bill to release a federal reversionary interest in Chester County, Tennessee, to manage certain Federal land in Bath County, Virginia; from the Committee on Agriculture, Nutrition, and Forestry; placed on the calendar.

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

S. 3077. A bill to provide technical and financial support for the completion of the Interstate 11 environmental impact statement, and for other purposes; to the Committee on Environment and Public Works.

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

S. 3078. A bill to amend title XVIII of the Social Security Act to improve the efficiency of the Medicare appeals process, and for other purposes; to the Committee on Finance.

By Mr. WICKER:

S. 3079. A bill to amend title 49, United States Code, to provide family and medical leave to employees of the Federal Aviation Administration and the Transportation Security Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SHELBY (for himself and Mr. JONES):

S. Res. 456. A resolution recognizing and celebrating the 200th anniversary of the entry of Alabama into the Union as the 22d State; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 117

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 117, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 120

At the request of Ms. DUCKWORTH, her name was added as a cosponsor of S. 120, a bill to protect victims of stalking from gun violence.

S. 133

At the request of Ms. MURKOWSKI, the names of the Senator from Arizona (Ms. MCSALLY) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 133, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 153

At the request of Mr. RUBIO, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 153, a bill to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes.

S. 178

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. BENNET) 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. 182

At the request of Mr. KENNEDY, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 182, a bill to prohibit discrimination against the unborn on the basis of sex, and for other purposes.

S. 191

At the request of Mr. BENNET, his name was added as a cosponsor of S. 191, a bill to direct the Secretary of Defense to include in periodic health assessments, separation history and physical examinations, and other assessments an evaluation of whether a member of the Armed Forces has been exposed to open burn pits or toxic airborne chemicals, and for other purposes.

S. 430

At the request of Mr. CRAPO, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 430, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 460

At the request of Mr. WARNER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 460, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 479

At the request of Mr. TOOMEY, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 479, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 641

At the request of Mr. GARDNER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 641, a bill to update the map of, and modify the maximum acreage available for inclusion in, the Yucca House National Monument.

S. 692

At the request of Mr. TOOMEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 692, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 803

At the request of Mr. TOOMEY, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 803, a bill to amend the Internal Revenue Code of 1986 to restore incentives for investments in qualified improvement property.

S. 877

At the request of Mr. SCHUMER, his name was added as a cosponsor of S. 877, a bill to prohibit the sale of shark fins, and for other purposes.

S. 1007

At the request of Mr. WARNER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1007, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1253

At the request of Mrs. FEINSTEIN, the name of the Senator from Missouri

(Mr. BLUNT) was added as a cosponsor of S. 1253, a bill to apply requirements relating to delivery sales of cigarettes to delivery sales of electronic nicotine delivery systems, and for other purposes.

S. 1301

At the request of Mr. MERKLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1301, a bill to prohibit the use of the poisons sodium fluoroacetate (known as "Compound 1080") and sodium cyanide for predator control.

S. 1394

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1394, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1590

At the request of Mr. MERKLEY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1590, a bill to amend the State Department Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime, and for other purposes.

S. 1627

At the request of Mrs. CAPITO, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 1627, a bill to amend the Internal Revenue Code of 1986 to extend and modify the section 45 credit for refined coal from steel industry fuel, and for other purposes.

S. 1657

At the request of Ms. COLLINS, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1657, a bill to provide assistance to combat the escalating burden of Lyme disease and other tick and vector-borne diseases and disorders.

S. 1700

At the request of Mr. KENNEDY, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 1700, a bill to provide a temporary safe harbor for publishers of online content to collectively negotiate with dominant online platforms regarding the terms on which content may be distributed.

S. 1757

At the request of Ms. ERNST, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1816

At the request of Ms. DUCKWORTH, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1816, a bill to prohibit the manufacture for sale, offer for sale, distribution in commerce, or importation



into the United States of any crib bumper, and for other purposes.

S. 1989

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1989, a bill to amend title XVIII of the Social Security Act to provide for transparency of Medicare secondary payer reporting information, and for other purposes.

S. 2001

At the request of Ms. STABENOW, the names of the Senator from Nevada (Ms. ROSEN), the Senator from Maine (Mr. KING) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2001, a bill to award a Congressional Gold Medal to Willie O'Ree, in recognition of his extraordinary contributions and commitment to hockey, inclusion, and recreational opportunity.

S. 2085

At the request of Ms. ROSEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2085, a bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs about the Holocaust, and for other purposes.

S. 2103

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2103, a bill to improve access to affordable insulin.

S. 2282

At the request of Ms. SMITH, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 2282, a bill to amend the McKinney-Vento Homeless Assistance Act to enable Indian Tribes and tribally designated housing entities to apply for, receive, and administer grants and subgrants under the Continuum of Care Program of the Department of Housing and Urban Development.

S. 2321

At the request of Mr. BLUNT, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Mexico (Mr. UDALL), the Senator from Connecticut (Mr. MURPHY), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2321, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the 100th anniversary of the establishment of Negro Leagues baseball.

S. 2570

At the request of Ms. SINEMA, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Oregon (Mr. MERKLEY), the Senator from Oregon (Mr. WYDEN) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 2570, a bill to award a Congressional Gold Medal to Greg LeMond in recognition of his service to the United States as an athlete, activist, role model, and community leader.

S. 2627

At the request of Ms. CORTEZ MASTO, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2627, a bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for attorney fees and costs in connection with civil claim awards.

S. 2661

At the request of Mr. GARDNER, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 2661, a bill to amend the Communications Act of 1934 to designate 9-8-8 as the universal telephone number for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline and through the Veterans Crisis Line, and for other purposes.

S. 2680

At the request of Mr. RUBIO, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2680, a bill to impose sanctions with respect to foreign support for Palestinian terrorism, and for other purposes.

S. 2693

At the request of Mr. SCHATZ, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2693, a bill to improve oversight by the Federal Communications Commission of the wireless and broadcast emergency alert systems.

