

may exempt a particular command, particular training method, or both, from the requirement for human-based training methods under subsection (a)(2) if the Secretary determines that human-based training methods will not provide an educationally equivalent or superior substitute for live animal-based training methods for such command or training method, as the case may be.

“(2) Any exemption under this subsection shall be for such period, not more than one year, as the Secretary shall specify in granting the exemption. Any exemption may be renewed (subject to the preceding sentence).

“(c) ANNUAL REPORTS.—(1) Not later than October 1, 2018, and each year thereafter, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries under this section.

“(2) Each report under this subsection on or after October 1, 2022, shall include a description of any exemption under subsection (b) that is in force at the time of such report, and a current justification for such exemption.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘combat trauma injuries’ means severe injuries likely to occur during combat, including—

- “(A) hemorrhage;
- “(B) tension pneumothorax;
- “(C) amputation resulting from blast injury;
- “(D) compromises to the airway; and
- “(E) other injuries.

“(2) The term ‘human-based training methods’ means, with respect to training individuals in medical treatment, the use of systems and devices that do not use animals, including—

- “(A) simulators;
- “(B) partial task trainers;
- “(C) moulage;
- “(D) simulated combat environments;
- “(E) human cadavers; and
- “(F) rotations in civilian and military trauma centers.

“(3) The term ‘partial task trainers’ means training aids that allow individuals to learn or practice specific medical procedures.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by adding at the end the following new item:

“2017. Use of human-based methods for certain medical training.”

SA 651. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MANAGEMENT OF CERTAIN LITIGATION ON BEHALF OF INDEMNIFIED PRIVATE CONTRACTORS.

(a) IN GENERAL.—In cases where litigation between an indemnified Department of Defense contractor and a member of the Armed Forces relating to the member’s work for the contractor exceeds a period of two years without final judgement or settlement, the Department shall exercise its contractual right to manage the litigation on behalf of the contractor. In doing so, the Department

shall ensure that the fiscal burden on taxpayers is minimized by avoiding unnecessarily long and expensive litigation, while simultaneously resolving the claim in a way that meets the Department’s obligations to members of the Armed Forces and their families fairly and in a timely manner.

(b) INDEMNIFIED DEPARTMENT OF DEFENSE CONTRACTOR DEFINED.—In this section, the term “indemnified Department of Defense contractor” means a contractor that has been indemnified by the Department of Defense against civil judgments or liability for injuries, sickness, or death of members of the Armed Forces related to their work with the contractor.

SA 652. Mr. WYDEN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REQUIREMENT TO ESTABLISH REPOSITORY FOR OPERATIONAL ENERGY-RELATED RESEARCH AND DEVELOPMENT EFFORTS OF DEPARTMENT OF DEFENSE.

(a) REPOSITORY REQUIRED.—Not later than December 31, 2018, the Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering and in collaboration with the Assistant Secretary of Defense for Operational Energy Plans and Programs and the Secretaries of the military departments, shall establish a centralized repository for all operational energy-related research and development efforts of the Department of Defense, including with respect to the inception, operational, and complete phases of such efforts.

(b) INTERNET ACCESS.—The Secretary of Defense shall ensure that the repository required by subsection (a) is accessible through an Internet website of the Department of Defense and by all employees of the Department and members of the Armed Forces whom the Secretary determines appropriate, including all program managers involved in such research and development efforts, to enable improved collaboration between military departments on research and development efforts described in subsection (a), enable sharing of best practices and lessons learned relating to such efforts, and reduce redundancy in such efforts.

SA 653. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 344, strike lines 1 through 7 and insert the following:

SEC. 864. MODIFICATION OF LIMITATIONS ON PROCUREMENT OF PHOTOVOLTAIC DEVICES BY THE DEPARTMENT OF DEFENSE.

(a) REQUIREMENT TO PROVIDE PHOTOVOLTAIC DEVICES FROM UNITED STATES SOURCES.—Section 858 of the Carl Levin and

Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 2534 note; Public Law 113–291) is amended—

(1) in subsection (a)—

(A) by inserting “, excluding installation costs” before “, unless”; and

(B) by inserting “substantial and” before “unreasonable costs”; and

(2) in subsection (b)(1)(B)—

(A) by striking “exclusive” and inserting “principal”; and

(B) by striking “full”.

(b) PROCUREMENT OF PHOTOVOLTAIC DEVICES.—Section 846(b)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2534 note; Public Law 111–383) is amended—

(1) by striking “exclusive” and inserting “principal”; and

(2) by striking “full”.

SA 654. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 344, strike lines 1 through 7.

SA 655. Ms. KLOBUCHAR (for herself, Mr. WHITEHOUSE, Mr. DURBIN, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle C of title XVI, insert the following:

SEC. ____ . PROHIBITION ON USE OF FEDERAL FUNDS FOR JOINT CYBERSECURITY INITIATIVE WITH RUSSIA.

(a) PROHIBITION.—No Federal funds may be used to establish, support, or otherwise promote, directly or indirectly, the formation of or any United States participation in a joint cybersecurity initiative involving the Government of the Russian Federation or any entity operation under the direction of such government.

(b) WAIVER.—Prohibition imposed under subsection (a) shall terminate on the date on which the President submits to the congressional defense committees a written certification that the Government of the Russian Federation has—

(1) ceased ordering, controlling, or otherwise directing, supporting, or financing, acts intended to undermine democracies around the world; and

(2) submitted a written statement acknowledging interference in the 2016 United States presidential election.

SA 656. Ms. KLOBUCHAR (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

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

At the appropriate place, insert the following:

SEC. ____ ASSISTING STATES IN ADOPTING BEST PRACTICES FOR PROTECTING THE INTEGRITY OF FEDERAL ELECTIONS.

(a) DEVELOPMENT OF BEST PRACTICES.—

(1) IN GENERAL.—The Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.) is amended by inserting after section 247 the following new section:

“SEC. 248. STUDY AND REPORT ON BEST PRACTICES FOR PROTECTING THE INTEGRITY OF FEDERAL ELECTIONS AND FOR STORING AND SECURING VOTER REGISTRATION DATA.

“(a) IN GENERAL.—The Commission, in consultation with the National Institute of Standards and Technology, the Secretary of the Department of Homeland Security, the Election Assistance Commission Standards Board, the Election Assistance Commission Board of Advisors, the Election Assistance Commission Technical Guidelines Development Committee, the National Association of Secretaries of State, the National Association of State Election Directors, the National Association of Election Officials, the International Association of Government Officials, the National Association of State Chief Information Officers, the Multi-State Information Sharing and Analysis Center, and other stakeholders the Commission determines necessary, shall conduct a study on each of the following:

“(1) Best practices for cybersecurity of Federal elections, including best practices for storing and securing voter registration data.

“(2) Best practices for election audits.

“(b) PUBLIC HEARINGS.—In conducting each of the studies under this section, the Commission shall hold public hearings.

“(c) ISSUES CONSIDERED.—

“(1) CYBERSECURITY OF FEDERAL ELECTIONS, INCLUDING BEST PRACTICES FOR STORING AND SECURING VOTER REGISTRATION DATA.—In conducting the study under subsection (a)(1), the Commission shall consider the following:

“(A) The interference by foreign actors in the 2016 Federal election.

“(B) The opinion of intelligence officials that foreign states are likely to attempt to interfere in future Federal elections.

“(C) Election administration profiles based on the cybersecurity framework of the National Institute of Standards and Technology.

“(D) Best practices for storing and securing voter registration data.

“(E) All components of election infrastructure, as designated by the Secretary of Homeland Security, on January 6, 2017, as a subsector of a critical infrastructure sector (as defined in section 2001 of the Homeland Security Act of 2002 (6 U.S.C. 601)).

“(F) The implications of the aging of voting equipment on cybersecurity.

“(G) Any existing Federal funding sources that may be used to assist State and local governments to improve election cybersecurity.

“(H) Any related issues the Commission identifies as necessary to complete a comprehensive study of best practices for cybersecurity of Federal elections.

“(2) ELECTION AUDITS.—In conducting the study under subsection (a)(2), the Commission shall consider the following:

“(A) Public confidence in the administration of Federal elections.

“(B) Verifying the integrity of the election process.

“(C) Confirming the accuracy of results reported by the voting system.

“(D) Ensuring that the voting system is accurately tabulating ballots.

“(E) Ensuring that the winners of each election for Federal office are called correctly.

“(F) Current State requirements related to election audits.

“(G) Durational requirements needed to facilitate an election audit prior to election certification, including variations in the acceptance of postal ballots and election certification deadlines.

“(H) Administrative requirements and challenges for various types of election audits.

“(I) The potential to identify areas of improvement in election administration using varying types of election audits.

“(J) The use of voting systems producing voter-verified paper ballots.