S. 2754

At the request of Mr. KENNEDY, the names of the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 2754, a bill to create jobs and drive innovation and economic growth in the United States by supporting and promoting the manufacture of next-generation technologies, including refrigerants, solvents, fire suppressants, foam blowing agents, aerosols, and propellants.

S. 2815

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2815, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Purple Heart Honor Mission.

S. 2821

At the request of Ms. DUCKWORTH, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2821, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to allow a veteran to receive a full year supply of contraceptive pills, transdermal patches, and vaginal rings, and for other purposes.

S. 2826

At the request of Mr. YOUNG, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2826, a bill to require a global eco-

nomics security strategy, and for other purposes.

S. 2869

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2869, a bill to amend the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes.

S. 2898

At the request of Mr. INHOFE, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2898, a bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers.

S. 2920

At the request of Ms. ERNST, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2920, a bill to reauthorize the Violence Against Women Act of 1994, and for other purposes.

S. 2941

At the request of Mr. PORTMAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2941, a bill to require the Administrator of the Environmental Protection Agency to establish a consumer recycling education and outreach grant program, and for other purposes.

S. 2949

At the request of Mrs. FISCHER, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2949, a bill to direct the Secretary of Veterans Affairs to make grants to eligible organizations to provide service dogs to veterans with severe post-traumatic stress disorder, and for other purposes.

S. 2970

At the request of Ms. ERNST, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2970, a bill to improve the fielding of newest generations of personal protective equipment to the Armed Forces, and for other purposes.

S. 2998

At the request of Mr. BRAUN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2998, a bill to amend the Internal Revenue Code of 1986 to clarify that payment of taxes on deferred foreign income in installments shall not prevent credit or refund of overpayments or increase estimated taxes.

S. 3004

At the request of Mr. MARKEY, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 3004, a bill to protect human rights and enhance opportunities for LGBTI people around the world, and for other purposes.

S. 3029

At the request of Mr. MENENDEZ, the name of the Senator from New York

(Mr. SCHUMER) was added as a cosponsor of S. 3029, a bill to amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States.

S. 3031

At the request of Mr. COTTON, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 3031, a bill to amend the Immigration and Nationality Act to add membership in a significant transnational criminal organization to the list of grounds of inadmissibility and to prohibit the provision of material support or resources to such organizations.

S. 3043

At the request of Mr. INHOFE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3043, a bill to modernize training programs at aviation maintenance technician schools, and for other purposes.

S. 3051

At the request of Mr. BARRASSO, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3051, a bill to improve protections for wildlife, and for other purposes.

S. 3056

At the request of Mr. DURBIN, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3056, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. RES. 343

At the request of Mrs. SHAHEEN, the names of the Senator from Idaho (Mr. RISCH) and the Senator from West Virginia (Mr. MANGHIN) were added as cosponsors of S. Res. 343, a resolution congratulating the people of the Czech Republic and the people of the Slovak Republic on the 30th anniversary of the Velvet Revolution, the 26th anniversary of the formation of the Czech Republic and the Slovak Republic, and the 101st anniversary of the declaration of independence of Czechoslovakia.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. DURBIN, and Mrs. CAPITO):

S. 3070. A bill to modify reporting requirements under the Controlled Substances Act; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise with my colleagues, Senators GRASSLEY, CAPITO, and DURBIN to introduce the Preventing Pill Mills Through Data Sharing Act.

Millions of pills flooded small communities throughout the Nation to fuel the opioid epidemic we are facing today.

Despite the fact that opioid manufacturers and distributors were required to keep complete and accurate records relating to the sale, delivery, or disposal of opioids through the Automated Reports and Consolidated Ordering System, often referred to as ARCOS, and to detect and disclose suspicious orders of opioids to the Drug Enforcement Administration (DEA), these substances still reached our streets.

That is why my colleagues and I previously introduced the “Using Data to Prevent Opioid Diversion Act,” which was enacted as part of the “SUPPORT Act” in 2018. As a result of that law, DEA is now required to provide to opioid manufacturers and distributors anonymized information related to the number of distributors serving a single pharmacy or practitioner, and the quantity and type of opioids being delivered to each.

This information, coupled with the internal controls that these companies already use in their efforts to determine the legitimacy of opioid orders, is assisting manufacturers and distributors in their efforts to better prevent these substances from being diverted to someone other than the intended recipient who has a lawful prescription.

That law also strengthened accountability by establishing civil and criminal fines for drug manufacturers and distributors who fail to consider ARCOS data when determining whether an order for opioids is suspicious. Additionally, it increased existing civil fines for drug manufacturers and distributors who fail to report suspicious orders and keep accurate records tenfold, and doubled existing criminal fines.

Finally, our legislation required the United States Attorney General to share standardized reports with state officials, including regulatory, licensing, attorneys general, and law enforcement agencies, related to the distribution patterns collected by the ARCOS database on a semi-annual basis.

This law has ensured that opioid manufacturers and distributors have a clear picture of how many pills are going to each pharmacy, thereby helping to eradicate pill mills.

To strengthen this law, my colleagues and I are introducing the “Preventing Pill Mills Through Data Sharing Act.” This new legislation is largely based on recommendations included in the October 2019 U.S. Department of Justice (DOJ) Office of the Inspector General (OIG) report related to the DEA’s response to the opioid epidemic.

In that report, the DOJ OIG noted two shortcomings associated with the ARCOS system. First, not all registrants input data into the ARCOS system at the same intervals.

While both opioid manufacturers and distributors are required to input data

on a quarterly basis, manufacturers often input the data monthly, while distributors do so quarterly. This means that when the DEA provides the quarterly reports that drug manufacturers and distributors must use to determine whether orders are suspicious, they don’t have the most up to date information. Our legislation addresses this problem by requiring all registrants to input data on a monthly basis.

Second, the database only captures information for Schedule I and II drugs. As a result, addictive drugs in other schedules, which are also diverted, are not captured. This includes nine combination opioid products.

For this reason, our legislation expands the reporting requirements to include controlled substances in all schedules. Our legislation also closes an existing loophole.

The DEA has informed my staff that, under current law, one pharmacy is able to transfer up to five percent of its inventory of controlled substances to another pharmacy without having to immediately report to the DEA.

Because these transfers are not automatically reported to the DEA through the ARCOS system, it creates a blind spot for the DEA, as well as for drug manufacturers and distributors who are required to consider data from the anonymized reports generated from the ARCOS database when determining whether an order for controlled substances is suspicious.

Moreover, because pharmacies are not currently required to check the ARCOS reports provided by DEA before transferring a controlled substance to another pharmacy, they could be inadvertently supplying a pharmacy with excess amounts of pills that could easily end up on the black market.

That is why our legislation applies the same reporting requirements and penalties to pharmacies transferring controlled substances, except in the limited circumstance of a transfer made for a specific patient need, as those that are applied to drug manufacturers and distributors.

In 2018, we lost almost 70,000 individuals to drug overdose deaths in our country. Nearly 48,000 of these were opioid-related.

Drug manufacturers, distributors, and pharmacies all play a critical role in preventing future overdose deaths.

The “Using Data to Prevent Opioid Diversion Act” has been successful.

The “Preventing Pill Mills Through Data Sharing Act” builds on that success and will close existing loopholes in order reduce the diversion of controlled substances that are contributing to the massive number of overdose deaths in the United States.

I urge my colleagues to support this legislation and look forward to its passage.

Thank you, Mr. President. I yield the floor.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Ms. DUCKWORTH,

Mr. LEAHY, Ms. HARRIS, and Mr. BROWN):

S. 3071. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, or adult child, or another related individual, who has a serious health condition, and to allow employees to take, as additional leave, parental involvement and family wellness leave to participate in or attend their children's and grandchildren's educational and extracurricular activities or meet family care needs; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3071

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Family Medical Leave Modernization Act".

#### SEC. 2. LEAVE TO CARE FOR A DOMESTIC PARTNER, SON-IN-LAW, DAUGHTER-IN-LAW, PARENT-IN-LAW, ADULT CHILD, GRANDPARENT, GRANDCHILD, OR SIBLING OF THE EMPLOYEE, OR ANOTHER RELATED INDIVIDUAL.

##### (a) DEFINITIONS.—

(1) INCLUSION OF RELATED INDIVIDUALS.—Section 101 of such Act is further amended by adding at the end the following:

"(20) ANY OTHER INDIVIDUAL RELATED BY BLOOD OR AFFINITY WHOSE CLOSE ASSOCIATION IS THE EQUIVALENT OF A FAMILY RELATIONSHIP.—The term 'any other individual related by blood or affinity whose close association is the equivalent of a family relationship', used with respect to an employee, means any person with whom the employee has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

"(21) DOMESTIC PARTNER.—The term 'domestic partner', used with respect to an employee, means—

"(A) the person recognized as the domestic partner of the employee under any domestic partnership or civil union law of a State or political subdivision of a State; or

"(B) in the case of an unmarried employee, an unmarried adult person who is in a committed, personal relationship with the employee, is not a domestic partner as described in subparagraph (A) to or in such a relationship with any other person, and who is designated to the employer by such employee as that employee's domestic partner.

"(22) GRANDCHILD.—The term 'grandchild' means the son or daughter of an employee's son or daughter.

"(23) GRANDPARENT.—The term 'grandparent' means a parent of a parent of an employee.

"(24) NEPHEW; NIECE.—The terms 'nephew' and 'niece', used with respect to an employee, mean a son or daughter of the employee's sibling.

"(25) PARENT-IN-LAW.—The term 'parent-in-law' means a parent of the spouse or domestic partner of an employee.

"(26) SIBLING.—The term 'sibling' means any person who is a son or daughter of an employee's parent (other than the employee).

"(27) SON-IN-LAW; DAUGHTER-IN-LAW.—The terms 'son-in-law' and 'daughter-in-law',

used with respect to an employee, mean any person who is a spouse or domestic partner of a son or daughter, as the case may be, of the employee.

"(28) UNCLE; AUNT.—The terms 'uncle' and 'aunt', used with respect to an employee, mean the son or daughter, as the case may be, of the employee's grandparent (other than the employee's parent)."

(2) INCLUSION OF ADULT CHILDREN AND CHILDREN OF A DOMESTIC PARTNER.—Section 101(12) of such Act (29 U.S.C. 2611(12)) is amended—

(A) by inserting "a child of an individual's domestic partner," after "a legal ward,"; and

(B) by striking "who is—" and all that follows and inserting "and includes an adult child.".

(b) LEAVE REQUIREMENT.—Section 102 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking "spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent" and inserting "spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, if such spouse, domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or such other individual"; and

(ii) in subparagraph (E), by striking "spouse, or a son, daughter, or parent of the employee" and inserting "spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee"; and

(B) in paragraph (3), by striking "spouse, son, daughter, parent, or next of kin of a covered servicemember" and inserting "spouse or domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, sibling, uncle or aunt, nephew or niece, or next of kin of a covered servicemember, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the covered servicemember";

(2) in subsection (e)—

(A) in paragraph (2)(A), by striking "son, daughter, spouse, parent, or covered servicemember of the employee, as appropriate" and inserting "son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, nephew or niece, or covered servicemember of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate"; and

(B) in paragraph (3), by striking "spouse, or a son, daughter, or parent, of the employee" and inserting "spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate"; and

(3) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting " , or domestic partners," after "husband and wife"; and

(ii) in subparagraph (B), by inserting "or parent-in-law" after "parent"; and

(B) in paragraph (2), by inserting " , or those domestic partners," after "husband and wife" each place it appears.