“(K) Any related issues the Commission identifies as necessary to complete a comprehensive study of best practices for election audits.

“(d) REPORT AND RECOMMENDATIONS.—Not later than the date that is 6 months after the date of the enactment of this section, the Commission shall submit a report to the Committee on Rules and Administration of the Senate and the Committee on Administration of the House of Representatives on each of the studies conducted under this section, together with recommendations with the matters described in paragraphs (1) and (2) of subsection (a).”

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 247 the following new item:

“Sec. 248. Study and report on best practices for protecting the integrity of Federal elections.”

(b) ELECTION TECHNOLOGY IMPROVEMENT GRANTS.—

(1) IN GENERAL.—The Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.) is amended by adding at the end the following new title:

“TITLE X—ELECTION TECHNOLOGY IMPROVEMENT GRANTS

“SEC. 1001. ELECTION TECHNOLOGY IMPROVEMENT GRANTS.

“(a) IN GENERAL.—The Commission shall make a payment in an amount determined under section 1002 to each State which meets the conditions described in section 1003.

“(b) USE OF FUNDS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a State receiving payment under this title shall use the payment—

“(A) in the case of a State that has undergone a Security Risk and Vulnerability Assessment from the Department of Homeland Security with respect to the State’s election system, to address any recommendations or vulnerabilities resulting from such assessment, and

“(B) to implement the recommendations of the Commission under section 248(d) in accordance with the plan developed under section 1003.

In the case of a State described in subparagraph (A), no amount of the payment received under this title may be used for any purpose described in subparagraph (B) before the date the State submits a State plan that meets the requirements of section 1003(b)(1)(A).

“(2) OTHER ACTIVITIES.—A State may use a payment under this title to carry out other activities to improve the administration of elections for Federal office if the State certifies to the Commission that—

“(A) the State has implemented the recommendations of the Commission under section 248(d);

“(B) the State will use any remaining funds to improve, upgrade, or acquire new

technological equipment related to election administration, which may include—

“(i) voting machines;

“(ii) election management systems;

“(iii) electronic poll books;

“(iv) online voter registration systems;

“(v) participation in the Electronic Registration Information Center;

“(vi) accessible voting equipment; and

“(vii) other technological upgrades identified by the Commission in the studies conducted under section 248(a); and

“(C) the State has appropriated funds for carrying out such activities in an amount equal to 10 percent of the total amount to be spent for such activities (taking into account the payment under this section and the amount spent by the State).

No amount of the payment received under this title may be used for any purpose described in this paragraph before the date the State submits the certification described in section 1003(b)(1)(C).

“(3) PROHIBITION ON USE FOR VOTING MACHINES NOT PRODUCING VOTER-VERIFIED PAPER BALLOTS.—

“(A) IN GENERAL.—None of the payments provided under this title may be used for any voting system that does not produce a voter-verified paper ballot.

“(B) EXCEPTION.—Subparagraph (A) shall not apply to any payment used for the purposes described in paragraph (1)(A).

“SEC. 1002. ALLOCATION OF FUNDS.

“(a) IN GENERAL.—Subject to subsection (c), the amount of a payment made to a State under this title shall be equal to the product of—

“(1) the total amount appropriated for payments pursuant to the authorization under section 1007; and

“(2) the State allocation percentage for the State (as determined under subsection (b)).

“(b) STATE ALLOCATION PERCENTAGE DEFINED.—The ‘State allocation percentage’ for a State is the amount (expressed as a percentage) equal to the quotient of—

“(1) the voting age population of the State (as reported in the most recent decennial census); and

“(2) the total voting age population of all States (as reported in the most recent decennial census).

“(c) MINIMUM AMOUNT OF PAYMENT.—The amount of a payment made to a State under this section may not be less than—

“(1) in the case of any of the several States or the District of Columbia, one-half of 1 percent of the total amount appropriated for payments under this title under section 1007; or

“(2) in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of Northern Mariana Islands, or the United States Virgin Islands, one-tenth of 1 percent of such total amount.

“(d) PRO RATA REDUCTIONS.—The Commission shall make such pro rata reductions to the allocations determined under subsection (a) as are necessary to comply with the requirements of subsection (c).

“(e) CONTINUING AVAILABILITY OF FUNDS AFTER APPROPRIATION.—A payment to a State under this title shall be available to the State without fiscal year limitation.

“SEC. 1003. CONDITION FOR RECEIPT OF FUNDS.