(c) CERTIFICATION.—Section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) is amended—

(1) in subsection (a), by striking "son, daughter, spouse, or parent of the employee, or of the next of kin of an individual in the case of leave taken under such paragraph (3), as appropriate" and inserting "son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or the next of kin of an individual, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate"; and

(2) in subsection (b)—

(A) in paragraph (4)(A), by striking "son, daughter, spouse, or parent and an estimate of the amount of time that such employee is needed to care for the son, daughter, spouse, or parent" and inserting "son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate, and an estimate of the amount of time that such employee is needed to care for such son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or such other individual"; and

(B) in paragraph (7), by striking "son, daughter, parent, or spouse who has a serious health condition, or will assist in their recovery," and inserting "son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, with a serious health condition, of the employee, or an individual, with a serious health condition, who is any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate, or will assist in the recovery,".

(d) EMPLOYMENT AND BENEFITS PROTECTION.—Section 104(c)(3) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2614(c)(3)) is amended—

(1) in subparagraph (A)(i), by striking "son, daughter, spouse, or parent of the employee, as appropriate," and inserting "son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate,"; and

(2) in subparagraph (C)(ii), by striking "son, daughter, spouse, or parent" and inserting "employee's son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or (with relation to the employee) any other individual related by blood or affinity whose close association is the equivalent of a family relationship, as appropriate,".

**SEC. 3. LEAVE TO CARE FOR A DOMESTIC PARTNER, SON-IN-LAW, DAUGHTER-IN-LAW, PARENT-IN-LAW, ADULT CHILD, GRANDPARENT, GRANDCHILD, OR SIBLING OF THE EMPLOYEE, OR ANOTHER RELATED INDIVIDUAL FOR FEDERAL EMPLOYEES.**

(a) DEFINITIONS.—

(1) INCLUSION OF A DOMESTIC PARTNER, SON-IN-LAW, DAUGHTER-IN-LAW, PARENT-IN-LAW, ADULT CHILD, GRANDPARENT, GRANDCHILD, OR SIBLING OF THE EMPLOYEE, OR ANOTHER INDIVIDUAL RELATED BY BLOOD OR AFFINITY.—Section 6381 of title 5, United States Code, is amended—

(A) in paragraph (11) by striking “; and” and inserting a semicolon;

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

(C) by adding at the end the following:

“(13) the term ‘any other individual related by blood or affinity whose close association is the equivalent of a family relationship’, used with respect to an employee, means any person with whom the employee has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship;

“(14) the term ‘domestic partner’, used with respect to an employee, means—

“(A) the person recognized as the domestic partner of the employee under any domestic partnership or civil union law of a State or political subdivision of a State; or

“(B) in the case of an unmarried employee, an unmarried adult person who is in a committed, personal relationship with the employee, is not a domestic partner as described in subparagraph (A) or in such a relationship with any other person, and who is designated to the employing agency by such employee as that employee’s domestic partner;

“(15) the term ‘grandchild’ means the son or daughter of an employee’s son or daughter;

“(16) the term ‘grandparent’ means a parent of a parent of an employee;

“(17) the terms ‘nephew’ and ‘niece’, used with respect to an employee, mean a son or daughter of the employee’s sibling;

“(18) the term ‘parent-in-law’ means a parent of the spouse or domestic partner of an employee;

“(19) the term ‘sibling’ means any person who is a son or daughter of an employee’s parent (other than the employee);

“(20) the terms ‘son-in-law’ and ‘daughter-in-law’, used with respect to an employee, mean any person who is a spouse or domestic partner of a son or daughter, as the case may be, of the employee;

“(21) the term ‘State’ has the same meaning given the term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203); and

“(22) the terms ‘uncle’ and ‘aunt’, used with respect to an employee, mean the son or daughter, as the case may be, of the employee’s grandparent (other than the employee’s parent).”

(2) INCLUSION OF ADULT CHILDREN AND CHILDREN OF A DOMESTIC PARTNER.—Section 6381(6) of such title is amended—

(A) by inserting “a child of an individual’s domestic partner,” after “a legal ward,”; and

(B) by striking “who is—” and all that follows and inserting “and includes an adult child”.

(b) LEAVE REQUIREMENT.—Section 6382 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking “spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent” and inserting “spouse or domestic partner, or a son or daughter, son-in-law,

daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, if such spouse, domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or such other individual”; and

(ii) in subparagraph (E), by striking “spouse, or a son, daughter, or parent of the employee” and inserting “spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee”; and

(B) in paragraph (3), by striking “spouse, son, daughter, parent, or next of kin of a covered servicemember” and inserting “spouse or domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, sibling, uncle or aunt, nephew or niece, or next of kin of a covered servicemember, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the covered servicemember”; and

(2) in subsection (e)—

(A) in paragraph (2)(A), by striking “son, daughter, spouse, parent, or covered servicemember of the employee, as appropriate” and inserting “son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, nephew or niece, or covered servicemember of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate”; and

(B) in paragraph (3), by striking “spouse, or a son, daughter, or parent, of the employee” and inserting “spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate.”

(c) CERTIFICATION.—Section 6383 of title 5, United States Code, is amended—

(1) in subsection (a), by striking “son, daughter, spouse, or parent of the employee, as appropriate” and inserting “son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate”; and

(2) in subsection (b)(4)(A), by striking “son, daughter, spouse, or parent, and an estimate of the amount of time that such employee is needed to care for such son, daughter, spouse, or parent” and inserting “son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate, and an estimate of the amount of time that such employee is needed to care for such son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling,

uncle or aunt, or nephew or niece, or such other individual”.