“(a) IN GENERAL.—A State is eligible to receive a payment under this title if the chief executive officer of the State, or designee, in consultation and coordination with the chief State election official, has filed with the Commission a statement certifying that the State is in compliance with the requirements referred to in subsection (b). A State may meet the requirement of the previous sentence by filing with the Commission a statement which reads as follows:

_____ hereby certifies that it is in compliance with the requirements referred to in section 1003(b) of the Help America Vote Act of 2002.' (with the blank to be filled in with the name of the State involved).

“(b) STATE PLAN REQUIREMENT; CERTIFICATION OF COMPLIANCE WITH APPLICABLE LAWS AND REQUIREMENTS.—

“(1) IN GENERAL.—The requirements referred to in this subsection are as follows:

“(A) The State has filed with the Commission a State plan which the State certifies—

“(i) contains each of the elements described in section 1004;

“(ii) is developed in accordance with section 1005; and

“(iii) meets the public notice and comment requirements of section 1006.

“(B) The State is in compliance with each of the laws described in section 906, as such laws apply with respect to this Act.

“(C) To the extent that any portion of the payment is used for activities other than implementing the recommendations of the Department of Homeland Security in connection with a Risk and Vulnerability Assessment described in section 1001(b)(1)(A) or the recommendations of the Commission under section 248(d)—

“(i) the State's proposed uses of the payment are not inconsistent with such recommendations; and

“(ii) the use of the funds under this subparagraph is consistent with the requirements of section 1001(b)(2)(B).

“(2) SPECIAL RULE FOR REQUIREMENTS WITH RESPECT TO RISK AND VULNERABILITY ASSESSMENTS.—In the case of a State that has undergone a Security Risk and Vulnerability Assessment from the Department of Homeland Security with respect to the State's election system, paragraph (1) shall not apply and the State shall be treated as having met the requirements of this subsection if the State has met the requirement of paragraph (1)(B) and has filed with the Commission a State plan which contains the elements described in section 1004 with respect to the recommendations of the Department of Homeland Security with respect to such assessment.

“(c) METHODS OF COMPLIANCE LEFT TO DISCRETION OF STATE.—The specific choices on the methods of complying with the elements of a State plan shall be left to the discretion of the State.

“(d) TIMING FOR FILING OF CERTIFICATION.—

“(1) IN GENERAL.—A State may not file a statement of certification under subsection (a) until the expiration of the 45-day period which begins on the date the State plan under this section has been published on both the website of the chief State election official and the website of the Election Assistance Commission pursuant to section 1005(b).

“(2) EXCEPTION FOR RISK AND VULNERABILITY ASSESSMENT MATTERS.—Paragraph (1) shall not apply to any part of plan which is developed in connection with addressing recommendations of the Department of Homeland Security in connection with a Risk and Vulnerability Assessment described in section 1001(b)(1)(A).

“(e) CHIEF STATE ELECTION OFFICIAL DEFINED.—In this title, the ‘chief State election official’ of a State is the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-8) to be responsible for coordination of the State's responsibilities under such Act.

“SEC. 1004. STATE PLAN.

“(a) IN GENERAL.—The State plan shall contain a description of each of the following:

“(1) How the State will use the payment under this title—

“(A) to implement—

“(i) any recommendations of the Department of Homeland Security in connection with a Risk and Vulnerability Assessment described in section 1001(b)(1)(A), if applicable; and

“(ii) the recommendations of the Commission under section 248(d); and

“(B) if applicable under section 1001(b)(2), to carry out other activities to improve the administration of elections.

“(2) How the State will distribute and monitor the distribution of the payment to units of local government or other entities in the State for carrying out the activities described in paragraph (1), including a description of—

“(A) the criteria to be used to determine the eligibility of such units or entities for receiving the payment; and

“(B) the methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (3).

“(3) How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met.

“(4) How the State will conduct ongoing management of the plan, except that the State may not make any material change in the administration of the plan unless the change—

“(A) is developed and published on the website of the chief State election official and the website of the Election Assistance Commission in accordance with section 1005 in the same manner as the State plan;

“(B) is subject to public notice and comment in accordance with section 1006 in the same manner as the State plan; and

“(C) takes effect only after the expiration of the 30-day period which begins on the date the change has been published on both the website of the chief State election official and the website of the Election Assistance Commission.

“(5) A description of the committee which participated in the development of the State plan in accordance with section 1005 and the procedures followed by the committee under such section and section 1006.