**SEC. 4. ENTITLEMENT TO ADDITIONAL LEAVE UNDER THE FMLA FOR PARENTAL INVOLVEMENT AND FAMILY WELLNESS.**

(a) LEAVE REQUIREMENT.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)), as amended by section 2(b), is further amended—

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

(2) by inserting after paragraph (4) the following new paragraph:

“(5) ENTITLEMENT TO ADDITIONAL LEAVE FOR PARENTAL INVOLVEMENT AND FAMILY WELLNESS.—

“(A) IN GENERAL.—Subject to subparagraph (B) and section 103(g), an eligible employee shall be entitled to leave under this paragraph to—

“(i) participate in or attend an activity that is sponsored by a school or community organization and relates to a program of the school or organization that is attended by a son or daughter or a grandchild of the employee; or

“(ii) meet routine family medical care needs (including by attending medical and dental appointments of the employee or a son or daughter, spouse, or grandchild of the employee) or attend to the care needs of an elderly individual who is related to the employee through a relationship described in section 102(a) (including by making visits to nursing homes or group homes).

“(B) LIMITATIONS.—

“(i) IN GENERAL.—An eligible employee shall be entitled to—

“(I) not to exceed 4 hours of leave under this paragraph during any 30-day period; and

“(II) not to exceed 24 hours of leave under this paragraph during any 12-month period described in paragraph (4).

“(ii) COORDINATION RULE.—Leave under this paragraph shall be in addition to any leave provided under any other paragraph of this subsection.

“(C) DEFINITIONS.—As used in this paragraph:

“(i) COMMUNITY ORGANIZATION.—The term ‘community organization’ means a private nonprofit organization that is representative of a community or a significant segment of a community and provides activities for individuals described in section 101(12), such as a scouting or sports organization.

“(ii) SCHOOL.—The term ‘school’ means an elementary school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), a Head Start program assisted under the Head Start Act (42 U.S.C. 9831 et seq.), and a child care facility licensed under State law.”

(b) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the third sentence the following new sentence: “Subject to subsection (e)(4) and section 103(g), leave under subsection (a)(5) may be taken intermittently or on a reduced leave schedule.”

(c) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2) of such Act (29 U.S.C. 2612(d)(2)) is amended by adding at the end the following new subparagraph:

“(C) PARENTAL INVOLVEMENT LEAVE AND FAMILY WELLNESS LEAVE.—

“(i) VACATION LEAVE; PERSONAL LEAVE; FAMILY LEAVE.—An eligible employee may elect, or an employer may require the employee, to substitute any of the accrued paid vacation leave, personal leave, or family leave of the employee for any part of the period of leave under subsection (a)(5).

“(ii) MEDICAL OR SICK LEAVE.—An eligible employee may elect, or an employer may require the employee, to substitute any of the

accrued paid medical or sick leave of the employee for any part of the period of leave provided under clause (ii) of subsection (a)(5)(A), except that nothing in this title shall require an employer to provide paid sick leave or paid medical leave in any situation in which such employer would not normally provide any such paid leave.

“(iii) PROHIBITION ON RESTRICTIONS AND LIMITATIONS.—If the employee elects or the employer requires the substitution of accrued paid leave for leave under subsection (a)(5), the employer shall not restrict or limit the leave that may be substituted or impose any additional terms and conditions on the substitution of such leave that are more stringent for the employee than the terms and conditions set forth in this Act.”.

(d) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)), as amended by section 2(b), is further amended by adding at the end the following new paragraph:

“(4) NOTICE RELATING TO PARENTAL INVOLVEMENT AND FAMILY WELLNESS LEAVE.—In any case in which an employee requests leave under paragraph (5) of subsection (a), the employee shall—

“(A) provide the employer with not less than 7 days’ notice, or (if such notice is impracticable) such notice as is practicable, before the date the leave is to begin, of the employee’s intention to take leave under such paragraph; and

“(B) in the case of leave to be taken under subsection (a)(5)(A)(ii), make a reasonable effort to schedule the activity or care involved so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider involved (if any).”.

(e) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following new subsection:

“(g) CERTIFICATION RELATED TO PARENTAL INVOLVEMENT AND FAMILY WELLNESS LEAVE.—An employer may require that a request for leave under section 102(a)(5) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe.”.

#### SEC. 5. ENTITLEMENT OF FEDERAL EMPLOYEES TO LEAVE FOR PARENTAL INVOLVEMENT AND FAMILY WELLNESS.

(a) LEAVE REQUIREMENT.—Section 6382(a) of title 5, United States Code, as amended by section 3(b), is further amended by adding at the end the following new paragraph:

“(5)(A) Subject to subparagraph (B) and section 6383(f), an employee shall be entitled to leave under this paragraph to—

“(i) participate in or attend an activity that is sponsored by a school or community organization and relates to a program of the school or organization that is attended by a son or daughter or a grandchild of the employee; or

“(ii) meet routine family medical care needs (including by attending medical and dental appointments of the employee or a son or daughter, spouse, or grandchild of the employee) or to attend to the care needs of an elderly individual who is related to the employee through a relationship described in section 6382(a) (including by making visits to nursing homes and group homes).

“(B)(i) An employee is entitled to—

“(I) not to exceed 4 hours of leave under this paragraph during any 30-day period; and

“(II) not to exceed 24 hours of leave under this paragraph during any 12-month period described in paragraph (4).

“(ii) Leave under this paragraph shall be in addition to any leave provided under any other paragraph of this subsection.

“(C) For the purpose of this paragraph—

“(i) the term ‘community organization’ means a private nonprofit organization that is representative of a community or a significant segment of a community and pro-

vides activities for individuals described in section 6381(6), such as a scouting or sports organization; and

“(ii) the term ‘school’ means an elementary school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), a Head Start program assisted under the Head Start Act (42 U.S.C. 9831 et seq.), and a child care facility licensed under State law.”.

(b) SCHEDULE.—Section 6382(b)(1) of such title is amended—

(1) by inserting after the third sentence the following new sentence: “Subject to subsection (e)(4) and section 6383(f), leave under subsection (a)(5) may be taken intermittently or on a reduced leave schedule.”; and

(2) in the last sentence, by striking “involved,” and inserting “involved (or, in the case of leave under subsection (a)(5), for purposes of the 30-day or 12-month period involved).”.