Paragraphs (5) and (6) shall not apply to any part of a plan which pertains to addressing recommendations of the Department of Homeland Security in connection with a Risk and Vulnerability Assessment described in section 1001(b)(1)(A).

“(b) PROTECTION AGAINST ACTIONS BASED ON INFORMATION IN PLAN.—

“(1) IN GENERAL.—No action may be brought under this Act against a State or other jurisdiction on the basis of any information contained in the State plan filed under this title.

“(2) EXCEPTION FOR CRIMINAL ACTS.—Paragraph (1) may not be construed to limit the liability of a State or other jurisdiction for criminal acts or omissions.

“SEC. 1005. PROCESS FOR DEVELOPMENT AND FILING OF PLAN; PUBLICATION BY COMMISSION.

“(a) DEVELOPMENT OF PLAN.—The chief State election official shall develop the State plan under this title through a committee of appropriate individuals, including the chief election officials of the two most populous jurisdictions within the State,

other local election officials, stake holders, and other citizens, appointed for such purpose by the chief State election official.

“(b) PUBLICATION OF PLAN BY COMMISSION.—After receiving the State plan of a State under this title, the Commission shall cause to have the plan published on both the website of the chief State election official and the website of the Election Assistance Commission.

“SEC. 1006. REQUIREMENT FOR PUBLIC NOTICE AND COMMENT.

“For purposes of section 1003(b)(1)(C), a State plan meets the public notice and comment requirements of this section if—

“(1) not later than 30 days prior to the submission of the plan, the State made a preliminary version of the plan available for public inspection and comment;

“(2) the State publishes notice that the preliminary version of the plan is so available; and

“(3) the State took the public comments made regarding the preliminary version of the plan into account in preparing the plan which was filed with the Commission.

“SEC. 1007. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary for payments under this title for fiscal years 2018 and 2019.

“(b) AVAILABILITY.—Any amounts appropriated pursuant to the authority of subsection (a) shall remain available without fiscal year limitation until expended.

“SEC. 1008. REPORTS.

“Not later than 6 months after the end of the fiscal year for which a State received a payment under this title, the State shall submit a report to the Commission on the activities conducted with the funds provided, and shall include in the report—

“(1) a list of expenditures made with respect to each category of activities described in section 1001(b); and

“(2) an analysis and description of the activities funded under this title to meet the requirements of this title and an analysis and description of how such activities conform to the State plan under section 1004.”.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end the following:

“TITLE X—ELECTION TECHNOLOGY IMPROVEMENT GRANTS

“Sec. 1001. Election technology improvement grants.

“Sec. 1002. Allocation of funds.

“Sec. 1003. Condition for receipt of funds.

“Sec. 1004. State plan.

“Sec. 1005. Process for development and filing of plan; publication by commission.

“Sec. 1006. Requirement for public notice and comment.

“Sec. 1007. Authorization of appropriations.

“Sec. 1008. Reports.”.

(c) CONTRACTING ASSISTANCE.—The Administrator of the General Services Administration, in consultation with the Director of the National Institute of Standards and Technology, shall take such actions as may be necessary through competitive processes—

(1) to qualify a set of private sector organizations which are capable of providing cybersecurity services to States to secure their election systems and infrastructure from cyber attacks;

(2) to establish contract vehicles to enable States to access the services of one or more of such private sector organizations as soon as payment are made under title X of the Help America Vote Act of 2002;

(3) to ensure that the such contract vehicles permit individual States to augment Federal funds with funding otherwise available to the States; and

(4) to provide a list of qualified organizations to the Election Assistance Commission in order to ensure it is readily available to State election officials.

(d) INFORMATION SHARING WITH STATE ELECTION OFFICIALS.—

(1) SECURITY CLEARANCE.—Not later than 30 days after the date of enactment of this section, the Secretary of Homeland Security shall establish an expedited process for providing the appropriate security clearance for the Secretary of State or highest election administration official of each State and 1 designee selected by such Secretary of State or election administration official to ensure that information relating to cybersecurity incidents and threats is communicated to chief State election officials in a timely manner.

(2) INFORMATION SHARING.—Not later than 30 days after the date of enactment of this section, the Secretary of Homeland Security and the Director of National Intelligence shall establish a cybersecurity incident notification process and cybersecurity incident response protocols for the sharing of information among State and Federal officials relating to election cybersecurity threats, vulnerabilities, and breaches.

(3) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 30 days after the day of enactment of this section, and each year thereafter, the Secretary of Homeland Security and the Director of National Intelligence shall submit a joint report to appropriate congressional committees in both classified and unclassified form, on foreign threats to elections in the United States. The report shall address the current and probable threats to our election system and strategies to prevent foreign interference.

(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of subparagraph (A), the term “appropriate congressional committees” means—

(i) the Committee on Rules and Administration, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(ii) the Committee on House Administration, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 657. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 104 and insert the following:

SEC. 104. INDIVIDUAL MANDATE.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 48 (and the item related to such chapter in the table of chapters).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SA 658. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the De-

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

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

SEC. ____ . PROHIBITION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR EXPENSES INCURRED AT PROPERTY OWNED OR OPERATED BY THE PRESIDENT OR THE IMMEDIATE FAMILY OF THE PRESIDENT.

No amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to pay for expenses incurred at a property owned or operated by the individual serving as President or an immediate family member of the individual serving as President if the payments would result in a net financial benefit for the individual serving as President or an immediate family member of the individual serving as President.

SA 659. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____ . ONE-YEAR PERIOD FOR ENROLLMENT IN THE SURVIVOR BENEFIT PLAN FOR ELIGIBLE PARTICIPANTS WHO HAVE A SAME-SEX SPOUSE UNDER AN EARLIER OR CURRENT MARRIAGE.

(a) IN GENERAL.—Notwithstanding any other provision of law, any individual eligible for participation, but not participating, in the Survivor Benefit Plan as of the date of the enactment of this Act who seeks to participate in the Plan for the benefit of the same-sex spouse of the individual under a marriage entered into or recognized as valid before that date may elect to participate in the plan at any time during the one-year period beginning on that date in accordance with section 1448(a)(5) of title 10, United States Code.

(b) OUTREACH ON ELECTION TO PARTICIPATE FOR SPOUSES UNDER MARRIAGE AFTER ELIGIBILITY.—The Secretary of Defense shall undertake an active campaign of outreach designed to inform individuals who are or may become eligible for participation in the Survivor Benefit Plan of the availability of the election to participate in the Plan under section 1448(a)(5) of title 10, United States Code, for individuals who marry, including individuals with same-sex spouses, after becoming eligible to participate in the Plan.

(c) SURVIVOR BENEFIT PLAN DEFINED.—In this section, the term “Survivor Benefit Plan” means the benefit plan established by subchapter II of chapter 73 of title 10, United States Code.

SA 660. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. ____ . CONSIDERATION OF SERVICE BY RECIPIENTS OF BOREN SCHOLARSHIPS AND FELLOWSHIPS IN EXCEPTED SERVICE POSITIONS AS SERVICE BY SUCH RECIPIENTS UNDER CAREER APPOINTMENTS FOR PURPOSES OF CAREER TENURE.

Section 802(k) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(k)) is amended—

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

(2) in paragraph (2), in the matter before subparagraph (A), by striking “(3)(C)” and inserting “(4)(C)”;

(3) by inserting after paragraph (2) the following:

“(3) CAREER TENURE.—In the case of an individual whose appointment to a position in the excepted service is converted to a career or career-conditional appointment under paragraph (1)(B), the period of service described in such paragraph shall be treated, for purposes of the service requirements for career tenure under title 5, United States Code, as if it were service in a position under a career or career-conditional appointment.”

SA 661. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12 ____ . PROHIBITION ON TRANSFER OF CLUSTER MUNITIONS TO SAUDI ARABIA.

No amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be used to transfer or authorize the transfer of cluster munitions to Saudi Arabia.

SA 662. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate, insert the following:

SEC. ____ . NATIONAL GUARD AND RESERVE ENTREPRENEURSHIP SUPPORTS.

(a) EXTENSION OF LOAN ASSISTANCE AND DEFERRAL ELIGIBILITY TO RESERVISTS BEYOND PERIODS OF MILITARY CONFLICT.—

(1) SMALL BUSINESS ACT AMENDMENTS.—Section 7 of the Small Business Act (15 U.S.C. 636) is amended—

(A) in subsection (b)(3)—

(i) in subparagraph (A)—

(I) by striking clause (ii);

(II) by redesignating clause (i) as clause (ii);

(III) by inserting before clause (ii), as so redesignated, the following:

“(i) the term ‘active service’ has the meaning given that term in section 101(d)(3) of title 10, United States Code;”;

(IV) in clause (ii), as so redesignated, by adding “and” at the end;