(c) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended—

(1) by inserting “(1)” after the subsection designation; and

(2) by adding at the end the following:

“(2) An employee may elect, or an employer may require the employee, to substitute for any part of the period of leave under subsection (a)(5), any of the employee’s accrued or accumulated annual or sick leave under subchapter I. If the employee elects or the employer requires the substitution of that accrued or accumulated annual or sick leave for leave under subsection (a)(5), the employing agency shall not restrict or limit the leave that may be substituted or impose any additional terms and conditions on the substitution of such leave that are more stringent for the employee than the terms and conditions set forth in this subchapter.”.

(d) NOTICE.—Section 6382(e) of such title, as amended by section 3(b)(2), is further amended by adding at the end the following new paragraph:

“(4) In any case in which an employee requests leave under paragraph (5) of subsection (a), the employee shall—

“(A) provide the employing agency with not less than 7 days’ notice, or (if such notice is impracticable) such notice as is practicable, before the date the leave is to begin, of the employee’s intention to take leave under such paragraph; and

“(B) in the case of leave to be taken under subsection (a)(5)(A)(ii), make a reasonable effort to schedule the activity or care involved so as not to disrupt unduly the operations of the employing agency, subject to the approval of the health care provider involved (if any).”.

(e) CERTIFICATION.—Section 6383(f) of such title is amended by striking “paragraph (1)(E) or (3) of” and inserting “paragraph (1)(E), (3) or (5) of”.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 456—RECOGNIZING AND CELEBRATING THE 200TH ANNIVERSARY OF THE ENTRY OF ALABAMA INTO THE UNION AS THE 22D STATE

Mr. SHELBY (for himself and Mr. JONES) submitted the following resolution; which was considered and agreed to:

S. RES. 456

Whereas Congress created the Alabama Territory from the eastern half of the Mississippi Territory on March 3, 1817;

Whereas by 1819, the birth and growth of cities, towns, and communities in the Alabama Territory ensured that the population of the Alabama Territory had developed sufficiently to achieve the minimum number of inhabitants required by Congress to qualify for statehood;

Whereas Congress and President James Monroe approved statehood for the Alabama Territory on December 14, 1819, making Alabama the 22d State of the United States;

Whereas December 14, 2019, marks the 200th anniversary of the attainment of statehood by Alabama; and

Whereas that bicentennial is a monumental occasion to celebrate and commemorate the achievements of the great State of Alabama: Now, therefore, be it

*Resolved*, That the Senate recognizes and celebrates the 200th anniversary of the entry of Alabama into the Union as the 22d State.

-SUBFORMAT:

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1258. Mr. MCCONNELL proposed an amendment to the bill H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

SA 1259. Mr. MCCONNELL proposed an amendment to amendment SA 1258 proposed by Mr. MCCONNELL to the bill H.R. 1865, supra.

SA 1260. Mr. MCCONNELL proposed an amendment to the bill H.R. 1865, supra.

SA 1261. Mr. MCCONNELL proposed an amendment to amendment SA 1260 proposed by Mr. MCCONNELL to the bill H.R. 1865, supra.

SA 1262. Mr. MCCONNELL proposed an amendment to amendment SA 1261 proposed by Mr. MCCONNELL to the amendment SA 1260 proposed by Mr. MCCONNELL to the bill H.R. 1865, supra.

SA 1263. Mr. MCCONNELL proposed an amendment to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes.

SA 1264. Mr. MCCONNELL proposed an amendment to amendment SA 1263 proposed by Mr. MCCONNELL to the bill H.R. 1158, supra.

SA 1265. Mr. MCCONNELL proposed an amendment to the bill H.R. 1158, supra.

SA 1266. Mr. MCCONNELL proposed an amendment to amendment SA 1265 proposed by Mr. MCCONNELL to the bill H.R. 1158, supra.

SA 1267. Mr. MCCONNELL proposed an amendment to amendment SA 1266 proposed by Mr. MCCONNELL to the amendment SA 1265 proposed by Mr. MCCONNELL to the bill H.R. 1158, supra.

#### TEXT OF AMENDMENTS

SA 1258. Mr. MCCONNELL proposed an amendment to the bill H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; as follows:

At the end add the following.

This act shall be effective 1 day after the enactment.”

SA 1259. Mr. MCCONNELL proposed an amendment to amendment SA 1258 proposed by Mr. MCCONNELL to the bill H.R. 1865, to require the Secretary

of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; as follows:

Strike "1 day" and insert "2 days"

**SA 1260.** Mr. MCCONNELL proposed an amendment to the bill H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; as follows:

At the end add the following.

"This Act shall take effect 3 days after the date of enactment."

**SA 1261.** Mr. MCCONNELL proposed an amendment to amendment SA 1260 proposed by Mr. MCCONNELL to the bill H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; as follows:

Strike "3 days" and insert "4 days"

**SA 1262.** Mr. MCCONNELL proposed an amendment to amendment SA 1261 proposed by Mr. MCCONNELL to the bill H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; as follows:

Strike "4" and insert "5"

**SA 1263.** Mr. MCCONNELL proposed an amendment to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; as follows:

At the end add the following.

"This act shall be effective 1 day after enactment."

**SA 1264.** Mr. MCCONNELL proposed an amendment to amendment SA 1263 proposed by Mr. MCCONNELL to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; as follows:

Strike "1 day" and insert "2 days"

**SA 1265.** Mr. MCCONNELL proposed an amendment to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; as follows:

At the end add the following.

"This Act shall take effect 3 days after the date of enactment."

**SA 1266.** Mr. MCCONNELL proposed an amendment to amendment SA 1265 proposed by Mr. MCCONNELL to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; as follows:

Strike "3 days" and insert "4 days"

**SA 1267.** Mr. MCCONNELL proposed an amendment to amendment SA 1266 proposed by Mr. MCCONNELL to the amendment SA 1265 proposed by Mr. MCCONNELL to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; as follows:

Strike "4" and insert "5"

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. INHOFE. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Tuesday, December 17, 2019, at 10:30 a.m., to conduct a hearing.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, December 17, 2019, at 10 a.m., to conduct a hearing on the nomination of Lanny Erdos, of Ohio, to be Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior.

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, December 17, 2019, at 9:30 a.m., to conduct a hearing.

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, December 17, 2019, at 10 a.m., to conduct a hearing on the following nominations: John Hennessey-Niland, of Illinois, to be Ambassador to the Republic of Palau, Dorothy Shea, of North Carolina, to be Ambassador to the Lebanese Republic, Todd C. Chapman, of Texas, to be Ambassador to the Federative Republic of Brazil, and Donald Wright, of Virginia, to be Ambassador to the United Republic of Tanzania, all of the Department of State.

#### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, December 17, 2019, at 9:30 a.m., to conduct a hearing on the nomination of Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, December 10, 2019, at 10 a.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Mr. BARRASSO. Mr. President, I ask unanimous consent that Mary Eileen Manning, a State Department fellow in Senator SULLIVAN's office, be granted floor privileges for the remainder of the Congress.

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

#### VETERAN TREATMENT COURT COORDINATION ACT OF 2019

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 2774 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2774) to direct the Attorney General to establish and carry out a Veteran Treatment Court Program.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 2774) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2774

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veteran Treatment Court Coordination Act of 2019".

#### SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that veterans treatment courts are a successful program aimed at helping veterans charged with non-violent crimes receive the help and the benefits for which the veterans are entitled.

#### SEC. 3. VETERAN TREATMENT COURT PROGRAM.

(a) ESTABLISHMENT.—Subject to the availability of appropriations, in coordination with the Secretary of Veterans Affairs, the Attorney General shall establish and carry out a Veteran Treatment Court Program to provide grants and technical assistance to court systems that—

(1) have adopted a Veterans Treatment Court Program; or

(2) have filed a notice of intent to establish a Veterans Treatment Court Program with the Secretary.

(b) PURPOSE.—The purpose of the Veterans Treatment Court Program established under subsection (a) is to ensure the Department of Justice has a single office to coordinate the provision of grants, training, and technical assistance to help State, local, and Tribal governments to develop and maintain veteran treatment courts.

(c) PROGRAMS INCLUDED.—The Veterans Treatment Court Program established under



subsection (a) shall include the grant programs relating to veterans treatment courts carried out by the Attorney General pursuant to sections 2991 and 3021 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10651, 10701) or any other provision of law.

(d) REGULATIONS.—The Attorney General shall promulgate regulations to carry out this section.

RECOGNIZING AND CELEBRATING  
THE 200TH ANNIVERSARY OF  
THE ENTRY OF ALABAMA INTO  
THE UNION AS THE 22ND STATE

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 456, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 456) recognizing and celebrating the 200th anniversary of the entry of Alabama into the Union as the 22nd State.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 456) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY,  
DECEMBER 18, 2019

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, December 18; 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, morning business be closed, and the Senate proceed to executive session and resume consideration of the McFarland nomination.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator WHITEHOUSE.

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

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, we are rapidly running out of

time to protect our future and that of our children and grandchildren from worsening climate upheaval. America ought to be taking every measure available to rein in greenhouse gas emissions from legislative action to legal action, to diplomatic action, to regulatory action, which is going to be a theme of this talk tonight. We are not doing those things, and, frankly, it is because of corruption, plain and simple.

Regulatory action, that means enforcing the laws on the books. We have a Clean Air Act that requires the Environmental Protection Agency to stop dangerous pollutants from fouling our air. The EPA has found that greenhouse gases are pollutants under the Clean Air Act, and the Supreme Court has upheld that finding. That means we ought to be regulating methane. Methane is among the most potent of greenhouse gases. When released into the atmosphere, it traps about 30 times more heat than its chemical cousin, carbon dioxide. Oil and gas extraction releases massive methane pollution. In fact, a growing body of research suggests methane pollution from natural gas extraction may completely offset the climate gains of switching from coal to natural gas.

To fulfill its duties under the Clean Air Act, as a matter of law, EPA needs to prevent methane pollution. It is the law; it is not optional. But the corrupt Trump EPA won't fight methane pollution. This corrupt EPA is run by the fossil fuel industry, which could not care less about methane emissions.

Within weeks of Scott Pruitt taking control of the Agency, the corrupted EPA withdrew its request that oil and gas companies even report methane emissions. The industry knew a true report on methane leakage would damage their case for natural gas as a less dangerous air pollutant, so they went to a line of attack, taken directly from the Big Tobacco playbook: Silence the science. The fewer facts the EPA has, the less action it needs to take under law—the corrupt Trump EPA deliberately made itself ignorant and stopped the reporting so it could avoid its duty.

Step 2 came in March 2017 with the corrupt Trump effort to roll back existing greenhouse gas regulations, including methane regulations. Trump's Executive order reads like a fossil fuel lobbyist's dream, probably because fossil fuel lobbyists wrote it. He called on the EPA to "review existing regulations that potentially burden the development or use of domestically produced energy resources and appropriately suspend, revise, or rescind those that unduly burden the development of domestic energy resources."

Regulations to limit methane pollution were among those that Trump's Executive order singled out, saying, "As soon as practical, suspend, revise, or rescind [them]."

Step 3 was to write a do-nothing replacement. After lots of dawdling,

Trump's corrupt EPA decided to draft a fake rule, a rule they could point to if challenged in court for doing nothing, but a rule that would conveniently do nothing to limit methane emissions. The fake rule exempts a huge chunk of oil and gas production from regulation, leaving the industry with an effective blank check to pollute as much methane as it likes.

As I speak, the corrupt Trump EPA is preparing to issue its final rule, and the corrupted fossil fuel industry is poised to grab everything it wanted. The final rule is one that industry stooges could have written themselves because, well, it looks like they did write it themselves. They bought that privilege the old-fashioned way, by buying it.

Even before Trump took office, the fossil fuel industry began showering him with money. Trump raised a record amount for his inauguration—nearly doubling the previous record—and Hess, Chevron, BP, Citgo, ExxonMobil, Consol Energy, Continental Resources, Murray Energy, and Valero all made six- or seven-figure donations. The oil and gas and mining sector was the second largest source of donations, providing more than \$10 million to Trump's inaugural committee. That money still flows as the 2020 election ramps up.

Fossil fuel companies are among the largest donors to the political group supporting Trump's reelection. A pipeline company is the largest single donor to the Trump victory political action committee, more than \$700,000 as of this November. The oil, gas, and mining industries account for more than \$5 million to the Trump Victory PAC.

Fossil fuel executives are some of the largest individual donors to the Trump Victory PAC. One executive alone gave \$360,000. These known donations likely represent the tip of a big dark iceberg. Dark-money political organizations accept unlimited donations and provide no disclosure, and Super PACs accept unlimited donations with little disclosure. So the bottom line is we cannot tell exactly how much fossil fuel money is flowing to groups supporting Trump, but it is a lot. When you consider the \$650 billion annual subsidiary the fossil fuel polluters enjoy, they have every reason to buy control over government from a corrupt Trump administration.

Money isn't the only way the fossil fuel industry exerts control. Oklahoma oil king and Scott Pruitt patron Harold Hamm set up a Trump leadership council to advise Trump. The fossil fuel industry was the heart of the council, with coal giants Alliance Resource Partners and Murray Energy, oil services company Baker Hughes, and natural gas company Devon Energy all active members. Of course, there was the National Association of Manufacturers, a trade association recently identified as America's worst climate obstructer.

With all these obstructers and polluters on board, the fossil fuel friendly

council fed Trump a steady diet of talking points about slashing regulations and achieving “complete American energy independence.”

These fossil fuel industry talking points became the Executive order I mentioned earlier, an order to kill any environmental protection that “unduly burdens the development of domestic energy resources.” Do you want to know who the winners were from that Executive order? Check the list of attendees at the signing ceremony: fossil fuel executives and fossil fuel industry trade association executives, come to celebrate the freedom to pollute that their influence and money had bought them.

Chevron has recently been identified as one of the companies that has done the most to damage our oceans. They are one of the top ocean-wrecking companies on the planet. In February of 2017, Chevron wrote to the corrupt Pruitt with a list of deregulatory proposals the company wanted to see implemented at the EPA. Included was a request to “refocus methane regulations, particularly those that impact existing sources, to encourage voluntary approaches.” For sure, you can trust one of the world’s worst ocean polluters with voluntary approaches.

The corrupt Trump EPA was stocked with fossil fuel industry cronies ready to implement whatever the industry wanted. Pruitt rose to political power on a wave of fossil fuel money and demonstrated a willingness to sell his office by putting fossil fuel industry asks verbatim onto his official letterhead.

Andrew Wheeler, Pruitt’s successor as Administrator, had been a leading lobbyist for the coal industry. The head of the EPA Air Office, Bill Wehrum, rose to prominence by helping build and run an array of trade associations and front groups for—guess what—the fossil fuel industry.

Beyond Pruitt and Wheeler and Wehrum, the EPA’s political leadership crawled with fossil fuel flunkies, like

the one who left to set up the fossil-fuel dark energy group Energy 45 to help promote fossil fuel energy policies; or the lawyer-lobbyist for energy interests Dominion Energy, Koch Industries, and TransCanada overseeing Air Office compliance, of all things. It has been an infestation.

It is easy for the fossil fuel industry to spend big money to corrupt the EPA because the corruption payoff is so big; the dirty methane work alone is estimated to save oil and gas companies hundreds of millions of dollars.

Meanwhile, the American Petroleum Institute, the largest trade association for the oil and gas industry, announced a new seven-figure ad campaign called “We’re on it.” “We’re on it.” These ads—on the Internet, TV, and billboards—they are all over the Washington, DC, airport. They are designed to fool the public and to fool policymakers that the oil industry is “on its” methane emissions problem. Of course, they are not. Of course, they are lying. It is what they do.

Science tells us that methane emissions are far higher than the estimates out of the corrupt Trump EPA. The investigative journalism group Unearthed found that leading oil companies are emitting unprecedented methane pollution. In just three producing basins, in just 1 year, oil companies emitted methane equivalent to the annual emissions of 10 coal-fired power plants or 8 million cars.

There is a recent New York Times article that you can link to showing infrared imagery—it is really impressive to see, actually, if you click through to it—infrared imagery of methane billowing out of what they call super-emitter fossil fuel facilities.

A recent article described one methane blowout in Ohio leaking as much “methane than the entire oil and gas industries of many nations do in a year.”

“We are on it.” Yeah, they are “on it.” What they are on is a binge of

lying about emissions, corrupting our politics, and blocking climate action. These massive polluting industries have a long track record of climate denial and deceit. It is how they roll.

A top climate obstructer, the U.S. Chamber of Commerce, pays for a phony study, claiming the Paris agreement would cost jobs and economic growth, and Trump pulls out a pass. Oil companies lobby to gut auto fuel efficiency standards, and Pruitt and Wheeler gut the standards. The natural gas industry objects to rules limiting methane emission. The corrupt Trump EPA rolls them back.

Just now, on the Senate floor, we are looking at a tax extenders package that wipes out the tax extenders for solar going forward, wind going forward. They gave us 1 year looking backwards. Great, thanks a bunch. Electric vehicles, storage, and batteries, all of that had been in a tentative agreement. The fossil fuel industry and the Trump administration kiboshed all of it. “On it,” indeed.

Will Attorney General Barr look into any of this? Of course not. In the corrupt Trump administration, fossil fuel money and influence puts that industry above the law. They can pollute and corrupt more or less at will. We cannot afford this self-dealing from polluters any longer. This is flat-out wrong. Indeed, it is flat-out crooked. It is not only time to wake up, Madam President, it is time to clean up. This behavior is a disgrace.

I yield the floor.

---

ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 5:59 p.m., adjourned until Wednesday, December 18, 2019, at 9:30 a.m.